



**AGENDA
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, JANUARY 23, 2017
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 P.M.**

COUNCIL MEETING

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

INVOCATION

PLEDGE TO THE FLAG

PLEDGE TO THE TEXAS FLAG - *“Honor the Texas Flag: I pledge allegiance to Thee, Texas, one state under God, one and indivisible”*

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Discussion and action on approval of meeting agenda

CITIZEN’S OPEN FORUM

Individuals requesting to speak during Citizen’s Open Forum will be required to fill out a “REQUEST TO SPEAK FORM” and present it to the City Secretary prior to commencement of the meeting. Speakers are limited to three minutes.

The purpose of this item is to allow citizens an opportunity to address the City Council on issues that are not the subject of a public hearing. Items which require a public hearing will allow citizens or visitors to speak at the time that item is introduced on the agenda. No formal action can be taken by the City Council on items that are not posted on the agenda.

PRESENTATIONS

1. Economic Development update, training and discussion
Greg Vick, City Manager
Jacquelyn Reyff, Director of Planning and Economic Development

REPORTS

1. **Finance** – Monthly Financial Report – expenses and revenues for all funds from December 1, 2016, through December 31, 2016
Sandra Gibson, Director of Finance, CGFO
Greg Vick, City Manager
2. **Public Works** – Capital Improvement Projects update
Paul Hackleman, Director of Public Works
Greg Vick, 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. Approval of City Council Regular Meeting Minutes of December 12, 2016
Zolaina R. Parker, City Secretary
2. Approval of the continuation of permit as a Massage Establishment for Hightower Salons for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the City of Watauga Code of Ordinances
Zolaina R. Parker, City Secretary
3. Approval of the continuation of permit as a Massage Establishment for JaVintee Massage for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the City of Watauga Code of Ordinances
Zolaina R. Parker, City Secretary
4. Approval of a permit for a Massage Establishment for YY Foot Massage for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the City of Watauga Code of Ordinances
Zolaina R. Parker, City Secretary
5. Approval of a permit for a Massage Establishment for Magic Massage for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the City of Watauga Code of Ordinances
Zolaina R. Parker, City Secretary
6. Approval of proposed resolution amending the City of Watauga Code of Ordinances, Chapter 2, Article III, by adding a clause to Section 2-108 (a) creating a removal process for Board of Appeal Members [CAPTION]
Zolaina R. Parker, City Secretary
7. Approval of proposed resolution amending the City of Watauga Code of Ordinances, Chapter 2, Article III, by adding a clause to Section 2-122 (b) creating a removal process for Watauga Improving Neighborhoods Committee Members [CAPTION]
Zolaina R. Parker, City Secretary

8. Approval of Quarterly Investment Report as of December 31, 2016
Sandra Gibson, Director of Finance, CGFO
Greg Vick, City Manager
9. Approval of a proposed resolution eliminating Section 13.13 and replacing with policy 10.08 and eliminating Section 20.7 replacing with policy 7.02 of the City of Watauga Personnel, Administration and Financial Policies and Procedures Manual [CAPTION]
Marcia Reyna, Director of Human Resources and Civil Service
Greg Vick, City Manager
10. Approval and ratification of appointment of Interim Fire Chief
Greg Vick, City Manager
11. Approve resignation of Ms. Leigh Ann Boardman from the Watauga Improving Neighborhoods Committee, Place 6
Hector F. Garcia, Mayor
12. Approve resignation of Ms. Rachel Pilgrim from the Library Board, Place 2
Hector F. Garcia, Mayor
13. Approve reappointment of Mr. Art Miner to the Watauga Parks Development Corporation, Place 1
Hector F. Garcia, Mayor
14. Approve appointment of Ms. Maria Ford to the Watauga Parks Development Corporation, Place 6
Hector F. Garcia, Mayor
15. Approve appointment of Mr. Michael Kessler to the Library Board, Place 2
Hector F. Garcia, Mayor

PUBLIC HEARING

1. Planning and Zoning Case 16-09: Request for a Specific Use Permit (SUP) for Hearts of Faith Ministry, a clothing store/resale, secondhand, thrift business at 5941 Watauga Road, legally described as Lot 1B, Block 2, Watauga Heights Addition, located on the north side of Watauga Road approximately 400 feet east of the intersection of Watauga Road and Whitley Road. Donna Sprott, owner. Julie Green, Hearts of Faith Ministry, applicant
 - a. Open Public Hearing-allow for staff comments
 - b. Public Comments
 - c. Close Public Hearing

NEW BUSINESS

1. Discussion and action on approval of an ordinance approving Planning and Zoning Case 16-09: Request for a Specific Use Permit (SUP) for Hearts of Faith Ministry, a clothing store/resale, secondhand, thrift business at 5941 Watauga Road, legally described as Lot 1B,Block 2, Watauga Heights Addition, located northeast of the intersection of Watauga Road and Whitley Road [CAPTION]
Jacquelyn Reyff, AICP, Planning and Economic Development Director
Greg Vick, City Manager
2. Discussion and action on approval of a proposed resolution calling for a General Election for Mayor, Council Member Places 3, 4, and 5, to be held on Saturday, May 6, 2017 at Watauga City Hall, 7105 Whitley Road, Watauga, Texas, 76148, including days and hours of Early Voting and continuing joint election services through Tarrant County [CAPTION]
Hector F. Garcia, Mayor
Zolaina R. Parker, City Secretary
3. Discussion and action on approval of an amendment to Burgess and Niple Engineering Contract for the design of Whitley Road Phase II, from Watauga Road to Chapman Road, in an amount not to exceed \$355,100
Paul Hackleman, Director of Public Works
Greg Vick, City Manager
4. Discussion and possible action on approval of proposed resolution adopting a Council Rules of Procedure Manual [CAPTION]
Greg Vick, City Manager
Zolaina R. Parker, City Secretary

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.

ADJOURNMENT

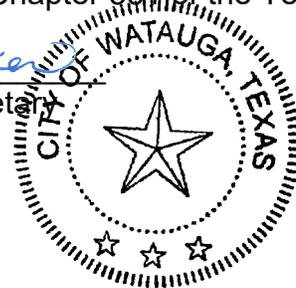
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NOTICE

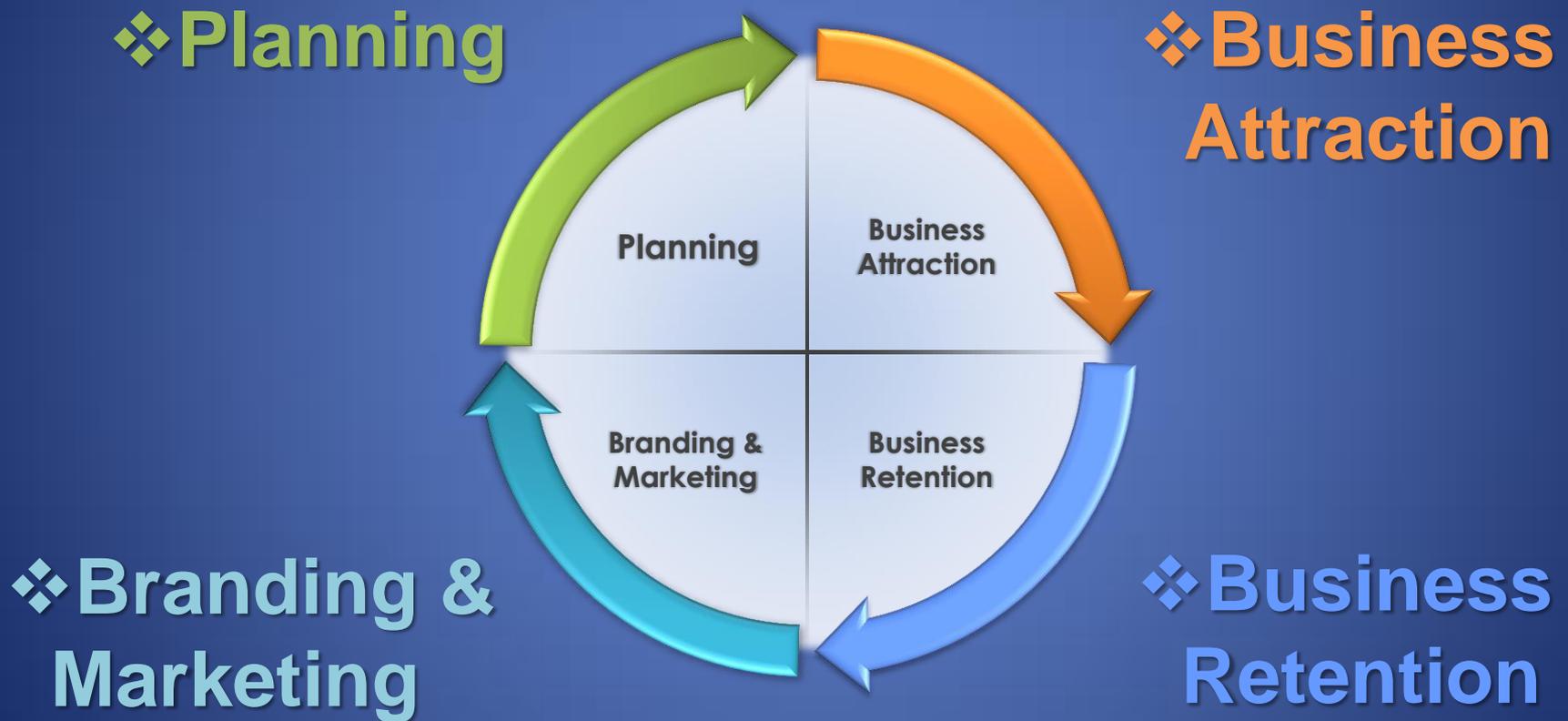
THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625.

I, Zolaina R. Parker, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on Wednesday, January 18, 2017, before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.

Zolaina R. Parker
Zolaina R. Parker, City Secretary



Economic Development



Foundation of Economic Development

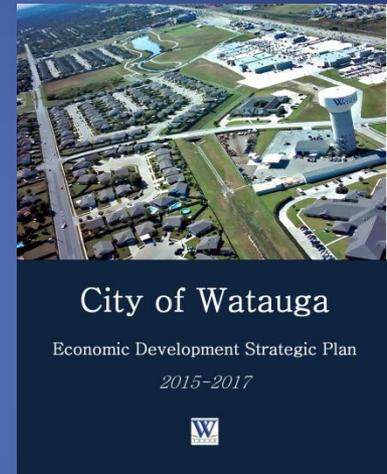
- A. Creating jobs
- B. Tax base
- C. A place you want to be
- D. Strong Sustainable local economy
- E. Quality of life



Planning



Planning
Master Plan
Thoroughfare Plan
Zoning Code Amendments
Redevelopment
Place Making
Visioning



Business Attraction

Attraction:

New Buildings only

FY 2015-2016

Zoe's Kitchen (new development)

Excel Contractors (re-development)

Advance Auto Parts (re-development)

Businesses into existing spaces:

Five Below

Smoothie King

Outreach:

ICSC

TEDC

Research

Conferences

Networking – ED Organizations

Chamber of Commerce

Development Community

Social Media

We are Watauga video

Business Video Spotlights

City Newsletter

Facebook/Twitter

Webpage Updates



Business Retention

**Ribbon Cuttings
&
Anniversary
Celebrations**

**Business Visits
& CO Deliveries**

**City Newsletter
Articles**

**Watauga Small Business Week
Social Media
Luncheon**



Branding & Marketing

Social Media

We are Watauga video
Business Video Spotlights
City Newsletter
Facebook/Twitter
Webpage Updates

Other Projects

Green Ribbon
Northeast Tarrant Transp. Summit
Watauga Rolls
Special Events
Quick Sheets
Planning Awards: Planning Advocate –
Mr. Clark; 2016 Planning Excellence
Award
Facilities



Next Steps

Where do we go from here?

Additional Tools:

Incentive Policy

Possible Incentives for Existing Shopping Centers

Update ED Strategic Plan

Continue Amendments Zoning & Subdivision Ordinances





**CITY OF WATAUGA FINANCE DEPARTMENT
INTEROFFICE CORRESPONDENCE**

DATE: January 13, 2017
TO: Honorable Mayor and City Council
THROUGH: Greg Vick, City Manager *GV*
FROM: Sandra Gibson, Director of Finance *S Gibson*
SUBJECT: Monthly Report – December, 2016

The City's sales tax receipts from the State Comptroller received in the month of January, 2017 (reflecting November sales receipts) increased by 6.7%, or \$21,278 from the same time last year. The Crime Control Prevention District December sales tax receipts increased by 6%. The increase this month was primarily due to a future period receipt received in November for December sales. Year-to-date sales tax receipts for the City are down 1.23% in comparison to last year at this time (cash basis).

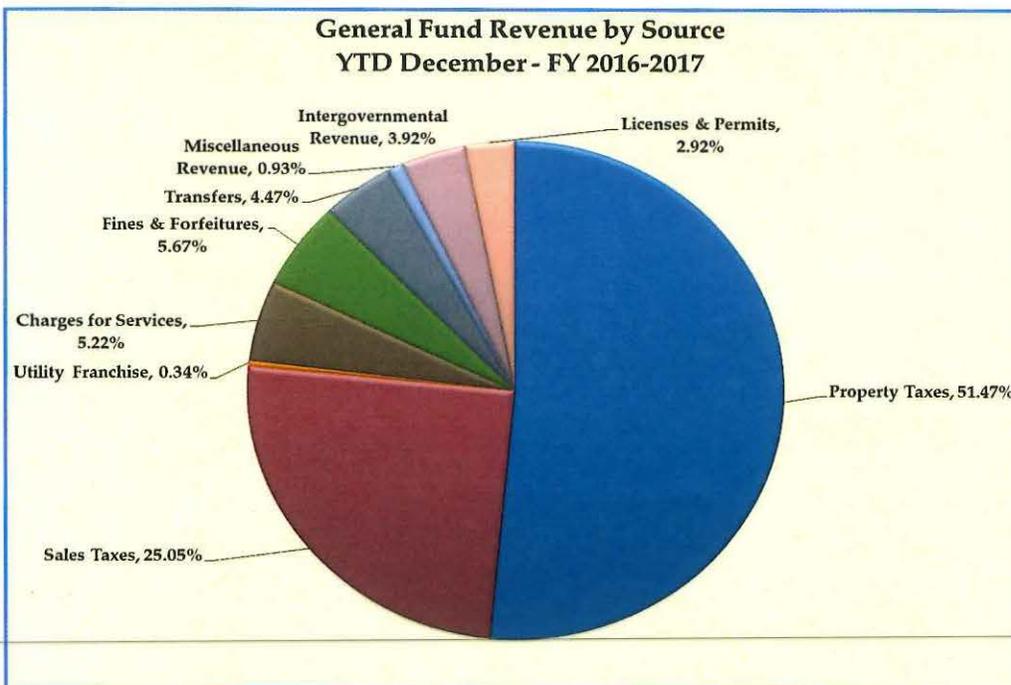
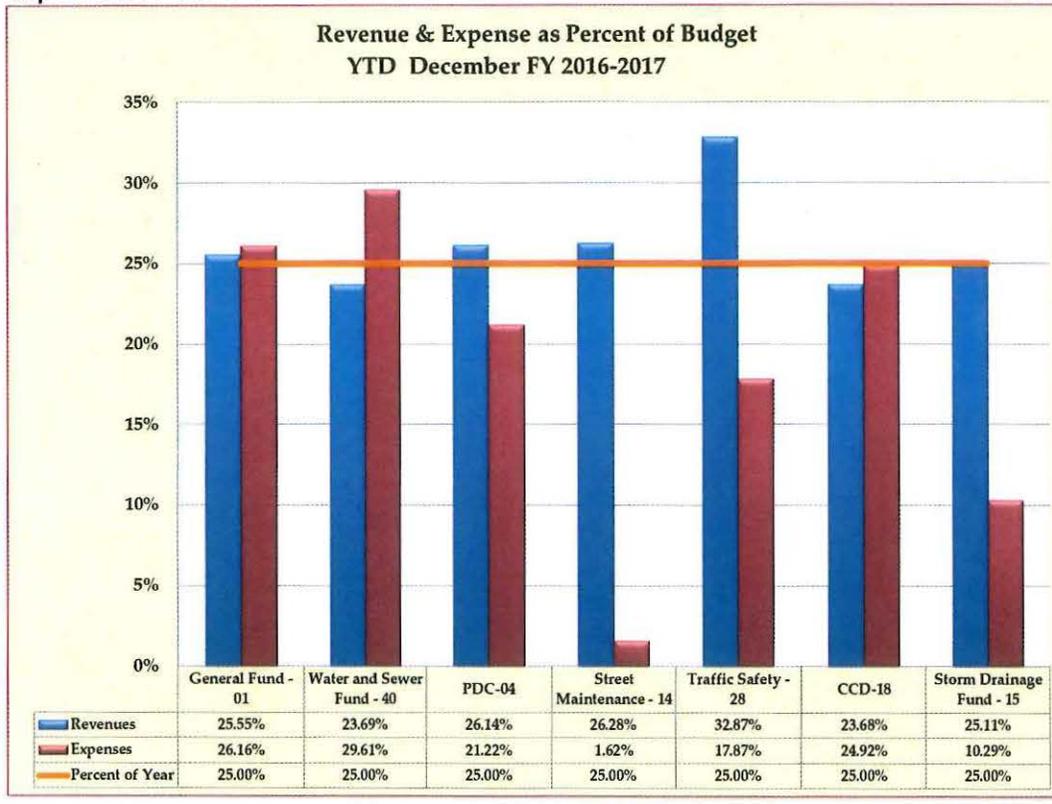
**SALES TAX RECEIPTS COMPARISONS
Fiscal Year 2016-17 to Date Through JANUARY 2017 (Cash Basis)**

City	FY 2015-16	FY 2016-17	\$ Change	% Change
Haltom City	\$ 3,522,448.61	\$ 4,523,641.02	\$ 1,001,192.41	28.42%
Southlake	\$ 7,708,968.83	\$ 9,657,679.64	\$ 1,948,710.81	25.28%
Roanoke	\$ 4,098,803.98	\$ 4,826,740.86	\$ 727,936.88	17.76%
Richland Hills	\$ 1,004,147.24	\$ 1,140,710.85	\$ 136,563.61	13.60%
Fort Worth	\$ 42,685,865.24	\$ 46,898,683.97	\$ 4,212,818.73	9.87%
Colleyville	\$ 1,714,212.93	\$ 1,878,654.61	\$ 164,441.68	9.59%
Euless	\$ 5,684,038.95	\$ 6,144,601.73	\$ 460,562.78	8.10%
North Richland Hills	\$ 4,511,366.22	\$ 4,800,224.14	\$ 288,857.92	6.40%
Saginaw	\$ 1,557,032.49	\$ 1,612,642.70	\$ 55,610.21	3.57%
Keller	\$ 3,183,433.21	\$ 3,294,790.85	\$ 111,357.64	3.50%
Grapevine	\$ 13,067,671.25	\$ 13,275,319.40	\$ 207,648.15	1.59%
Hurst	\$ 5,070,849.05	\$ 5,041,155.89	\$ (29,693.16)	-0.59%
Watauga	\$ 1,452,897.72	\$ 1,435,096.63	\$ (17,801.09)	-1.23%
Bedford	\$ 4,997,632.49	\$ 3,318,411.62	\$ (1,679,220.87)	-33.60%

Source: State Comptroller
 City Collections only - not Special Purpose Districts or Transit

Financial Highlights

Through December, 2016, the City is 25% through the fiscal year. All revenue and expenses are reflected in the chart below. Details of each fund's revenues and expenditures are attached.



General Fund

Year-to-date revenues are 20.9% lower in comparison to last year at this time, representing 25.6% of budget collected. Revenues are down in comparison to last year due to the timing of

property taxes received and posted at Tarrant County Tax Offices. Property tax receipts have picked up in January, 2017. General fund expenses in total are in line with budget expectations at 26.16%.

Property Tax. Year-to-date, the City has received 33.4% of budgeted property taxes. The majority of property tax receipts are received in the months of December and January.

Utility Franchise Revenue: The majority of franchise receipts are received on a quarterly basis. Franchise receipts for the 1st quarter of FY 2016-2017 will be received in January or February 2017.

Licenses and Permits - License and permit fees are on target at 25.6% of budget collected.

Charges for Services - Charges for Services revenues are at 21.3% of budget collected. Charges for services include recreation fees, ambulance services, garbage collection fees and animal adoption fees.

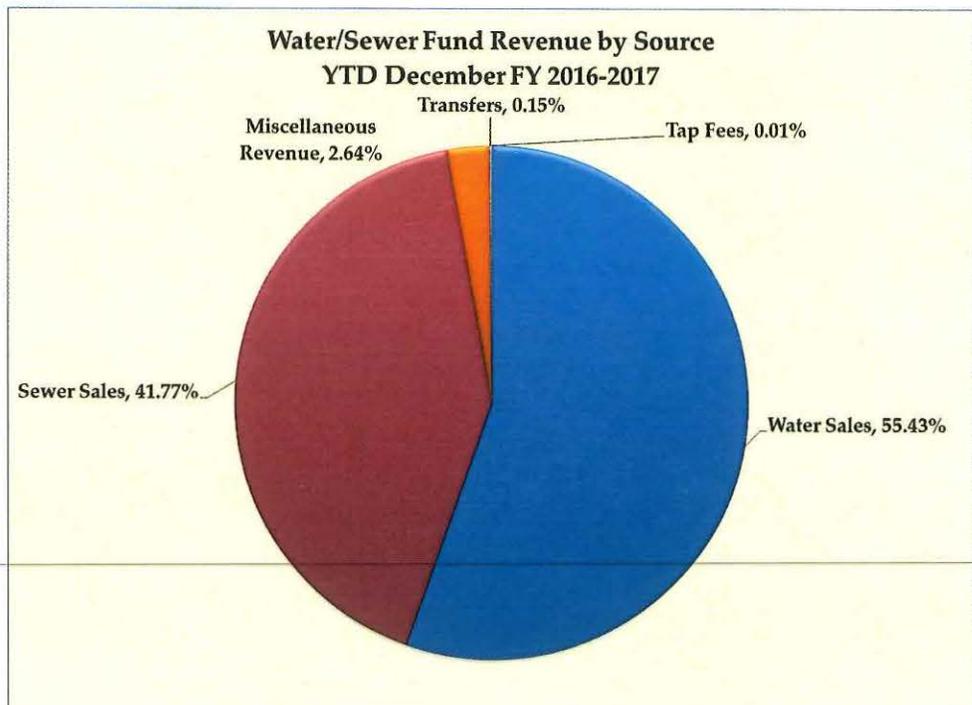
Fines and Forfeitures - Fines and Forfeitures are at 23.5% of budget. This category is at expectations at this time, however, the City anticipates a decline in overall citations in the next several months due to vacancies in the Police Department.

Miscellaneous Revenue. Miscellaneous revenue received total \$28,873 which is 10.4% of budgeted revenues.

Intergovernmental Revenue and Transfers. Intergovernmental Revenue is 24.42% of budget and Transfers are 24.3% of budget.

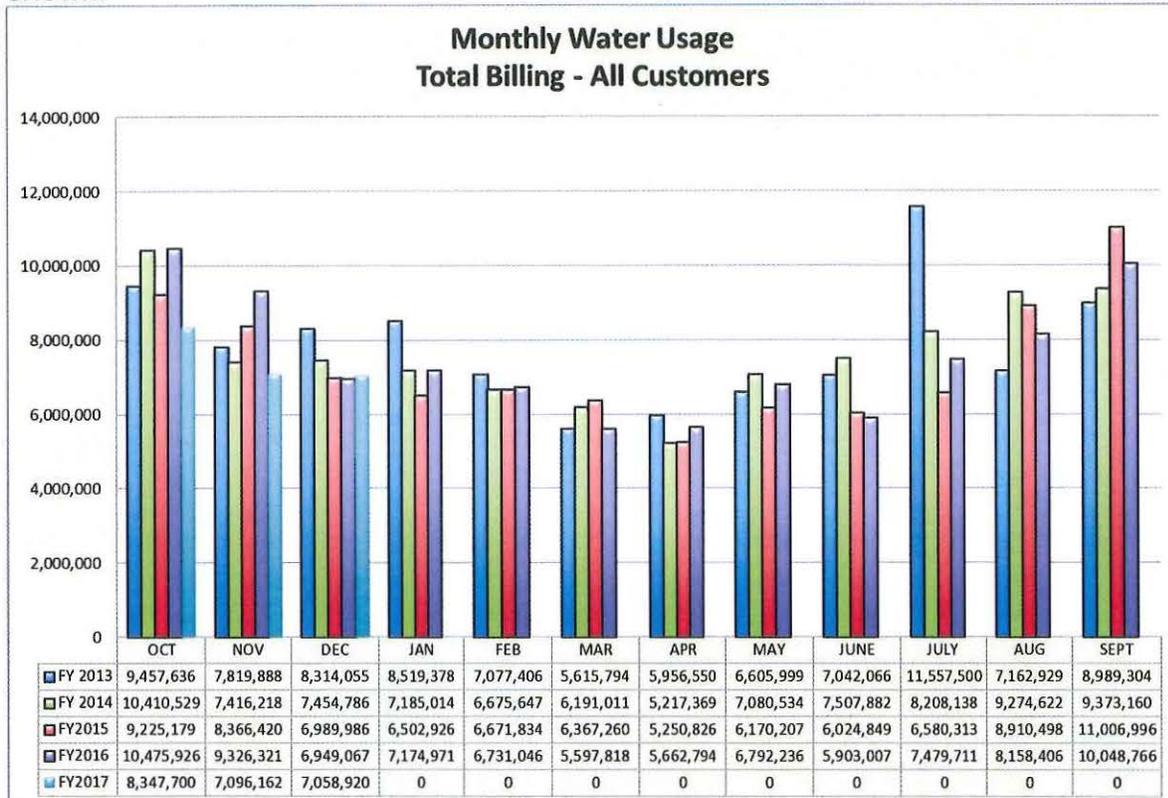
Water and Sewer Fund

Water and sewer revenues are currently at 24.1% of budgeted revenue and are down \$185,266 in comparison to last year. Water usage consumption for the month of November (billed in December) increased by 2% over prior year consumption, but is down 16% year to



date. Year-to-date expenses are currently at 29.61% due to the transfers to the debt service funds for payments that occur during the 2nd Quarter of the Fiscal Year.

On the following graph, the water usage monthly trends for the years 2013-2017 are shown:



Miscellaneous Sales - Miscellaneous sales include penalty revenue, EPA revenue, service charges, returned check fees, and damaged/tampering fees. This category of revenue is at 25.56% of budget collected.

Storm Drain Fund – Revenues are flat in comparison with FY2016 and are on target with budget expectations at 25%. Expenses are at 10.3% of budget in this fund through December 2016.

Special Revenue Funds - In the Street Maintenance Fund, revenues are on target with 26.3% of budget collected. Expenses are 1.6% of budget due to street overlay projects are scheduled for the later part of the fiscal year. The Crime Control and Prevention District has collected 24.7% of budgeted sales tax revenues and is at 24.9% of budget expended. The Parks Development Fund has collected 26.1% of sales tax revenues and is at 21.2% of budget expended through December, 2016. The Traffic Safety Fund (Red Light ticket program) has collected \$223,492 of fines or 32.9% of budget year-to-date and expenditures are at 17.9% of budget at this time.

Other Financial Notes

The FY2015-16 Audit field work is now complete. Over the next month, the Comprehensive Annual Financial Report will be compiled and is scheduled to be presented at the City Council meeting in February, 2017.

Quarterly Reports

1st Quarter Report on Bond Proceed Expenditures

Attached is a listing of 2011, 2012, and 2014 and 2016 Certificates of Obligation bond proceed expenditures to date. Also included is the project status for any remaining projects for the 2011 issuance.

The 2012 Certificates of Obligation water and sewer projects are currently in progress and are expected to carry forward through FY2016-2017.

The 2014 Certificates of Obligation general fund projects provided funding for projects in the amount of \$3.5 million. These funds are partially funding a Senior Center and funded the Bursey Road street project which was completed in FY2015-2016. The Senior Center expansion will be completed in Spring, 2017.

The 2016 bond proceeds were received in September, 2016 in the amount of \$6.0 million. These funds will be used for street improvements throughout the City and quality of life projects such as a splash pad, trails, and parking improvements at the Community Center.

1st Quarter Investment Report (detail report under Consent Agend)

As of December 31, 2016, the City's investments total \$22,637,546. The City investment officers are focusing on placing funds in the Money Market interest bearing accounts and Certificates of Deposit when possible. As of December 31, 2016, the City's investment portfolio consisted of the following:

\$10,743,056, or 47% in Money Market accounts
\$ 8,027,740, or 36% in Certificates of Deposit,
\$ 3,866,750 or 17% in Investment Pools.

The average quarterly yield on investments is 0.75% and through December 31, 2016, the City has received \$41,793 in interest.

**CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2017
For the period ending December 31, 2016 (1st Qtr.)**

GENERAL FUND - 01

REVENUE:	CURRENT BUDGET	12/31/2016 YTD ACTUAL	% USED	% REMAINING	12/31/2015 YTD ACTUAL	\$ CHG 17 vs 16	% CHG 17 vs 16
TAXES							
AD VALOREM	4,767,318	1,591,344	33.38%	66.62%	2,362,322	(770,978)	-32.64%
Delinquent	30,000	8,139	27.13%	72.87%	8,225	(86)	-1.05%
Penalty & Interest	27,000	4,469	16.55%	83.45%	3,092	1,377	44.53%
SALES TAX	3,016,227	774,538	25.68%	74.32%	784,960	(10,421)	-1.33%
UTILITY FRANCHISE	1,100,000	10,549	0.96%	99.04%	16,759	(6,210)	-0.04%
LICENSES & PERMITS	353,000	90,200	25.55%	74.45%	139,379	(49,178)	-35.28%
INTERGOVERNMENTAL REVENUE	501,000	121,307	24.21%	75.79%	130,755	(9,448)	-7.23%
OIL & GAS LEASE REVENUE	-	-	-	-	-	0	-
CHARGES FOR SERVICES	758,000	161,349	21.29%	78.71%	166,936	(5,587)	-3.35%
FINES & FORFEITURES	745,700	175,274	23.50%	76.50%	131,679	43,596	33.11%
MISCELLANEOUS INCOME	282,100	28,873	10.24%	89.76%	31,251	(2,378)	-7.61%
OPERATING TRANSFERS IN	569,000	138,304	24.31%	75.69%	148,421	(10,117)	-6.82%
TOTAL REVENUE	\$12,149,345	\$3,104,346	25.55%	74.45%	\$3,923,777	(\$819,431)	-20.88%
TOTAL EXPENDITURES	\$13,081,676	\$3,422,522	26.16%	73.84%	\$3,005,014	\$417,508	13.89%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$932,331)	(\$318,176)			\$918,763	(\$1,236,939.14)	

**CITY OF WATAUGA
BUDGET TO ACTUAL COMPARISON
FISCAL YEAR 2017
For the period ending December 31, 2016 (1st Qtr.)**

WATER & SEWER - 40

REVENUE:	CURRENT BUDGET	12/31/2016 YTD ACTUAL	% USED	% REMAINING	12/31/2015 YTD ACTUAL	\$ CHG 17 vs 16	% CHG 17 vs 16
WATER SALES	4,650,000	1,122,412	24.14%	75.86%	1,283,327	(160,915)	-12.54%
SEWER SALES	3,700,000	845,813	22.86%	77.14%	870,164	(24,351)	-2.80%
MISCELLANEOUS	209,000	53,427	25.56%	74.44%	51,065	2,362	4.62%
PENALTY	205,000	51,698	25.22%	74.78%	55,857	(4,158)	-7.44%
INTEREST	5,000	1,045	20.91%	79.09%	-	1,045	-
TRANSFERS	-	2,976	-	-	514	2,463	-
TAP FEES	-	300	-	-	1,200	(900)	-
SALE OF ASSETS	-	-	-	-	-	-	-
TOTAL REVENUE	\$8,769,000	\$2,077,671	23.69%	76.31%	\$2,262,127	(\$184,455)	-8.15%
TOTAL EXPENDITURES	\$8,209,788	\$2,431,167	29.61%	70.39%	\$2,959,239	(\$528,072)	-17.84%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	\$559,212	(\$353,495)			(\$697,112)	\$343,617	

100.00%

CITY OF WATAUGA
 BUDGET TO ACTUAL COMPARISON
 FISCAL YEAR 2017
 For the period ending December 31, 2016 (1st Qtr.)

DEBT SERVICE FUND - 03

REVENUE:	<u>CURRENT BUDGET</u>	<u>12/31/2016 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>12/31/2015 YTD ACTUAL</u>	<u>\$ CHG 17 vs 16</u>	<u>% CHG 17 vs 16</u>
TAXES							
AD VALOREM	2,102,000	735,051	34.97%	65.03%	958,231	(\$223,180)	-23.29%
Delinquent	12,000	3,301	27.51%	72.49%	3,095	\$206	6.65%
Penalty & Interest	10,000	1,579	15.79%	84.21%	1,638	(\$59)	-3.61%
INTEREST EARNINGS	800	623	77.89%	22.11%	243	\$380	-
OTHER FINANCING SOURCES	-	0	-	-	0	\$0	-
OPERATING TRANSFERS IN	-	0	-	-	0	\$0	-
TOTAL REVENUE	\$2,124,800	\$740,554	34.85%	65.15%	\$963,207	(\$222,653)	-23.12%
TOTAL EXPENDITURES	\$2,097,716	-	0.00%	100.00%	-	\$0	-
EXCESS REVENUE OVER (UNDER) EXPENDITURES	\$27,084.00	\$740,554			\$963,207	-\$222,653	

100.00%

CITY OF WATAUGA
 BUDGET TO ACTUAL COMPARISON
 FISCAL YEAR 2017
 For the period ending December 31, 2016 (1st Qtr.)

PARKS DEVELOPMENT FUND - 04

REVENUE:	<u>CURRENT BUDGET</u>	<u>12/31/2016 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>12/31/2015 YTD ACTUAL</u>	<u>\$ CHG 17 vs 16</u>	<u>% CHG 17 vs 16</u>
SALES TAX	744,935	194,687	26.13%	73.87%	197,307	(2,620)	-1.33%
INTEREST EARNINGS	1,000	265	26.50%	73.50%	181	84	-
INTEREST/ESCROW	-	-	-	-	-	-	-
CONTRIBUTIONS/OTHER	-	-	-	-	-	-	-
TOTAL REVENUE	\$745,935	\$194,952	26.14%	73.86%	\$197,487	(2,535)	-1.33%
TOTAL EXPENDITURES	748,150	158,756	21.22%	78.78%	\$ 177,214	(18,458)	-10.42%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$2,215)	\$36,196			\$20,273	\$15,923	

100.00%

CITY OF WATAUGA
 BUDGET TO ACTUAL COMPARISON
 FISCAL YEAR 2017
 For the period ending December 31, 2016 (1st Quarter)

Strategic Initiative Fund - 13

REVENUE:	<u>CURRENT BUDGET</u>	<u>12/31/2016 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>12/31/2015 YTD ACTUAL</u>	<u>\$ CHG 17 vs 16</u>	<u>% CHG 17 vs 16</u>
INTEREST EARNINGS	300	297	98.88%	1.12%	92	205	-
INTEREST/ESCROW TRANSFERS	150,000	37,500	-	-	37,500	-	-
TOTAL REVENUE	\$150,300	\$37,797	25.15%	74.85%	\$37,592	205	0.00%
TOTAL EXPENDITURES	225,000	25,000	11.11%	88.89%	\$ 34,604	(9,604)	-27.75%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$74,700)	\$12,797			\$2,988	\$9,809	

100.00%

CITY OF WATAUGA
 BUDGET TO ACTUAL COMPARISON
 FISCAL YEAR 2017
 For the period ending December 31, 2016 (1st Qtr.)

STREET MAINTENANCE FUND - 14

REVENUE:	<u>CURRENT BUDGET</u>	<u>12/31/2016 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>12/31/2015 YTD ACTUAL</u>	<u>\$ CHG 17 vs 16</u>	<u>% CHG 17 vs 16</u>
SALES TAX	733,044	192,583	26.27%	73.73%	195,172	(2,590)	(0.01)
INTEREST EARNINGS	1,000	340	-	-	218	122	-
INTEREST/ESCROW	-	-	-	-	-	0	-
CONTRIBUTIONS/OTHER	-	-	-	-	-	0	-
TOTAL REVENUE	\$ 734,044	\$192,923	26.27%	73.73%	195,390	(\$2,467)	-1.26%
TOTAL EXPENDITURES	710,000	11,503	1.62%	98.38%	5,323	\$6,180	
EXCESS REVENUE OVER (UNDER) EXPENDITURES	\$24,044	\$181,420			\$190,067	(\$8,648)	

100.00%

CITY OF WATAUGA
 BUDGET TO ACTUAL COMPARISON
 FISCAL YEAR 2017
 For the period ending December 31, 2016 (1st Qtr.)

STORM DRAIN FUND - 15

REVENUE:	<u>CURRENT BUDGET</u>	<u>12/31/2016 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>12/31/2015 YTD ACTUAL</u>	<u>\$ CHG 17 vs 16</u>	<u>% CHG 17 vs 16</u>
USERS FEE	1,415,000	354,590	25.06%	74.94%	354,843	(252)	-0.07%
OTHER REVENUE	-	-	-	-	-	-	-
INTEREST INCOME	3,500	1,526	43.59%	56.41%	998	528	-
	-	-	-	-	-	-	-
TOTAL REVENUE	\$1,418,500	\$356,116	25.11%	74.89%	\$355,840	\$276	0.08%
TOTAL EXPENDITURES	\$2,849,251	\$293,109	10.29%	89.71%	\$165,776	\$127,333	76.81%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$1,430,751)	\$63,007			\$190,065	(\$127,058)	

100.00%

CITY OF WATAUGA
 BUDGET TO ACTUAL COMPARISON
 FISCAL YEAR 2017
 For the period ending December 31, 2016 (1st Qtr.)

CRIME CONTROL DISTRICT - 18

REVENUE:	<u>CURRENT BUDGET</u>	<u>12/31/2016 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>12/31/2015 YTD ACTUAL</u>	<u>\$ CHG 17 vs 16</u>	<u>% CHG 17 vs 16</u>
SALES TAX	1,490,000	363,173	24.37%	75.63%	392,013	(28,840)	-7.36%
INTEREST EARNING/OTHER	47,500	972	2.05%	-	282	690	244.90%
MIS GRANT PROCEEDS	-	-	0.00%	100.00%	-	-	-
TOTAL REVENUE	\$1,537,500	\$364,145	23.68%	76.32%	\$392,295	(\$28,150)	-7.18%
TOTAL EXPENDITURES	1,539,700	383,731	24.92%	75.08%	\$373,446	\$10,285	2.75%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$2,200)	(\$19,585)			\$18,849	(\$38,435)	

100.00%

CITY OF WATAUGA
 BUDGET TO ACTUAL COMPARISON
 FISCAL YEAR 2017
 For the period ending December 31, 2016 (1st Qtr.)

Traffic Safety - 28

REVENUE:	<u>CURRENT BUDGET</u>	<u>12/31/2016 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>12/31/2015 YTD ACTUAL</u>	<u>\$ CHG 17 vs 16</u>	<u>% CHG 17 vs 16</u>
FINES & FORFEITURES	680,000	223,492	32.87%	67.13%	144,398	79,094	54.78%
MISC GRANT PROCEEDS	-	-	-	-	-	-	-
	-	-	-	-	-	-	-
TOTAL REVENUE	680,000	223,492	32.87%	67.13%	144,398	79,094	54.78%
TOTAL EXPENDITURES	478,560	85,504	17.87%	82.13%	52,220	33,285	63.74%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	\$201,440	\$137,987			\$92,178	\$45,809	

100.00%

Quarterly Reports

1ST QUARTER FY2016-17

CERTIFICATE OF OBLIGATION FUNDS 2011

\$7,365,000

AS OF DECEMBER 2016

PROJECT	FINAL COST OR ESTIMATE	STATUS	PAID TO DATE
Information Technology:			
Server Software Upgrade	\$49,640.13	Completed	\$49,640.13
Voicemail Server Replacement	\$34,950.00	Completed	\$34,950.00
Public Works Software	\$31,799.24	Completed	\$31,799.24
Recreation Software	\$29,250.00	Completed	\$29,250.00
Printer Replacements (Library/City Hall)	\$4,856.40	Completed	\$4,856.40
Incode Interface	\$3,000.00	Completed	\$3,000.00
Server Replacement (Bring in-house)	\$16,913.06	Completed	\$16,913.06
Animal Shelter Software	\$17,660.00	Completed	\$17,660.00
Fire Department:			
Fire Truck	\$799,855.00	Completed	\$799,855.00
Vehicle - Ford F150 Crew Cab XLT (Chief)	\$27,988.00	Completed	\$27,988.00
Ambulance	\$138,525.00	Completed	\$138,525.00
Radio Lease	\$133,200.00	Completed	\$133,200.00
Cardiac Monitors	\$66,789.50	Completed	\$66,789.50
Public Works:			
Tandem Dump Truck (3)	\$309,849.00	Completed	\$309,849.00
Asphalt Paver/Laydown Machine	\$65,620.00	Completed	\$265,620.00
Auction proceeds for existing paver			-\$200,000.00
Street Sweeper (1/4 of cost)	\$51,636.75	Completed	\$51,636.75
Trailer	\$30,423.00	Completed	\$30,423.00
Vehicle - Ford F350 Crew Cab 4x2 with Yard Dump	\$31,987.00	Completed	\$31,987.00
Vehicle - Ford F150 4x4 Regular Cab (5)	\$107,685.00	Completed	\$107,685.00
Vehicle - Ford F150 4x4 Regular Cab (2)	\$43,074.00	Completed	\$43,074.00
Vehicle - Ford F150 Crew Cab XLT (Director)	\$27,988.00	Completed	\$27,988.00
Radios for Public Works	\$36,804.90	Completed	\$36,804.90
Tailgate Spreader (2)	\$11,746.90	Completed	\$11,746.90
Front End Loader (1/2 of cost)	\$63,384.00	Completed	\$63,384.00
Overlays (FY2011-12)	\$254,797.15	Completed	\$254,797.15
Sidewalks (FY2011-12)	\$90,654.00	Completed	\$90,654.00
Asphalt/Street Maintenance (FY2011-12)	\$181,374.08	Completed	\$181,374.08
Vehicle - Ford F350 4x2 Crew Cab with Service Body (2)	\$63,574.00	Completed	\$63,574.00
Smoke Test	\$235,659.96	Completed	\$235,659.96
Geographic Information Study	\$49,788.48	Completed	\$49,788.48
Manholes	\$12,164.20	Completed	\$12,164.20
Water System Repairs - Engineering Services	\$185,900.00	Completed	\$185,900.00
CDBG 38th Year - Engineering Services	\$88,335.00	Completed	\$88,335.00
Waterline Improvements	\$1,427,487.32	Completed	\$1,427,487.32
Sewer Jet Vac Truck	\$292,642.00	Completed	\$292,642.00
Camera Truck	\$159,017.45	Completed	\$159,017.45
Asphalt Crack Sealer	\$38,504.16	Completed	\$38,504.16
Backhoe Loader	\$97,978.00	Completed	\$97,978.00

Asphalt Paver (new replacement)	\$162,503.00	Completed	\$162,503.00
Sidewalks (FY2013-2014)	\$97,600.00	Completed	\$97,600.00
Street Overlays - Watauga Road	\$572,639.23	Completed	\$572,639.23
Sidewalks (FY2014-15)	\$16,971.40	Completed	\$16,971.40
Sidewalks (FY2015-16)	\$170,123.89	Completed	\$170,123.89
Fleet:			
Vehicle Lift	\$9,329.61	Completed	\$9,329.61
Fleet Shop Air Compressor/Drain Valve	\$4,362.22	Completed	\$4,362.22
Building:			
Carpet Replacement	\$168,137.89	Completed	\$168,137.89
Vehicle - Maintenance Van	\$22,382.00	Completed	\$22,382.00
Roof Replacement (library)	\$175,234.31	Completed	\$175,234.31
Video Surveillance System Upgrade - Water Tower	\$23,129.18	Completed	\$23,129.18
Traffic Safety:			
Stop Light - (Whitley & New Bursey)	\$200,167.93	Completed	\$200,167.93
Opticom System	\$181,956.00	Completed	\$181,956.00
Construction:			
Senior Center	\$139,171.07	In Progress	\$0.00
Water Tower	\$104,300.00	In Progress	\$7,616.39
PROJECTS TOTAL	\$7,360,508.41		\$7,124,653.73
TOTAL CO FUNDING	\$7,365,000.00		
FUNDS REMAINING	\$4,491.59		

CERTIFICATE OF OBLIGATION FUNDS 2012

\$8,000,000

AS OF DECEMBER 2016

PROJECT	FINAL COST OR ESTIMATE	STATUS	PAID TO DATE
Emergency Sewer Repair - Plum Street	\$39,754.00	Completed	\$39,754.00
Design of Wastewater Improvements	\$602,255.00	In Progress	\$594,995.00
Waterline Replacements	\$780,858.93	Completed	\$780,858.93
Design - CDBG 40th Year (Saramac Dr. Phase I)	\$16,000.00	Completed	\$16,000.00
Smoke Test (SSES) Wastewater Phase 2 - North	\$197,909.28	Completed	\$197,909.28
Sewer Manhole Lids	\$40,571.55	Completed	\$40,571.55
Easements Paid	\$10,000.00	Completed	\$10,000.00
Wastewater Improvements (South)	\$6,178,380.00	In Progress	\$4,645,356.45
PROJECTS TOTAL	\$7,865,728.76		\$6,325,445.21
TOTAL FUNDS REMAINING	\$134,271.24		

CERTIFICATE OF OBLIGATION FUNDS 2014

\$3,500,000

Bursey Road Phase One - \$1,633,530.28 COMPLETED TOTAL

Senior Center - \$1,853,593.61

AS OF DECEMBER 2016

PROJECT	FINAL COST OR ESTIMATE	STATUS	PAID TO DATE
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BURSEY ROAD PHASE ONE (COMPLETE):

Engineer Design Services - Construction Phase 1	\$252,000.00	Completed	\$252,000.00
Engineer Design Services - Additional Services	\$4,060.00	Completed	\$4,060.00
Construction Improvements	\$1,377,470.28	Completed	\$1,377,470.28

TOTAL BURSEY ROAD PHASE ONE:	\$1,633,530.28		\$1,633,530.28
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SENIOR CENTER:

Architect Services - Phase One	\$23,482.41	Completed	\$23,482.41
Architect Services - Phase Two	\$178,693.00	In Progress	\$156,380.10
Geotechnical Construction Testing	\$4,380.00	Completed	\$4,380.00
TDL&R Registration & Review	\$1,111.00	Completed	\$1,111.00
Construction Testing	\$14,000.00	In Progress	\$12,892.80
Construction/Construction Manager @ Risk	\$1,631,927.20	In Progress	\$529,335.00

TOTAL SENIOR CENTER:	\$1,853,593.61		\$727,581.31
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ALL PROJECTS TOTAL	\$3,487,123.89		\$2,361,111.59
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TOTAL FUNDS REMAINING	\$12,876.11		
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CERTIFICATE OF OBLIGATION FUNDS 2016

\$6,000,000

AS OF DECEMBER 2016

PROJECT	FINAL COST OR ESTIMATE	STATUS	PAID TO DATE
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BURSEY ROAD PHASE TWO:

Engineer Design Services - Construction Phase 2	\$250,000.00	In Progress	\$103,250.00
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TOTAL BURSEY ROAD PHASE TWO:	\$250,000.00		\$103,250.00
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COMMUNITY CENTER PARKING LOT:

Add Parking Alternate # 5	\$105,984.00	In Progress	\$0.00
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TOTAL COMMUNITY CENTER PARKING LOT:	\$105,984.00		\$0.00
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SPLASHPAD:

TOTAL SPLASHPAD:	\$0.00		\$0.00
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ALL PROJECTS TOTAL	\$355,984.00		\$103,250.00
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TOTAL FUNDS REMAINING	\$5,644,016.00		
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**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, DECEMBER 12, 2016
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 P.M.**

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

Hector F. Garcia	Mayor
Hal Gerhardt	Mayor Pro Tem
Lee Griffin	Council Member
James Wright	Council Member
Melva Clark	Council Member
Patrick Shelbourne	Council Member
and	
Greg Vick	City Manager
Mark G. Daniel	City Attorney
Zolaina R. Parker	City Secretary
Sandra Gibson	Director of Finance
Paul Hackleman	Director of Public Works
Glen Fowler	Chief of Police
Randy Barkley	Battalion Chief
Marcia Reyna	Human Resources/Civil Service Director
Bradley Fraley	Chief Information Officer/PIO
Jacquelyn Reyff	Director of Planning and Economic Development
with	
Brandon Krausse	Council Member

COUNCIL MEETING

CALL TO ORDER

Mayor Garcia called the meeting to order at 6:31 p.m.

INVOCATION

Mayor Garcia gave the Invocation.

PLEDGE TO THE FLAG AND TEXAS FLAG

Mayor Garcia led the pledge to the flags.

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Discussion and action on approval of meeting agenda

Mayor Pro Tem Gerhardt made a motion to approve the agenda as presented. Council Member Wright seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

CITIZEN'S OPEN FORUM

None

REPORTS

1. Administration – Update regarding Strategic Plan

Greg Vick, City Manager, provided a report regarding an update on the Strategic Plan.

CONSENT AGENDA

Council Member Wright made a motion to approve the consent agenda as presented. Council Member Griffin seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

1. Approval of City Council Regular Meeting Minutes of November 14, 2016
2. Approval of proposed resolution approving Agreement for Investment Advisory Services with Valley View Consulting, L.L.C. [CAPTION]

The resolution as approved carries the following caption:

CITY OF WATAUGA, TEXAS
RESOLUTION NO. 16-12-12-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS APPROVING THE TERMS AND CONDITIONS OF THE AGREEMENT BETWEEN VALLEY VIEW CONSULTING, L.L.C. AND THE CITY OF WATAUGA FOR INVESTMENT ADVISORY SERVICES; AND PROVIDING AN EFFECTIVE DATE

3. Approval of a proposed resolution eliminating section 13.12 and replacing with policy 15.01 of the City of Watauga Personnel, Administration and Financial Policies and Procedures Manual [CAPTION]

The resolution as approved carries the following caption:

CITY OF WATAUGA, TEXAS
RESOLUTION NO. 16-12-12-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING SECTION 15.01 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING CITY OF WATAUGA VEHICLE USE POLICY; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE

4. Approval of Wrecker Service Contract Renewal Option # 1 with AA Wrecker Service

NEW BUSINESS

1. Discussion and action on approval of miscellaneous concrete work as needed utilizing Haltom City Bid # B2017-311-001

Council Member Shelbourne made a motion to approve of miscellaneous concrete work as needed utilizing Haltom City Bid # B2017-311-001. Mayor Pro Tem Gerhardt seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

2. Discussion and action on approval of an amendment to the contract with Haydon Building Corporation, Construction Manager at Risk for the Senior Center Project, to increase the Guaranteed Maximum Price by \$105,984 from \$1,790,816 to \$1,896,800 for additional parking spaces

Council Member Shelbourne made a motion to approve an amendment to the contract with Haydon Building Corporation, Construction Manager at Risk for the Senior Center Project, to increase the Guaranteed Maximum Price by \$105,984 from \$1,790,816 to \$1,896,800 for addition of Add Alternate Number 5 for additional parking spaces. Council Member Davis seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Clark, Shelbourne, Davis
NAYS: Wright
ABSENT: Krausse
ABSTAIN: Garcia

3. Discussion and action on purchase of server hardware and software replacements from CDWG in an amount of \$36,786.43 and Software House International in an amount of \$41,425.28

Mayor Pro Tem Gerhardt made a motion to approve purchase of server hardware and software replacements from CDWG in an amount of \$36,786.43 and Software House International in an amount of \$41,425.28. Council Member Clark seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Wright, Clark, Shelbourne, Davis
NAYS: None
ABSENT: Krausse
ABSTAIN: Garcia

4. Discussion and possible action on reinstating Pre-Council Meetings

Council Member Griffin made a motion to direct staff to look into the matter and make recommendations to be brought back to Council for consideration. Council Member Shelbourne seconded the motion, which passed as follows:

AYES: Gerhardt, Griffin, Clark, Shelbourne, Davis
NAYS: Wright
ABSENT: Krausse
ABSTAIN: Garcia

ADJOURNMENT

With there being no further business, Mayor Garcia adjourned the meeting at 7:32 p.m.

APPROVED: this 23rd day of January, 2017.

SIGNED: this 23rd day of January, 2017.

APPROVED:

Hector F. Garcia, Mayor

ATTEST:

Zolaina R. Parker, City Secretary



AGENDA MEMORANDUM

DATE: January 10, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Zolaina R. Parker, City Secretary, TRMC 

SUBJECT: Approval of the continuation of a Massage Establishment Permit for Hightower Salons for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances

BACKGROUND/INFORMATION:

Hightower Salons located at 6651 Hightower, Suite 100, is seeking approval for the continuation of their massage license for calendar year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances. Hightower Salons has held a massage permit since 2003. Staff has received a letter of intent. The establishment is in compliance at this time.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Approval of the continuation of a Massage Establishment Permit for Hightower Salons for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Letter of Intent from Hightower Salons

Attachment 1



Hightower Salons - Watauga

6651 Hightower Suite 100
Watauga, TX 76148
Phone: 817.427.3445

Date: 12/26/16

To: City of Watauga

Attention: Ms. Zolaina Parker, 7105 Whitley Hill Watauga, TX 76148
Phone #817-514-5825

This is a letter of intent to renew the permit for massage therapy at Hightower Salons located at 6651 Hightower Dr Suite #100 Watauga, TX. 76148.

Currently, we have one massage therapist consultant. Please let me know if the permit will be reduced and I will send in the appropriate payment for renewal.

Please give me a call if you have any questions.

Thank you,

Holly Nguyen
Cell 972-898-8296



AGENDA MEMORANDUM

DATE: January 10, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Zolaina R. Parker, City Secretary, TRMC 

SUBJECT: Approval of the continuation of a Massage Establishment Permit for Javintee Massage for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances

BACKGROUND/INFORMATION:

JaVintee Massage located at 6801 Rufe Snow Drive, Suite 404, is seeking approval for the continuation of their massage license for calendar year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances. JaVintee Massage has held a massage permit since 2012. Staff has received a letter of intent. The establishment is in compliance at this time.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Approval of the continuation of a Massage Establishment Permit for JaVintee Massage for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Letter of Intent from JaVintee Massage

Attachment 1



JaVintee Massage

"Relax and Enjoy Our Service"



Physical Address: 6801 Rufe Snow Dr Suite 404
Watauga, TX 76148
Mailing Address: PO Box 973 Fort Worth, TX 76101
Email: jvinteeassage@yahoo.com
Website: jvinteeassage@yahoo.com
Phone: 817-514-6055 or 817-870-6399

REQUEST FOR RENEWAL OF PERMIT TO CONTINUE Massage Services IN THE CITY OF WATAUGA, TEXAS

December 12, 2017

In compliance with City Ordinance to maintain the necessary permit to operate a massage establishment, the following information regarding the renewal of such permit is herein provided in keeping with the request by the City Secretary:

- (1) This request is for the above affixed address on this letterhead along with the current contact information. 6801 RUFESNOW DR SUITE 404, WATAUGA, TX 7614
- (2) The following is a list of the Licensed Massage Therapist who are working for the JaVintee Massage establishment as stated in item (1):
 - A) Valerie Kelso-Washington License # MT 117848 (on file with PD)
 - B) Jasmine Burris License # MT 120041 (on file with PD)
 - C) Vanity Simpkins License # MT 124135 (on file with PD)
 - D) Monica Lewis License # MT 122119 (on file with PD)

All License Massage Therapist Names and Licenses are currently on file with the Watauga Police Dept.

Thank You,

Signed *J Vincent Washington*,
President & CEO



AGENDA MEMORANDUM

DATE: January 10, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Zolaina R. Parker, City Secretary 

SUBJECT: Approval of the continuation of a Massage Establishment Permit for YY Foot Spa for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances

BACKGROUND/INFORMATION:

YY Foot Spa located at 8436 Denton Highway is seeking approval for the continuation of their massage license for calendar year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances. YY Foot Spa has held a massage permit since 2013. Staff has received a letter of intent. The establishment is in compliance at this time.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Approval of the continuation of a Massage Establishment Permit for YY Foot Spa for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Letter of Intent from YY Foot Spa

Attachment 1

Y Y Foot Spa
8420 Denton Highway Ste105
Watauga, Tx, 76148
Tel: 817-428-8882

Dear City Secretary:

Subject: Renewal of Permit

We want to renew the permit for the Massage Establishment License, which is the renewal needs to include:

1: Employees

Xiao Nan Xiang, 121 Rufe Snow Dr Ste107, Keller, Tx, 76248
Dong Ze Liu, 5701 Sapphire Pool Trail, Fort Worth, TX, 76244

2: Massage Therapist License

Xiao Nan Xiang, License Number: MT114810
Dong Ze Liu, License Number: MT118289

3: Business establishment

Y Y Foot Spa
8420 Denton Highway Ste105, Watauga, Tx, 76148

I hope that this renew will merit your most favourable response.

Yours sincerely,

Feng Ying Wu



AGENDA MEMORANDUM

DATE: January 10, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Zolaina R. Parker, City Secretary, TRMC 

SUBJECT: Approval of the continuation of a Massage Establishment Permit for Magic Massage for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances

BACKGROUND/INFORMATION:

Magic Massage located at 6651 Watauga Road, Suite 109, is seeking approval for the continuation of their massage license for calendar year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances. Magic Massage has held a massage permit since 2016. Staff has received a letter of intent. The establishment is in compliance at this time.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Approval of the continuation of a Massage Establishment Permit for Magic Massage for Calendar Year 2017 as required by Chapter 22, Article VI, Division 2, Section 22-252 of the Watauga Code of Ordinances.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Letter of Application from Magic Massage

Attachment 1

Guifeng Wang
1112 Valley Branch Dr
Arlington, TX 76001
817 856 9717

1/12/2017

To whom it may concern,

Please consider this letter a request to renew the license to operate a to operate a message establishment in the city of Watauga, Texas. The establishment shall be located in Suite 109 at 6651 Watauga Rd, Watauga ,Tx. The name of the establishment shall be Magic Massage, and it shall operate under Tina Enterprises, LLC. The establishment shall be operated and staffed by Guifeng Wang, whose address is 1112 Valley Branch Dr, Arlington, TX 76001.

The license fee will be paid when the invoice is received.

Sincerely,


Guifeng Wang



AGENDA MEMORANDUM

DATE: January 10, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Zolaina R. Parker, City Secretary, TRMC 

SUBJECT: Approval of the proposed ordinance creating a process for the removal of members from the Board of Appeals due to absences or failure to exhibit a general interest

BACKGROUND/INFORMATION:

The Board of Appeals was established in 2014 to hear and decide appeals of orders, decisions, or determinations made by the City's Building Official or Fire Code Official regarding the application or interpretation of the Building Code or Fire Code currently adopted by the City.

Historically, City of Watauga Boards, Committees, and Commissions have a provision explaining how to remove a member due to absences or failure to exhibit a general interest. The ordinance establishing the Board of Appeals currently does not offer a solution for the above mentioned scenarios; therefore, an amendment to the ordinance has been prepared for consideration.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Approval of proposed ordinance amending the City of Watauga Code of Ordinances, Chapter 2, Article III, by adding a clause to Section 2-108 (a) creating a removal process for Board of Appeals Members.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Letter of Approval from City Attorney and Proposed Ordinance

Attachment 1

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

December 22, 2016

Ms. Zolaina Parker
City of Watauga
7105 Whitley Rd.
Watauga, Texas 76148

VIA EMAIL

Re: Amendment to Sec. 2-108(a)— Removal of Board of Appeals Members

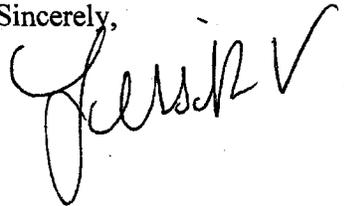
Dear Ms. Parker:

You have requested from my office a municipal ordinance allowing for a removal process of Board of Appeals members due to meeting absences and/or a failure to exhibit a general interest in the endeavors of the Board.

Please find enclosed an Ordinance my office has prepared amending Chapter 2, Article III of the Watauga Code of Ordinances by adding a clause to Section 2-108(a) creating a removal process for Board of Appeals members. If the ordinance meets your approval, it 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 my office.

Sincerely,



JESSIKA J. VELASQUEZ

MGD/jjv
cc: Greg Vick

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA AMENDING CHAPTER 2, ARTICLE III OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS BY AMENDING SECTION 2-108(A) TO ALLOW FOR THE REMOVAL OF MEMBERS OF THE BOARD OF APPEALS DUE TO MEETING ABSENCES AND/OR A FAILURE TO EXHIBIT GENERAL INTEREST IN THE BOARD; 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 (hereinafter "City") is a home rule municipality having full powers of self-government and may enact ordinances relative to health, safety, and welfare that are not inconsistent with the Constitution and laws of the State; and

WHEREAS, the City Council of the City of Watauga (hereinafter "City Council") created the Board of Appeals for the purpose of hearing and deciding appeals of orders, decisions and determinations made by the City's Building Official or Fire Code Official; and

WHEREAS, the City Council finds and determines that the absence of Board of Appeals members at Board meetings and/or a failure to exhibit a general interest in the Board hinders the Board's ability to apply and interpret the City's Building and Fire Codes; and

WHEREAS, the City Council finds that a provision for the removal of Board of Appeals members due to meeting absences and/or a failure to exhibit a general interest in the Board is not addressed in the current ordinance; and

WHEREAS, removal provisions to be enacted by this Ordinance do not conflict with any existing Texas law and mirror the removal process of members on other City boards; and

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

I.

Chapter 2, Article III of the Code of Ordinances for the City of Watauga is hereby amended to add to Section 2-108(a) to allow for the removal of Board of Appeals members due to meeting absences and/or failing to exhibit a general interest in the endeavors of the Board.

Sec. 2-108. - Composition; appointment and removal of members; terms of office.

(a) The Board of Appeals shall consist of five members. An interview committee composed of three members of the City Council shall be appointed by the Mayor for a term of one year (October 1 through September 30) to interview applicants to fill vacancies on the Board of Appeals. Members of the interview committee, individually, or as a group, shall submit the names of those recommended for appointment to the Mayor. No person shall be recommended for appointment to the Mayor by a member of the interview committee unless they have been interviewed by at least one member of the interview committee. The Mayor, subject to the approval and consent of the City Council in an open meeting, shall appoint members to the Board of Appeals. Members of the Board of Appeals may be removed by a majority vote of the City Council.

The Board of Appeals shall recommend to the Mayor and City Council removal of any member who is absent from two consecutive meetings without first notifying the chair or the City Secretary's office by 12:00 noon of the meeting date and/or fails to exhibit a general interest in the endeavors of the Board. Two consecutive absences by a member, whether or not the member first notifies the chair or the City Secretary's office by 12:00 noon of the meeting date, shall require a specific agenda item at the next regularly scheduled meeting to determine if the reasons for the absences are sufficient to be excused or constitute a failure to exhibit a general

interest in the endeavors of the Board. Members serve at the pleasure of the City Council and may be removed at the discretion of the Council.

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 _____, 2017.

APPROVED:

HECTOR F. GARCIA, Mayor

ATTEST:

ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

MARK G. DANIEL, City Attorney



AGENDA MEMORANDUM

DATE: January 10, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Zolaina R. Parker, City Secretary, TRMC 

SUBJECT: Approval of the proposed ordinance creating a process for the removal of members from the Watauga Improving Neighborhoods Committee due to absences or failure to exhibit a general interest

BACKGROUND/INFORMATION:

The Watauga Improving Neighborhoods Committee (WIN) was established in 2014 to oversee and review neighborhood revitalization programs, initiatives and funding in the City of Watauga.

Historically, City of Watauga Boards, Committees, and Commissions have a provision explaining how to remove a member due to absences or failure to exhibit a general interest. The ordinance establishing the WIN Committee currently does not offer a solution for the above mentioned scenarios; therefore, an amendment to the ordinance has been prepared for consideration.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

Approval of proposed ordinance amending the City of Watauga Code of Ordinances, Chapter 2, Article III, by adding a clause to Section 2-122 (b) creating a removal process for WIN Committee Members.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Letter of Approval from City Attorney and Proposed Ordinance

Attachment 1

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

January 6, 2017

Ms. Zolaina Parker
City of Watauga
7105 Whitley Rd.
Watauga, Texas 76148

VIA EMAIL

Re: *Amendment to Sec. 2-122(b)— Removal of WIN Committee Members*

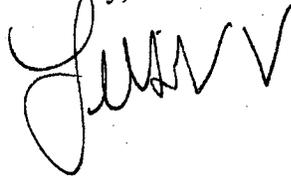
Dear Ms. Parker:

You have requested from my office a municipal ordinance allowing for a removal process of WIN Committee members due to meeting absences and/or a failure to exhibit a general interest in the endeavors of the WIN Committee.

Please find enclosed an Ordinance my office has prepared amending Chapter 2, Article III of the Watauga Code of Ordinances by adding a clause to Section 2-122(b) creating a removal process for WIN Committee members. If the ordinance meets your approval, it 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 my office.

Sincerely,



JESSIKA J. VELASQUEZ

MGD/jjv

cc: Greg Vick

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA AMENDING CHAPTER 2, ARTICLE III OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS BY AMENDING SECTION 2-122(B) TO ALLOW FOR THE REMOVAL OF WIN COMMITTEE MEMBERS DUE TO MEETING ABSENCES AND/OR A FAILURE TO EXHIBIT GENERAL INTEREST IN THE COMMITTEE; 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 (hereinafter "City") is a home rule municipality having full powers of self-government and may enact ordinances relative to health, safety, and welfare that are not inconsistent with the Constitution and laws of the State; and

WHEREAS, the City Council of the City of Watauga (hereinafter "City Council") created the Watauga Improving Neighborhood (hereinafter "WIN") Committee for the purpose of reviewing and selecting programs that will assist the City with economic development through the use of property maintenance and neighborhood revitalization initiatives; and

WHEREAS, the City Council finds and determines that the absence of WIN Committee members at Committee meetings and/or a failure to exhibit a general interest in the Committee hinders the Committee's ability to further the City's economic development initiatives; and

WHEREAS, the City Council finds that a provision for the removal of WIN Committee members due to meeting absences and/or a failure to exhibit a general interest in the Committee is not addressed in the current ordinance; and

WHEREAS, removal provisions to be enacted by this Ordinance do not conflict with any existing Texas law and mirror the removal process of committee members on other City boards; and

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

I.

Chapter 2, Article III of the Code of Ordinances for the City of Watauga is hereby amended to add to Section 2-122(b) to allow for the removal of WIN Committee members due to meeting absences and/or failing to exhibit a general interest in the endeavors of the Committee.

Sec. 2-122. - Composition; appointment and removal of members; terms of office.

(b) The Mayor, subject to the approval and consent of the City Council in an open meeting, shall appoint members to the WIN Committee. Members of the WIN Committee may be removed by a majority vote of the City Council.

The WIN Committee shall recommend to the Mayor and City Council removal of any member who is absent from two consecutive meetings without first notifying the chair or the City Secretary's office by 12:00 noon of the meeting date and/or fails to exhibit a general interest in the endeavors of the Committee. Two consecutive absences by a member, whether or not the member first notifies the chair or the City Secretary's office by 12:00 noon of the meeting date, shall require a specific agenda item at the next regularly scheduled meeting to determine if the reasons for the absences are sufficient to be excused or constitute a failure to exhibit a general interest in the endeavors of the Committee. Members serve at the pleasure of the City Council and may be removed at the discretion of the Council.

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 _____, 2017.

APPROVED:

HECTOR F. GARCIA, Mayor

ATTEST:

ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:

MARK G. DANIEL, City Attorney



QUARTERLY INVESTMENT REPORT

For the Quarter Ended

December 31, 2016

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.

City Manager

Director of Finance

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:

<u>Asset Type</u>	<u>Ave. Yield</u>	<u>December 31, 2016</u>		<u>September 30, 2016</u>	
		<u>Book Value</u>	<u>Market Value</u>	<u>Book Value</u>	<u>Market Value</u>
DDA/MMA/NOW	0.70%	\$ 10,743,056	\$ 10,743,056	\$ 16,154,540	\$ 16,154,540
Pools	0.54%	3,866,750	3,866,750	1,520,168	1,520,168
CD/Security	0.91%	8,027,740	8,027,740	6,532,907	6,532,907
Totals		\$ 22,637,546	\$ 22,637,546	\$ 24,207,614	\$ 24,207,614

Current Quarter Portfolio Performance:

Average Quarterly Yield	0.75%
Rolling Three Mo. Treas. Yield	0.43%
Rolling Six Mo. Treas. Yield	0.50%

Quarterly Interest Earnings	\$ 41,793 (Unaudited)
Fiscal YTD Interest Earnings	\$ 41,793 (Unaudited)

Fiscal Year-to-Date Portfolio Performance:

Average Quarter End Yield	0.75%
Rolling Three Mo. Treas. Yield	0.43%
Rolling Six Mo. Treas. Yield	0.50%
Quarterly TexPool Yield	0.46%

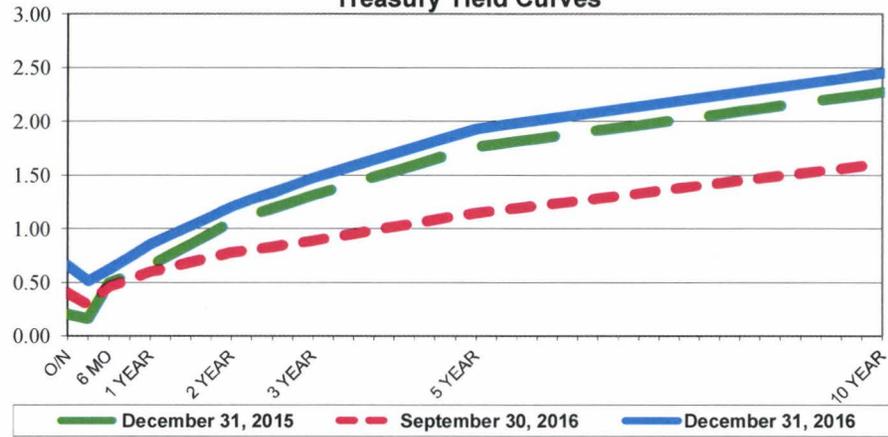
Note: Average yields calculated using quarter end report average yield and adjusted book value, but do not include adviser fees and realized and unrealized gains or losses.

Economic Overview

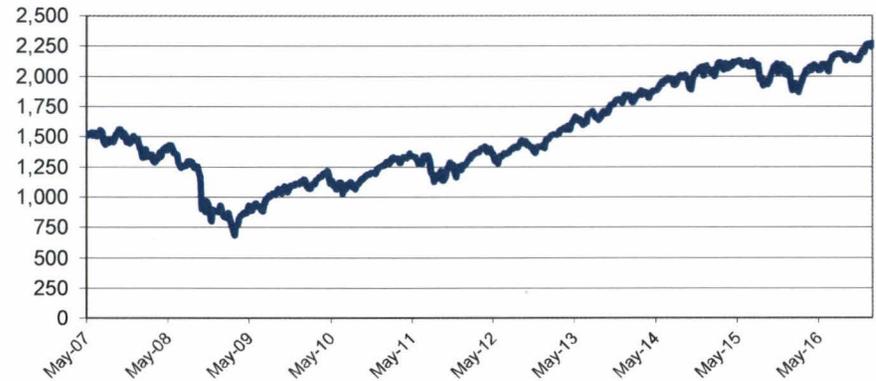
12/31/2016

The Federal Open Market Committee (FOMC) raised the Fed Funds target range to 0.50% - 0.75% (actual Fed Funds currently trading +/-65 bps). The FOMC also projected the possibility of three additional increases during 2017. Third Quarter US GDP revised up to 3.5%. Other economic data recorded mixed results. December Non Farm Payroll Employment provided 156,000 new jobs. The US Stock markets recorded record highs. Treasury yields peaked and settled slightly lower. When available, CD and Taxable Municipal yields generally exceed government securities. The banks' reactions to recent market movements will determine if MMAs and CDs continue to be attractive.

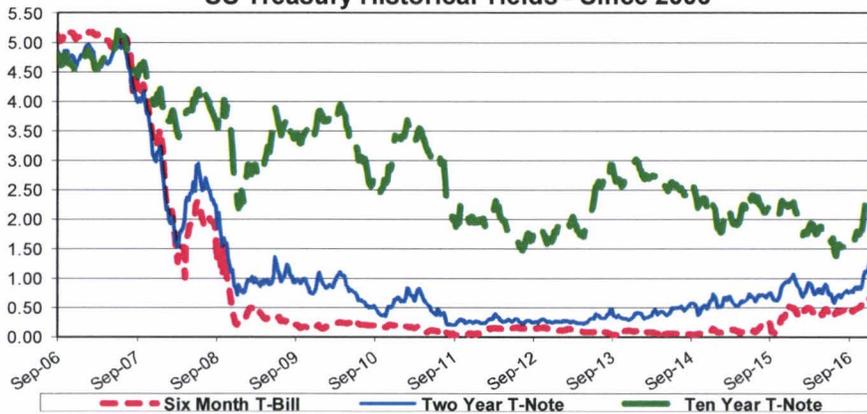
Treasury Yield Curves



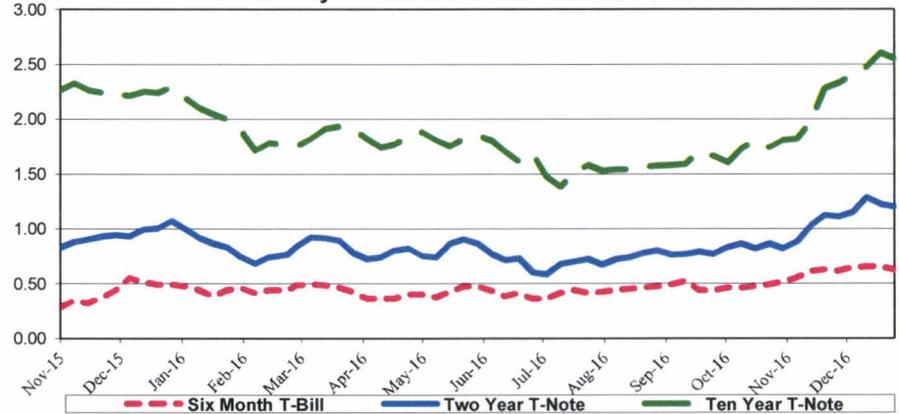
S&P 500



US Treasury Historical Yields - Since 2006



US Treasury Historical Yields - Since Nov 2015



Investment Holdings
December 31, 2016

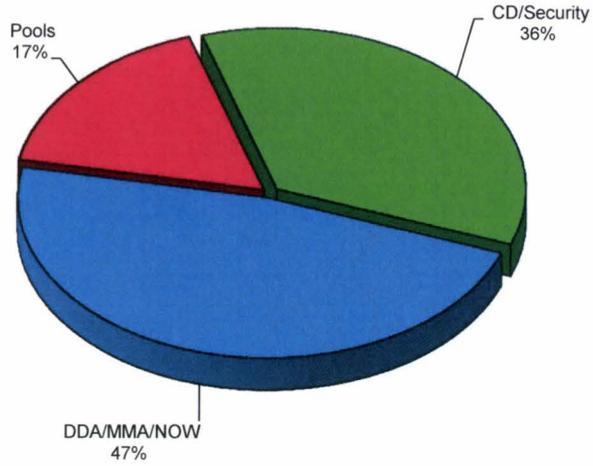
Description	Rating	Coupon/ Discount	Maturity Date	Settlement Date	Original Face/ Par Value	Book Value	Market Price	Market Value	Life (Days)	Yield
Texas Term Daily	AAAm	0.50%	01/01/17	12/31/16	\$ 446,419	\$ 446,419	1.00	\$ 446,419	1	0.50%
LOGIC	AAAm	0.88%	01/01/17	12/31/16	290,039	290,039	1.00	290,039	1	0.88%
TexPool	AAAm	0.46%	01/01/17	12/31/16	2,627,637	2,627,637	1.00	2,627,637	1	0.46%
TexPool Prime	AAAm	0.82%	01/01/17	12/31/16	502,655	502,655	1.00	502,655	1	0.82%
Southside Bank MMA		0.70%	01/01/17	12/31/16	10,743,056	10,743,056	1.00	10,743,056	1	0.70%
Texas Security Bank CD		0.85%	03/06/17	03/06/15	2,000,000	2,000,000	100.00	2,000,000	65	0.85%
Southside Bank CD		0.68%	03/22/17	09/22/15	504,272	504,272	100.00	504,272	81	0.68%
Texas Security Bank CD		1.05%	09/06/17	09/06/16	1,008,288	1,008,288	100.00	1,008,288	249	1.05%
Southside Bank CD		0.86%	09/22/17	09/22/15	1,010,814	1,010,814	100.00	1,010,814	265	0.86%
Herring Bank CDARS		1.00%	10/12/17	10/13/16	2,004,367	2,004,367	100.00	2,004,367	285	1.00%
Southside Bank CD		0.90%	04/03/18	10/03/16	1,500,000	1,500,000	100.00	1,500,000	458	0.90%
					\$ 22,637,546	\$ 22,637,546			87	0.75%

(1) (2)

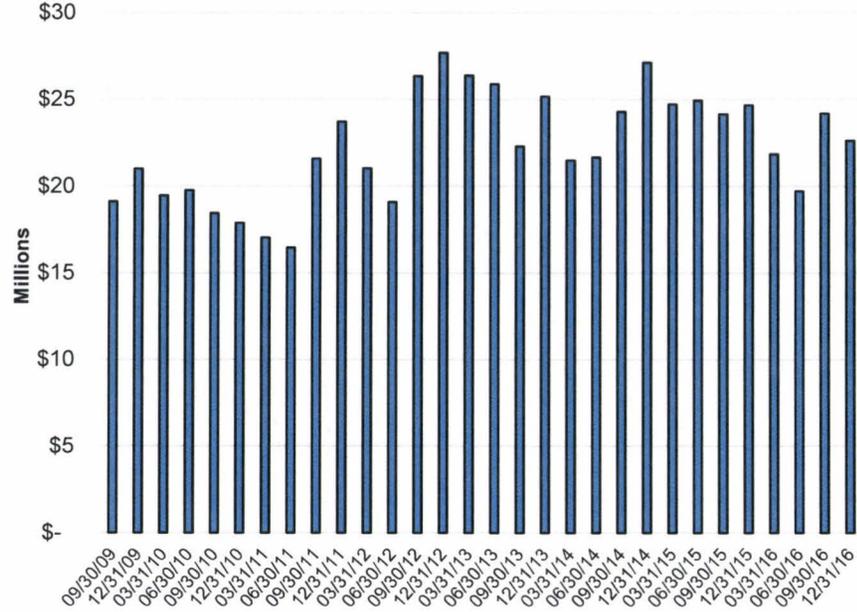
(1) **Weighted average life** - Pools, Money Market Funds, and Bank Deposits are assumed to have a one day maturity.

(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.

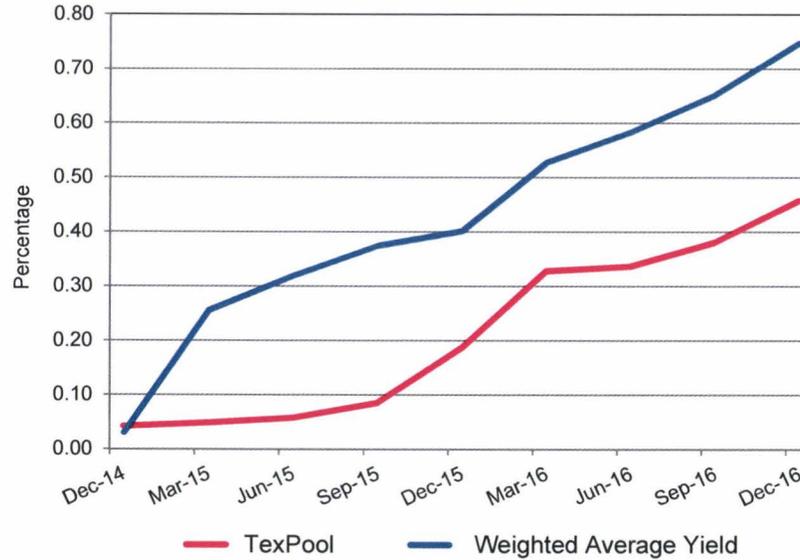
**Portfolio Composition
September 30, 2016**



**Quarter End Book Value
September 30, 2016**



Total Portfolio Performance



Book and Market Value Comparison

Description	Coupon/ Discount	Maturity Date	September 30, 2016		Purchases/ Adjustments	Sales/Adjust/ Maturities	December 31, 2016	
			Original Face\ Par Value	Book Value			Original Face\ Par Value	Book Value
Texas Term Daily	0.50%	01/01/17	\$ 445,890	\$ 445,890	\$ 529	\$ -	\$ 446,419	\$ 446,419
LOGIC	0.88%	01/01/17	289,425	289,425	615		290,039	290,039
TexPool	0.46%	01/01/17	782,549	782,549	1,845,088		2,627,637	2,627,637
TexPool Prime	0.82%	01/01/17	2,304	2,304	500,351		502,655	502,655
Southside Bank MMA	0.70%	01/01/17	16,154,540	16,154,540		(5,411,484)	10,743,056	10,743,056
Comerica Bank CD	0.44%	10/07/16	2,012,550	2,012,550		(2,012,550)	-	-
Texas Security Bank CD	0.85%	03/06/17	2,000,000	2,000,000			2,000,000	2,000,000
Southside Bank CD	0.68%	03/22/17	503,418	503,418	853		504,272	504,272
Texas Security Bank CD	1.05%	09/06/17	1,008,288	1,008,288			1,008,288	1,008,288
Southside Bank CD	0.86%	09/22/17	1,008,652	1,008,652	2,163		1,010,814	1,010,814
Herring Bank CDARS	1.00%	10/12/17	-	-	2,004,367		2,004,367	2,004,367
Southside Bank CD	0.90%	04/03/18	-	-	1,500,000		1,500,000	1,500,000
TOTAL			\$ 24,207,614	\$ 24,207,614	\$ 5,853,966	\$ (7,424,034)	\$ 22,637,546	\$ 22,637,546

**Allocation
December 31, 2016
Book & Market Value**

	Total	Consolidated Cash	Construction	Crime Control District
Texas Term Daily	\$ 446,419	\$ 446,419	\$ -	\$ -
LOGIC	290,039	290,039		
TexPool	2,627,637	1,945,623	822	681,192
TexPool Prime	502,655	502,655		
Southside Bank MMA	10,743,056	938,603	9,804,453	
03/06/17-Texas Security Bank CD	2,000,000	2,000,000		
03/22/17-Southside Bank CD	504,272	504,272		
09/06/17-Texas Security Bank CD	1,008,288	1,008,288		
09/22/17-Southside Bank CD	1,010,814	1,010,814		
10/12/17-Herring Bank CDARS	2,004,367	2,004,367		
04/03/18-Southside Bank CD	1,500,000		1,500,000	
Totals	\$ 22,637,546	\$ 10,651,079	\$ 11,305,275	\$ 681,192

**Allocation
September 30, 2016
Book & Market Value**

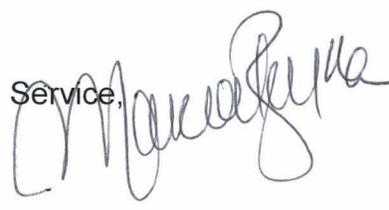
	Total	Consolidated Cash	Construction	Crime Control District
Texas Term Daily	\$ 445,890	\$ 445,890	\$ -	\$ -
LOGIC	289,425	289,425		
TexPool	782,549	101,244	821	680,484
TexPool Prime	2,304	2,304		
Southside Bank MMA	16,154,540	2,600,115	13,554,425	
10/07/16-Comerica Bank CD	2,012,550	2,012,550		
03/06/17-Texas Security Bank CD	2,000,000	2,000,000		
03/22/17-Southside Bank CD	503,418	503,418		
09/06/17-Texas Security Bank CD	1,008,288	1,008,288		
09/22/17-Southside Bank CD	1,008,652	1,008,652		
Totals	\$ 24,207,614	\$ 9,971,885	\$ 13,555,246	\$ 680,484



AGENDA MEMORANDUM

DATE: January 12, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Marcia Reyna, Director of Human Resources & Civil Service,
SPHR, SHRM-SCP 

THROUGH: Greg Vick, City Manager 

SUBJECT: Personnel, Administration and Financial, Policies and Procedures
Manual Revision #18

BACKGROUND/INFORMATION:

On March 23, 2015, the City Council was presented with a proposal outlining the Human Resources Department's plan to revise the Personnel, Administration and Financial, Policies and Procedures Manual (herein after "2014 Manual"). The new manual (herein after "new manual") includes an online platform and updated format.

This is the eighteenth revision to the new manual. It is proposed that Policy 7.02 *Worker's Compensation* and Policy 10.08 *Harassment-Free Workplace* be added to the new manual. These revised policies have been clarified, organized and simplified.

Significant changes are listed below.

Policy 7.02 Workers' Compensation

1. Added current Workers' Compensation administrative practices into policy format.
2. Provided better explanation of modified duty process.

Policy 10.08 Harassment-Free Workplace

1. Created a new Harassment-Free Workplace Complaint Form.
2. Removed City Manager Administrative Order Number 1 Anti-Nepotism which requires an affidavit to be filed when employees enter into a romantic relationship.

FINANCIAL IMPLICATIONS:

As included in each department's FY 2016-17 budget.

RECOMMENDATION/ACTION DESIRED:

It is requested that City Council approve the revised policies as presented.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) City Attorney Letter, Resolution and Proposed Policies

Attachment 1

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

January 16, 2017

Ms. Marcia Reyna
Human Resources & Civil Service Director
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Via Email

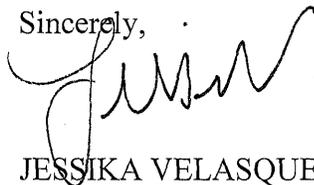
*Re: Resolution amending the City of Watauga's Personnel, Administration and
Financial Policies and Procedures Manual, Sections 10.08 and 7.02*

Dear Ms. Reyna:

Our office has received and reviewed the proposed amendments to the City's Personnel, Administration and Financial Policies and Procedures Manual. Please find enclosed a Resolution approving amendments to Sections 10.08 ("Harassment-Free Workplace") and 7.02 ("Workers' Compensation"). The Resolution 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. Should you have any questions or need anything further, please do not hesitate to contact my office.

Sincerely,



JESSIKA VELASQUEZ

MGD/jjv
Encl.

cc: Mayor Hector Garcia
Mr. Greg Vick, City Manager
Ms. Zolaina Reyes, City Secretary

CITY OF WATAUGA, TEXAS
RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING SECTION 10.08 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING A HARASSMENT-FREE WORKPLACE; AMENDING SECTION 7.02 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING WORKERS' COMPENSATION; 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 III, Section 3.07(m) of the Home Rule Charter of the City of Watauga, Texas provides that the City Council shall fix the salaries and compensation of City officers and employees; and

WHEREAS, the proposed amendments to Section 10.08 ("Harassment-Free Workplace") clarify, organize, and simplify the existing policy; create a new Harassment-Free Workplace Complaint form; and also include the removal of City Manager Administrative Order Number 1, which required an affidavit to be filed when employees enter into a "romantic" relationship;

WHEREAS, the proposed amendments to Section 7.02 ("Workers' Compensation") clarify, organize, and simplify the existing policy, and place into policy format the current Workers' Compensation administrative practices;

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

I.

The proposed amendments to the City's Personnel, Administration and Financial Policies and Procedures Manual as set forth in Exhibit "A," attached hereto and incorporated by reference, are hereby adopted. The adoption of the revised policies update, clarify and organize the existing policies.

II.

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

III.

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

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 this _____ day of _____, 2017.

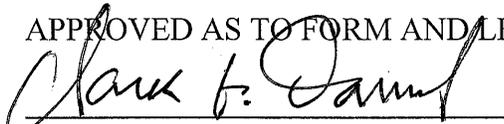
APPROVED:

Hector F. Garcia, Mayor

ATTEST:

ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:



MARK G. DANIEL, City Attorney



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Harassment-Free Workplace
INITIAL EFFECTIVE DATE	January 23, 2017
LAST REVISION DATE	Replaces <i>Section 13.13</i> of the Personnel, Administration and Financial Policies and Procedures Manual approved on February 24, 2014 and City Manager's Administrative Order Number 1 covering Anti-Nepotism established on December 18, 2002.
POLICY NUMBER	10.08

OBJECTIVE The purpose of this policy is to establish a harassment-free workplace and set forth the procedures by which the City will address and process harassment complaints. The City of Watauga prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy.

SCOPE This policy applies to all employees.

POLICY

A. Definitions

1. Harassment: Objectionable conduct, comment or display that demeans, belittles, or causes personal humiliation based on a person's race, national or ethnic origin, color, religion, sexual orientation, age, sex, gender identity, genetic information, disability or veteran status. This includes physical contact (e.g., touching, pushing), comments (e.g., slurs, jokes, name-calling), or displays (e.g., posters, cartoons).

Behavior or conduct can rise to the level of harassment if it results in one of the following:

- a. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
 - b. Has the purpose or effect of interfering with an employee's work performance; or
 - c. Adversely affects an employee's employment opportunities.
2. Sexual Harassment: For the purposes of this policy, sexual harassment is defined as in the Equal Employment Opportunity Commission Guidelines as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Under Title VII of the Civil Rights Act of 1964, there are two types of sexual harassment: a) quid pro quo and 2) hostile work environment. Sexual harassment can be physical and psychological in nature.

"Quid pro quo" harassment, where submission to harassment is used as the basis for employment decisions.

"Hostile work environment," where the harassment creates an offensive and unpleasant working environment. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or customers.

B. Policies and Procedures

The City of Watauga prohibits all forms of harassment and maintains a policy that all employees shall be treated with respect. Allegations of any type of harassment identified below will be taken seriously and, if substantiated, will be addressed through appropriate disciplinary actions.

1. Workplace Duties and Responsibilities

- a. It is the responsibility of each employee of the City of Watauga to engage in and promote workplace behaviors that create and maintain an environment of respect.
- b. Any employee who believes that he or she has been harassed based on race, national or ethnic origin, color, religious beliefs, sexual orientation, age, sex, gender identity, genetic information, disability or veteran status should file a formal or informal complaint as discussed under Section 3 below.
- c. Any employee who observes behavior that appears to violate another employee's race, national or ethnic origin, color, religious beliefs, sexual orientation, age, sex, gender identity, genetic information, disability or veteran status should immediately notify their supervisor.
- d. All employees have a responsibility to cooperate in the investigation of a harassment complaint.

2. Employer's Duty to Correct

All Supervisors, Managers, Department Directors and Administrators are expected to prevent and correct harassment in the workplace. Any employee with management responsibility who becomes aware of harassment in their work area must take corrective steps whether or not a formal complaint has been filed. For areas not within their immediate workplace, managers must notify their next level supervisor. Managers who fail to properly address harassment in their workplace may be disciplined up to and including termination of employment. This policy is not intended nor should it be applied to limit a manager's ability to manage the workplace. It will be the ongoing responsibility of the Department Director or their designee to monitor work areas for inappropriate action, comments or display and take necessary action.

3. Complaint Review Procedures

a. Informal Complaint Procedure

If an employee feels that they are being harassed based on the areas noted in this policy, they are encouraged to resolve the matter as soon as possible by addressing the issue(s) with the offending party. If unable to resolve the issue(s) directly with the offending party, the harassed employee shall report the matter to their supervisor or manager. If still unresolved, the employee may speak with their Department Director.

b. Formal Complaint Procedure

If the informal process is not successful or is not pursued, the harassed employee may file a formal complaint with the Human Resources Department.

Investigations will be conducted by the Human Resources Director.

The Human Resources Department is responsible for processing harassment complaints. Formal complaints submitted to Human Resources must be in writing and specific as to the facts and date(s) to allow effective and thorough investigation by the City. **See Appendix A for the Harassment-Free Workplace Complaint Form.**

Each formal harassment complaint will be investigated. Upon request by the complaining party, a representative of the same sex may be assigned to follow-up with the complainant in cases involving allegations of sexual harassment. At the discretion of the investigator, interviews may be recorded in written, audio, and/or video format.

To the extent possible, all information concerning a harassment complaint will be treated as confidential. The content of a harassment complaint will not be disclosed except as a part of the investigative process, to those who have a need to know or as required by law.

The alleged offending party may provide a written response to the allegation(s) within ten (10) business days of receiving the complaint.

After consulting with Human Resources, the Department Director may place the alleged offending party and/or complaining party on administrative leave with pay pending the completion of the investigation.

Within fourteen (14) business days of concluding the investigation, Human Resources will provide the City Manager and Department Director a report as to the validity of the complaint.

Withdrawal of a complaint will not necessarily end an investigation. The City may pursue an investigation with or without a pending complaint.

Within ten (10) business days of receiving the Human Resources Department's report of harassment, the Department Director will take appropriate disciplinary action with approval of the City Manager. Human Resources may extend the ten (10) day deadline if necessary.

The complaining party and the alleged offending party will be provided a written notification of the Department Head's decision.

C. False or Frivolous Complaints

Complaints found to be fabricated, frivolous, or made in bad faith will not be tolerated and subsequent disciplinary action up to and including termination may result.

D. Retaliation

Every employee has the right to report, in good faith, incidents of discrimination/harassment or inappropriate behavior without fear of retaliation. Retaliation by any person against anyone involved in the informal or formal complaint process will not be tolerated and may result in discipline, up to and including dismissal.

E. Workplace Relationships

Employees who desire to have a relationship outside of the workplace must maintain a professional work environment. Relationships involving personnel in different levels of the chain of command must be reported to the Department Director. Because of potential issues regarding quid pro quo harassment, The City of Watauga has made reporting mandatory. The City Manager and Human Resources Director will determine if any action is needed to maintain a sound professional work environment.



CITY OF WATAUGA

HARASSMENT-FREE WORKPLACE COMPLAINT FORM

The information you provide is essential to the City's investigation. Please be as specific and thorough as you can in your statements.

TYPE(S) OF HARASSMENT:

- Checkboxes for RACE, NATIONAL/ ETHNIC ORIGIN, COLOR, SEX, RELIGION, SEXUAL ORIENTATION, AGE, GENDER IDENTITY, VETERAN, DISABILITY, GENETIC INFORMATION

1. Where did the incident occur?

Two horizontal lines for text entry.

2. On what date(s) did it occur?

Two horizontal lines for text entry.

3. As accurately and specifically as possible, describe the circumstances (including actions, comments and/or display of behavior) which is (are) the basis for this complaint and identify the person(s) involved.

Five horizontal lines for text entry.

4. Was this the first such incident? [] Yes [] No If "No," where did the previous incident(s) occur and who was involved?

Five horizontal lines for text entry.

5. Were there any witnesses? Yes No If "Yes", who?

6. Have you mentioned your concern/complaint to others? Yes No If so, to whom and when?

7. Do(es) the person(s) you are complaining about know you are filing this formal complaint? Yes No If "Yes," how does he/she know?

8. Did your supervisor or other member of management know about your concern/complaint prior to your filing of this complaint? Yes No If so, who and when?

9. What is your desired outcome?

To the best of my knowledge, the information provided above is true and correct.

Name (Print & Sign) _____ Date _____

Received by (Print & Sign) _____ Date _____



CITY OF WATAUGA – PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL

POLICY TITLE	Workers' Compensation
INITIAL EFFECTIVE DATE	January 23, 2017
LAST REVISION DATE	Replaces <i>Section 20.7</i> of the Personnel, Administration and Financial Policies and Procedures Manual approved on February 24, 2014.
POLICY NUMBER	7.02

OBJECTIVE The purpose of this policy is to establish guidelines for injuries sustained within the course and scope of employment. Workers' Compensation is designed to cover the costs associated with injuries resulting from identifiable and specific accidents or injuries occurring on the job. It is not designed to cover "ordinary diseases of life."

SCOPE This policy applies to all employees.

POLICY

The City is committed to meeting its obligation under the Texas Workers' Compensation Act (the Act) to provide medical, rehabilitation, and wage-replacement benefits to employees who sustain work-related injuries or illnesses. All work-related injuries and illness, whether eligible for the Salary Continuation Plan or not, may be covered under the Family Medical Leave Act (FMLA), and any missed time due to the injury or illness will be counted toward the employee's FMLA allotment. See policy 8.04 Family Medical Leave Act

As specified in this policy, the City goes beyond the requirements of the Texas Workers' Compensation Act by providing a Salary Continuation Program to supplement the temporary income benefits available under state laws that do not provide full wage replacement.

A. Employee's Responsibility

Each employee is responsible for familiarity with this policy, for becoming acquainted with City and departmental injury/accident reporting procedures, and for reporting any accidents or injuries immediately. In the event of a life threatening injury, call 9-1-1 for immediate medical attention.

B. Supervisor's Responsibility

Supervisors shall determine the nature and extent of injury and ensure employee receives first aid or medical treatment. In the event of a life threatening injury, supervisors must call 9-1-1 for immediate medical attention. For non-emergency injuries requiring medical treatment by a doctor, the supervisor must take the employee to the City's assigned medical treatment facility.

The Human Resources Department should also be contacted so that all proper authorization forms can be completed.

The supervisor is then responsible for completing an injury report with the help of the injured employee, if feasible. Injury reports must be turned into the Human Resources Department within (24) hours

C. Human Resources Department Responsibility

The Human Resources Department will complete all documents required for Worker's Compensation. They will communicate with the Claims Adjuster and follow the case until employee returns to work. The Human Resources Department will monitor the frequency and severity of the injury and generate reports to management depicting trends and need for further corrective action.

D. Workers' Compensation Statutory Provisions

1. **Payment Purposes:** When an employee is injured within the course and scope of employment for the City, the employee may be eligible for workers' compensation payments pursuant to Title 5 of the Texas Labor Code. These payments include 1) payments for reasonably required and necessary medical treatment; 2) a statutory amount that provides a portion of the employee's average weekly wage while the employee is unable to work because of the injury for up to 104 weeks; and 3) additional monetary benefits for permanent disability suffered as a result of the on-the-job injury.
2. **Contest of Claim/Termination of Benefits:** Workers' compensation entitlements are subject to termination for grounds specified in the Act. The City may contest any claim for reasons authorized by law. An employee whose claim is being contested by the City is not eligible for injury leave with pay or salary continuation until a final determination of eligibility is made.
3. **Physician Choice:** If the employee chooses to participate in the Salary Continuation Program, the employee must utilize a physician within the required medical network. An employee may elect their own physician, however they risk being responsible for payment to that provider and forfeits eligibility for salary continuation benefits.
4. **Temporary Income Benefits:** Under the Workers' Compensation Act, temporary income benefits do not begin until after the seventh calendar day of absence from work due to an on-the-job injury.
 - a. A regular full-time employee who initially appears to be eligible for Workers' Compensation weekly payments will be carried on the payroll in an injury leave with pay status for all work time missed during the first seven days of absence.

- b. If it appears initially that the employee is not eligible for Workers' Compensation weekly payments, or the City is contesting the claim, the employee must use accrued paid leave, if applicable. If the employee has no accrued paid leave, the employee will be carried on the payroll in an unpaid leave status. If it is determined that the employee is eligible for temporary income benefits, any accrued leave used will be restored to the employee's leave balance, or any unpaid leave time will be retroactively compensated.

E. SALARY CONTINUATION PROGRAM

1. **Eligibility:** A regular full-time employee receiving weekly Workers' Compensation temporary income benefits is eligible for salary continuation. Temporary, part-time, seasonal, and probationary employees with less than 6 months' active full-time service credit are ineligible for salary continuation.
2. **Procedure for Salary Continuation:** If the employee elects to receive salary continuation, the City will provide the employee with regular pay during the time the employee is unable to work because of the injury as follows:
 - a. The employee must elect to participate in the Salary Continuation Program within five (5) days of filing the Workers' Compensation Employee's Report of Injury form.
 - b. The employee must sign over to the City the check received from the third party administrator as Workers' Compensation temporary income benefits each pay period.
 - c. Each work day that the employee is unable to work because of the injury will be documented as one (1) work day paid through the Salary Continuation Program.
 - d. Salary Continuation Program pay will be issued as a direct deposit in the manner the employee has authorized.
 - e. Salary continuation shall not exceed the difference between Workers' Compensation temporary income benefits and net base pay. The total amount paid to an injured employee while losing time from work will not exceed the full gross pay they would have received for such period at their regular rate of pay. If an overpayment occurs, the employee is responsible for reimbursing the City. If the employee does not initiate repayment, a repayment schedule will be set up by the Director of Human Resources in order to deduct the overpayment amount from the employee's future checks.

3. **Salary Continuation Program Limits:** Salary Continuation is only available a) for 90 calendar days; b) during the 12-month period after the date of the injury; and c) if the employee has not been assessed a Maximum Medical Improvement per the Department of Insurance, Division of Workers' Compensation.
4. **Extension of Time:** If an employee is unable to return to work after a ninety (90) calendar day absence in accordance with the Salary Continuation Program policy, the City Manager may approve an extension of time up to an additional sixty (60) calendar days.
5. **Examinations:** The Director of Human Resources may require an employee to submit to examinations at City expense by a physician or psychologist within the approved network, as a condition of receiving or continuing to participate in the Salary Continuation Program. These examinations are in addition to any medical treatment secured by the employee under the Act.
6. **Payroll Status:** The employee will be carried on payroll in Injury Leave with Pay status while receiving Salary Continuation payments and unable to perform the duties of the employee's position.
7. **Salary Continuation Forfeiture:** An employee forfeits eligibility for participation in the Salary Continuation Program if the employee:
 - a. Fails to report the on-the-job injury as specified in the City's policies and receive such medical treatment as may be necessary.
 - b. Fails to use safety devices provided by the City which results in injury or accident.
 - c. Is intoxicated or the under the influence of alcohol or a controlled substance resulting in injury or accident.
 - d. Fails to follow City and/or departmental safety practices or policies or carelessness or if the accident or injury is attributed to horseplay.
 - e. Repeatedly fails to keep medical appointments. (The Director of Human Resources may reinstate eligibility if the employee later submits to examination and treatment; any such resumption does not reinstate forfeited pay benefits for the period in which the employee refused to submit to examination.)
 - f. Is found to be working another job.
 - g. Retires, resigns, is dismissed for any reason, or dies.

- h. Refuses to submit to examinations or diagnostic tests or procedures recommended as medically or psychologically necessary by the network provider.
 - i. Fails to follow, refuses to comply with, disregards, or violates the treating physician's instructions regarding treatment of the on-the-job injury.
 - j. Refuses to perform transitional (limited, partial, or part-time) duty when such has been authorized by the treating physician and offered by the Department Director or the Director of Human Resources.
 - k. Falsifies or misrepresents physical condition or capacity.
 - l. Refuses to return to regular duty on the working day after the employee has been released to regular duty by the treating physician.
 - m. Fails to contact the immediate supervisor on a weekly basis to discuss condition and expected return to work date.
 - n. Has been injured as a result of the employee's own willful misconduct, gross negligence, or is in violation of safety procedures/rules as determined by the Director of Human Resources in coordination with the Department Director.
 - o. Is receiving benefits through any disability income plan offered through the City or Texas Municipal Retirement System (TMRS).
 - p. Refuses to make application for benefits under the disability programs offered by the City and TMRS when requested.
 - q. Fails to reimburse the City the full amount of the weekly Workers' Compensation temporary income benefits each pay period.
8. **Administrative Rules:** The City Manager is authorized to promulgate necessary rules and regulations for the efficient administration of the Salary Continuation Program benefit plan.
9. **Denial:** Payment of benefits under this plan shall at all times remain subject to approval by the Director of Human Resources. Denial shall be by written notice from the Director of Human Resources to the employee with the grounds for denial stated.

F. BENEFITS/STATUS WITHOUT SALARY CONTINUATION

If an employee is not eligible for the Salary Continuation Program the employee may use accrued paid leave to supplement the Temporary Income Benefits and remain in a paid status.

While receiving Temporary Income Benefits and in any unpaid leave status, all City benefits cease (unless the employee is on approved Family and Medical Leave). The employee must pay the cost of all plans, such as health, dental, vision, life insurance.

If an employee exhausts their leave before being released by the attending physician to return to work, the employee may be granted a leave of absence without pay for up to 180 calendar days from the date of injury.

G. MAXIMUM INJURY LEAVE BENEFIT ALLOWED

In all cases, the maximum amount of injury leave available is 180 days. Injury leave can be extended on a month by month basis up to an additional six months should the employee have available leave, sick and/or vacation, time to cover the required time off. Monthly progress reports including documentation from the treating physician that indicate progress is being made are required as part of the extension approval. All requests for an injury leave extension beyond 180 calendar days should be requested in writing to the Human Resources Director with final approval authorized by the City Manager. No extensions will be granted beyond the 12 months, except as required by law in compliance with ADA. Employees may also be eligible for long-term disability.

H. MODIFIED DUTY

Every effort will be made to return injured employees to the workplace as soon as medically released. The Human Resources Department will coordinate the employee's return to work with the employee's Supervisor. Modified duty will be offered if a work assignment exists within the City which meets the employee's current abilities as documented by the employee's treating physician; and a modified duty work assignment would enhance recovery and facilitate the employee's return to the regular duty. Modified duty work assignments will not be created. A modified duty work assignment may last until the time that the treating physician has set as the expected date of return to regular duty, but modified duty will not exceed three months unless the City Manager gives written approval for a longer period. As a condition of continuing in a modified duty work assignment, an employee must adhere to the treating physicians prescribed treatment plan and make reasonable efforts toward rehabilitation; accept progressively more demanding assignments as the employee's condition improves; and make visible progress in returning to full role specification capabilities.

An employee's modified duty work assignment will be terminated immediately if:

1. The employee is found performing beyond the modified duty restrictions.
2. The work assignment is completed.
3. The employee performs unsatisfactorily in the role or task assigned.
4. Budgetary constraints do not allow continuation of the modified duty assignment.

An employee who does not agree or accept a bona fide offer of employment, including a modified duty work assignment that has been approved by their treating physician, may be subject to a reduction in income benefits, as allowed by the Texas Workers' Compensation Act. Employee may be reassigned to 40 hour work weeks by the Department Director. The City reserves the right to require an employee to be medically released with no restrictions before returning to regular duty.

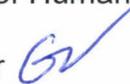


AGENDA MEMORANDUM

DATE: January, 3 2017

TO: Honorable Mayor and Members of the City Council

FROM: Marcia Reyna, Director of Human Resources & Civil Service 

THROUGH: Greg Vick, City Manager 

SUBJECT: Appointment of Interim Fire Chief

BACKGROUND/INFORMATION:

Chief William Crawford retired on December 30, 2016. I am respectfully requesting that Battalion Chief Randy Barkley's appointment as Interim Fire Chief be ratified and approved and that he serve in that capacity until a permanent replacement is hired. Chief Barkley's pay will be temporarily adjusted while he fills in the higher capacity as allowed per *Policy 6.04 Classification and Compensation Plan, Section J. Temporary Assignment Pay* of the City of Watauga's Personnel, Administration and Financial Policies and Procedures Manual.

"An employee who is required to serve in a position of a higher classification shall receive either the minimum salary of the position or up to ten percent (10%) above the present salary of the employee as determined by the Department Director and approved by the City Manager.

FINANCIAL IMPLICATIONS:

It is assumed that this assignment may last anywhere between 6-12 weeks.

Funding Source: 01-085-40010

RECOMMENDATION/ACTION DESIRED:

I respectfully request that Randy Barkley be ratified and appointed as Interim Fire Chief until a permanent replacement is appointed.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1) None



AGENDA MEMORANDUM

DATE: January 12, 2017
TO: Honorable Members of the City Council
FROM: Hector F. Garcia, Mayor 
SUBJECT: Appointments/Reappointments and Resignations for Boards, Committees, and Commissions

Background/Information

The City of Watauga Home Rule Charter, Section 7.07 provides that Council shall appoint all boards, commissions, and committees.

Resignations

Approval of resignation from:

1. Ms. Leigh Ann Boardman- Watauga Improving Neighborhoods Committee, Place 6
2. Ms. Rachel Pilgrim- Library Board, Place, 2

Reappointments

Recommendation for reappointment:

1. Mr. Art Miner –Watauga Parks Development Corporation, Place 1
 - (serve 2 year term to expire October 2019)

Appointments

Recommendations for new appointments:

1. Ms. Maria Ford- Watauga Improving Neighborhoods Committee, Place 6
 - (serve unexpired term until May 2018)
2. Mr. Michael Kessler- Library Board, Place 2
 - (serve unexpired term until August 2018)

Financial Implications:

N/A

Recommendation/Action Desired

I recommend approval of the above listed resignations, reappointments and appointments.

Attachment

1. Letter of Resignation from Ms. Leigh Ann Boardman and Ms. Rachel Pilgrim
2. Letter of Intent from Mr. Art Miner
3. Interview Committee Recommendations for New Appointments to Mayor Hector F. Garcia

Attachment 1

Zolaina Parker

From: noreply@civicplus.com
Sent: Friday, January 6, 2017 2:05 PM
To: Zolaina Parker
Subject: Online Form Submittal: Contact Us - City Secretary

Contact Us - City Secretary

Contact Information

Please complete the online form below to submit your questions / comments.

Name: Rachel Pilgrim
Address: 7920 Lazy Brook Drive
City: Watauga
State: TX
Zip Code: 76148
Phone Number: 682-560-9206
Email Address: [REDACTED]

Questions or Comments

Comments

Hi Ms. Parker: I sent this information to Lana Ewell on Tuesday, but I wanted to let you know as well. It is with heavy heart that I must resign from the Library Board effective immediately. My husband has a new role at church which requires him to be gone several nights a week - including Thursdays. So I will not be able to attend the Library Board meetings anymore. I have truly enjoyed the many years I have served on the board, and hope to be able to serve again in the future. I wish the Library staff and board members all the very best in the future. Thank you! Rachel Pilgrim

Email not displaying correctly? [View it in your browser.](#)

December 28, 2016

Dear Marcia Reyna,

Good evening. I want to express my gratitude for allowing me to serve on the committee for the WINN Committee as Watauga's Liaison to our community. Unfortunately, due to the need of having work dual jobs I am going to have to resign my position in two weeks.

Thanks again for the pleasure of serving on the committee. I wish you all well.

Please keep me posted if you have any employment opportunities that you think I would be a good fit for.

Sincerely,

Leigh Ann Boardman


Leigh Ann Boardman

Attachment 2



January 3, 2017

Art Miner


Dear Mr. Miner:

You were appointed by Council to serve on the Watauga Parks Development Corporation and attend meetings on a monthly basis. Your current term is scheduled to expire on January 31, 2017.

Please indicate below if you **are** or **are not** willing to complete an additional two-year term. After marking your selection, sign your name in the space provided and return the form to me in the self-addressed stamped envelope provided for your convenience.

Please note, in order to process your reappointment in an efficient manner this form must be returned within seven (7) days from the date it was initially sent. If it is not received within that time frame, it will be noted that you are not willing to serve an additional term.

If you choose to serve an additional two-year term, your reappointment will be considered by the City Council at the Regular Meeting scheduled on **January 23, 2017**. It is not necessary for you to be at the meeting in order to be reappointed, however, you are encouraged to attend.

Should you have any questions or concerns, I can be reached at (817) 514-5825 or by e-mail at zparker@cowtx.org.

- I **am** willing to serve an additional two-year term
- I **am not** willing to serve an additional two-year term


Art Miner, Place 1

Sincerely,


Zolaina R. Parker
City Secretary

Enclosure

Attachment 3

CITY OF WATAUGA

INTER-OFFICE CORRESPONDENCE

TO: Mayor Hector F. Garcia
 FROM: Patrick Shelbourne, Chairperson
 SUBJECT: Results of Applicant Interviews
 DATE: 1/6, 2017

A committee consisting of:

Chairperson Patrick Shelbourne, City Council Place 6; Member Robert Davis, City Council Place 7, ~~and Member Hal Gerhardt, Mayor Pro Tem, City Council Place 4,~~ met on, the 5th day of JANUARY, 2017 at WATAUGA PUBLIC LIBRARY, to interview applicants to serve on a City Board/Committee/Commission.

The following applicants were interviewed:

<u>MARIA FORD</u>	@	<u>6:30</u>	AM <input checked="" type="radio"/> PM
	@		AM/PM

The following names are submitted and recommended for appointment.

Applicant Name	Recommended Appointment to Board/Committee Commission	Place Number
<u>MARIA FORD</u>	<u>WIN Committee</u>	<u>6</u>
<u>MICHAEL KESSLER</u>	<u>LIBRARY BOARD</u>	<u>2</u>


 Chairperson

1-6-17
 Date



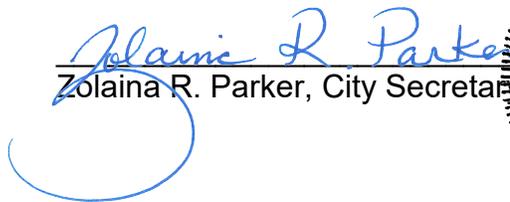
NOTICE OF PUBLIC HEARINGS

Notice is hereby given of Public Hearings to be held in the City of Watauga Council Chambers located at 7105 Whitley Road, on Tuesday, December 6, 2016 at 6:00 PM during the Planning and Zoning meeting, and on Monday, January 23, 2017 at 6:30 PM during the Regular City Council meeting, for the purpose of hearing the following zoning case.

Planning and Zoning Case 16-09: Request for a Specific Use Permit (SUP) for Hearts of Faith Ministry, a clothing store/resale, secondhand, thrift business at 5941 Watauga Road, legally described as Lot 1B, Block 2, Watauga Heights Addition, located on the north side of Watauga Road approximately 400 feet east of the intersection of Watauga Road and Whitley Road. Donna Sprott, owner. Julie Green, Hearts of Faith Ministry, applicant.

Published on Friday, November 18, 2016, 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 Wednesday, November 16, 2016 before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.


Zolaina R. Parker, City Secretary



AGENDA MEMORANDUM

DATE: January 23, 2017

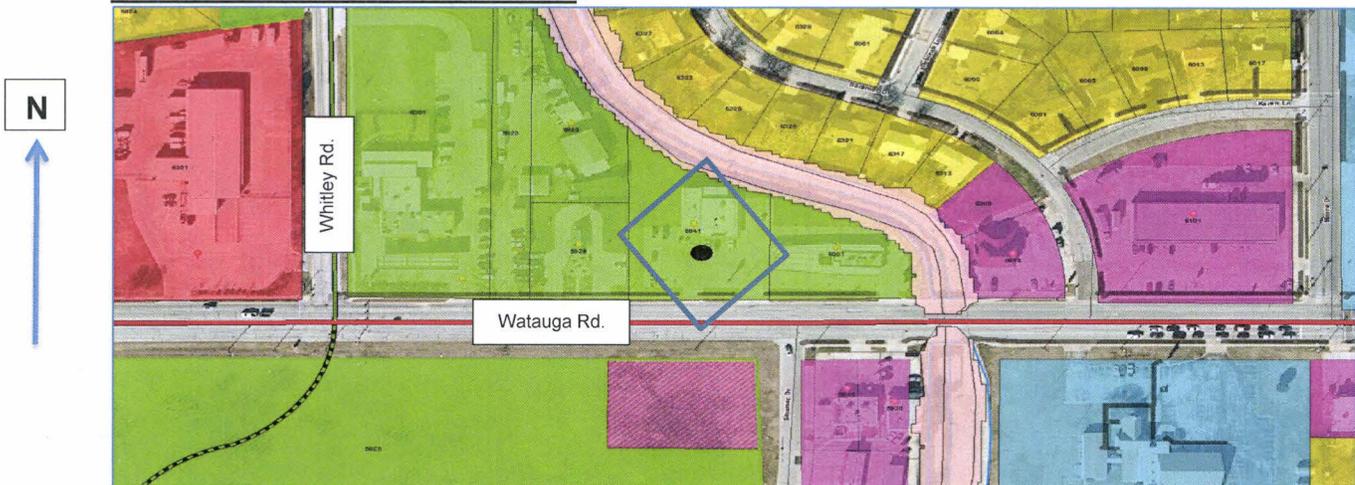
TO: Honorable Mayor and Members of the City Council

FROM: Jacquelyn Reyff, AICP, Director Planning & Economic Development *JR*

THROUGH: Greg Vick, City Manager *GV*

SUBJECT: Request for approval of P&Z Case 16-09 for a Specific Use Permit (SUP) for Hearts of Faith Ministry, a clothing store/resale, secondhand, thrift business at 5941 Watauga Road, legally described as Lot 1B, Block 2, Watauga Heights Addition, located on the north side of Watauga Road approximately 400 feet east of the intersection of Watauga Road and Whitley Road. Donna Sprott, owner. Julie Green, Hearts of Faith Ministry, applicant.

BACKGROUND/INFORMATION:



The property is located at 5941 Watauga Road and is currently improved with an existing 4,709 SF building.

Per the applicant's description of the business it is intended to provide a financial source of income to support future Hearts of Faith Recovery facilities, which provide assistance to those persons affected by human trafficking. The applicant will be providing on-site signage to prevent the drop-off of donations during non-business hours. The hours of operation would be Monday-Saturday 9 AM – 9 PM and Sunday 1 PM- 9 PM.

Site Development Specifics and Zoning

The overall size of the property is approximately .787 acres; is zoned GB (General Business); and is located on Watauga Road just to the east of the intersection of Watauga Road and Whitley Road. It is developed and was previously used as a Pawn Shop.

The properties immediately adjacent to the subject property are zoned: to the north is SF-6, Single-Family District; to the west is GB, General Business; to the east is GB, General Business, and to the south Watauga Road.

All required setbacks for the existing building meet the GB zoning district requirements.

Exterior Elevations

The building exists from original development. There will be no changes to the exterior materials of the building.

Landscaping

The proposed landscaping meets zoning ordinance requirements and provides plantings in the front and rear yards where there currently are none. The dumpster will be relocated and will be screened.

Parking

The required parking is 1 space per 200 SF of gross floor area, which equates to 24 spaces. The proposed parking for the site is 24 spaces including 1 handicap space. Therefore, parking meets the zoning ordinance requirements.

Circulation

Ingress/egress is located at two existing curb cuts along Watauga Road.

Conformance with One Watauga/Master Plan

Will the proposed change enhance the site and the surrounding area?

The existing and proposed site improvements meet the development standards.

Is the necessary infrastructure already in place? Yes.

Is the proposed change a better use than that is recommended by Future Land Use Plan/Map? The use meets the intent of the Future Land Use Plan/Map.

Will the proposed use impact adjacent residential areas in a negative manner or may it enhance it? The new landscaping will mitigate impact on adjacent properties.

Are uses adjacent to proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility? Yes.

Does the proposed use present a significant benefit to public health, safety and welfare of community? The benefits gained are improvements to the site, landscaping, delineation of organized parking areas and fire lane.

FINANCIAL IMPLICATIONS:

None.

RECOMMENDATION/ACTION DESIRED:

Approval of P&Z Case 16-09 for a Specific Use Permit (SUP) with the following condition: There may be no portable buildings and/or no outside storage of any kind; for Hearts of Faith Ministry, a clothing store/resale, secondhand, thrift business at 5941 Watauga Road, legally described as Lot 1B, Block 2, Watauga Heights Addition, located on the north side of Watauga Road approximately 400 feet east of the intersection of Watauga Road and Whitley Road. Donna Sprott, owner. Julie Green, Hearts of Faith Ministry, applicant. The Planning & Zoning Commission recommended approval during their December 6, 2016, meeting by a vote of (4) four to (1) denial with (1) abstention.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Notice of Public Hearing
- 2) Planning & Zoning Application
- 3) Statement Owner Verification
- 4) Property Owner Notification List and Returned Letters
- 5) Site Plan
- 6) City Attorney Letter of Approval and Ordinance
- 7) Planning and Zoning Commission Recommendation to Council

Attachment 1



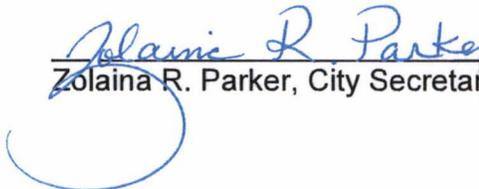
NOTICE OF PUBLIC HEARINGS

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Planning and Zoning Case 16-09: Request for a Specific Use Permit (SUP) for Hearts of Faith Ministry, a clothing store/resale, secondhand, thrift business at 5941 Watauga Road, legally described as Lot 1B, Block 2, Watauga Heights Addition, located on the north side of Watauga Road approximately 400 feet east of the intersection of Watauga Road and Whitley Road. Donna Sprott, owner. Julie Green, Hearts of Faith Ministry, applicant.

Published on Friday, November 18, 2016, 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 Wednesday, November 16, 2016 before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.


Zolaina R. Parker, City Secretary



Attachment 2



RECEIVED
SEP 29 2016

Planning & Zoning Application

BY: _____

CASE NO. 16-09

P&Z Fee: 150.00

Date Paid: 9.29.16

Receipt #: 16-01259

SELECT ZONING APPLICATION TYPE:

Zoning Change

Special Use Permit

Planned Development

PROPOSED USE OF PROPERTY: Thrift Store

EXISTING USE OF PROPERTY: Currently Vacant, Previously a Pawnshop

ZONING INFORMATION: From Existing _____ District to Proposed _____ District

PROPERTY ADDRESS: 5941 Watauga RD. Watauga, Texas 76148

Legal Description: (Abstract) _____ (Tract) _____ (Block) 2 (Lot) 1R-AS

(Survey) _____ (Addition) Watauga Heights Section One

IF PROPERTY IS NOT PLATTED, PLEASE PROVIDE METES AND BOUNDS DESCRIPTION.

COMPLIANCE OF PROPOSED PROJECT TO ONE WATAUGA/COMPREHENSIVE MASTER PLAN:

- 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
- 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: Donna Sprott
(Please Print)

ADDRESS: 6324 E. CR 405 Alvarado, TX 76009

PHONE: 817-255-8799 EMAIL: na

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: Hearts of Faith Ministry - Julie Green (Please Print)
BUSINESS NAME (If applicable): Texas Hearts of Faith Thrift Store (Title)
BUSINESS ADDRESS: 5941 Watauga RD Watauga, Texas 76148
PHONE: 972-765-8108 EMAIL: Corp - jsgreen@sbcglobal.net

*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

Donna Sprott
Owner Name (Print)

9-27-16
Date

Donna Sprott
Owner Signature

Chaplan Julie Green
Agent Name (Print)

9-27-16
Date

Chaplan Julie Green
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:
Zoning Application form.
Application filing fee of \$150. 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:

BUSINESS PLAN:

Texas Hearts of Faith Thrift Store

5941 Watauga Rd. Watauga, TX. 76148

Ph. 972-795-9808

jjjgreen@sbcglobal.net

Hearts of Faith Ministries exists to reach out and serve the ever-growing needs of our Community and our State. People need hope. Human Trafficking has quickly become one of the fastest growing crimes in our State. Hearts of Faith Ministries is going to help these victims of Human Trafficking rebuild their lives, and our homeless, veterans, women, men, children, the abused, and along with helping individuals to stop drugs and alcohol addictions.

Hearts of Faith Ministries is in the process of opening up thrift/donation stores throughout our local County and State. One of our main objectives is to help provide a financial source of income from this location to help support our future Heart of Faith Recovery facilities / homes.

Opening Objectives, Hearts of Faith thrift store request for an early special use permit from the City of Watauga, the company's products are pre-owned, clean, and new re-saleable items.

Texas Hearts of Faith Thrift Store hours of operation once approved will be Mon-Sat: 9am to 9pm/Sun 1pm to 9pm this sign will be posted on the front door, also 2x3 holidays close signs will be posted 20 days in advance.

Our Thrift Store will have posted outside two - 2x3 outside donation drop off signs that will be posted on the right side of the building. Donation drop off times is Monday thru Saturday from 9 am to 8 pm and Sunday's from 1 pm to 8 pm, Texas Hearts of Faith Thrift Stores will also offer our customers the options for us to pick up their donations upon certain request, purpose of this is to help beautify our location and our community and uphold dignity and respect for our City.

Opening Objectives: Hearts of Faith thrift store request for an early special use permit from the City of Watauga, the company's products are pre-owned, clean, and new re-saleable items.

Texas Hearts of Faith Thrift Store wishes to beautify this location, we have listed a few examples that will be implemented is a new beautiful front and both sides and back of the building a beautiful yard and fence scenery, plants, flowers, and additional items, which this will be maintained, also new paint for the building and signs.

The Texas Hearts of Faith Thrift Store will not open for business until all City Requirements are met as well as all Texas Hearts of Faith Thrift Store Policies are firmly committed, such as store insurance, fixtures, gondolas, shelving, showcases, and general preparations.

August 8, 2014 Hearts of Faith Inc. 5013c non-profit Christian organization. P.O. Box 2162
Hurst, Texas 76053-Founder/Chaplain Julie Green / 972-765-8108 / jjjgreen@sbcglobal.net

Attachment 3



Statement of Agent Authorization

I, Donna Sprott, owner of 5941 Watauga Rd also known as Block 2, Lot 1 of the Watauga Heights Section 1 Subdivision in the City of Watauga hereby certify that I have given my permission to Hearts of Faith Ministry Jukebar to act as my agent for zoning, specific use permit, preliminary plat, final plat, or variance/special exception for said property. As the owner of the aforementioned property, I accept and agree to be bound by and comply with any written requirements a zoning, specific use permit, preliminary plat, final plat or variance/special exception of the property.

Donna Sprott Signature of Owner

Donna Sprott Name (Typed or Printed)

9-28-16 Date

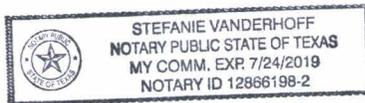
Notary Acknowledgement No. 2: Before me, the undersigned authority, on this day personally appeared Donna Sprott, known to me to be the person whose name is subscribed to the above and foregoing instrument, and knowledge to me that he/she executed the same for the purposes and consideration expressed and in the capacity therein stated.

Given under my hand and seal of office on this the 28 day of September, 2016

Stefanie Vanderhoff Notary Public

Notary Public in and For the State of Texas

My commission expires the 28th day of September, 2016





Statement of Owner Verification

I, Julie Green 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.

Julie Green
Applicant Signature

9-28-16
Date

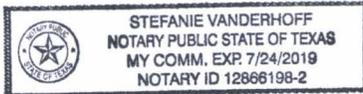
State of Texas
County of Johnson

Before me, the undersigned authority, on this day personally appeared Julie Green,
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 28 day of September, 2016

Stefanie Vanderhoff
Signature of Notary Public

My commission expires the 28 day of September, 2016.



Attachment 4

ZONING CASE 16-09

Planning and Zoning Case 16-09: Request for a Specific Use Permit (SUP) for Hearts of Faith Ministry, a clothing store/resale, secondhand, thrift business at 5941 Watauga Road, legally described as Lot 1B, Block 2, Watauga Heights Addition, located on the north side of Watauga Road approximately 400 feet east of the intersection of Watauga Road and Whitley Road. Donna Sprott, owner. Julie Green, Hearts of Faith Ministry, applicant.

City records indicated that the names listed below are the owners of property within 200' (two hundred) feet of the above request. As prescribed by Chapter 115, Article II, Section 115-34 (c), (5), property owners have been notified and invited to appear or write and give their input regarding the above zoning case. **Date requested for response is November 25, 2016.**

<u>NAME</u>	<u>ADDRESS</u>	<u>RESPONSE</u>
Jariwala, Milan M Property: Modern Wash	6104 Equestrain Court Colleyville, TX 76034-7647 5916 Watauga Road Block 23, Lot 1 Browning Heights North Addition	_____
McNeff, John J Business: Medical Office	7412 Wooddhaven Drive N. Richland Hills, TX 76182-9216 5920 Watauga Road Block 23, Lot 3R Browning Heightsd North Addition	<u>Do Object</u>
6001 Watauga Ltd Attn:C/O SLJ Co. LLC GP Property: Texas Car Title	4311 W Lovers Lane, Suite 200 Dallas, TX 75209-2803 6001 Watauga Road Block 2, Lot 1D Watauga Heights Addition	_____
Sprott, James L Business: Former Big State Credit Pawn Shop	6324 E County Road 405 Alvarado, TX 76009 5941 Watauga Road Block 2, Lot 1B Watauga Heights Addition	_____
Chef Point LLC Attn: Franson & Paula Nwaeze Business: Chef Point Cafe	5901 Watauga Road Watauga, TX 76148-3145 5901 Watauga Road Watauga Heights Addition	<u>Do Object</u>

<u>NAME</u>	<u>ADDRESS</u>	<u>RESPONSE</u>
Kucinsky, A Scott Business: Shiver Shack	7117 Oakview Court Watauga, TX 76148-2186 5929 Watauga Road Block 2, Lot 1RA1 Watauga Heights Addition	_____
Walker, Brad Business: Lone Star Stained Concrete	2133 Rustic Ridge Drive Keller, TX 76248-5660 5929 Watauga Road Block 2, Lot 1RA2B Watauga Heights Addition	_____
Walker, Brad Business: Lone Star Stained Concrete	2133 Rustic Ridge Drive Keller, TX 76248-5660 5925 Watauga Road Block 2, Lot 1RA2A Watauga Heights Addition	_____
Berry, Donald R & Gloria	6337 Saramac Drive Block 2 Lot 10 Watauga, Texas 76148-3108	<u>Do Not Object</u>
Luscri, Mary K Property:	112 E Louella Drive Hurst, TX 76054-3744 6333 Saramac Drive Block 2 Lot 9 Watauga Heights Additon	_____
Resident/Lessee	6333 Saramac Drive Watauga, TX 76148	_____
Renfield LLC Property:	W 230A College Street Stephenville, TX 76401-4216 6329 Saramac Drive Block 2 Lot 8 Watauga Heights Additon	_____
Resident/Lessee	6329 Saramac Drive Watauga, TX 76148	_____

<u>NAME</u>	<u>ADDRESS</u>	<u>RESPONSE</u>
Alvey, Eric A	6325 Saramac Drive Block 2 Lot 7 Watauga, Texas 76148-3108	_____
Warren Trust, The	3700 Briarhaven Lane Colleyville, TX 76034	_____
Property:	6321 Saramac Drive Block 2 Lot 6 Watauga Heights Additon	
Resident/Lessee	6321 Saramac Drive Watauga, TX 76148	_____
Montero, Jesus & Socorro	6317 Saramac Drive Block 2 Lot 5 Watauga, Texas 76148-3108	<u>Do Not Object</u>
Day, Scott	941 Loranne Avenue Pamona, CA 91767-5117	_____
Property:	6313 Saramac Drive Block 2 Lot 4 Watauga Heights Additon	
Resident/Lessee	6313 Saramac Drive Watauga, TX 76148	_____

19 Notices were mailed out:

2 Do Not Object 2 Object _____ Did Not Reply.

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City records indicated that you are the owner of property within 200' (two hundred) feet of the above request. As prescribed by the Chapter 115, Section 115, (c), (1), you are hereby notified and invited to appear or write and give your input regarding the above zoning case. Please return written comments to City of Watauga Planning and Department, 7105 Whitley Road, Watauga, Texas, 76148.

This letter and your related comments must be received in City Hall by November 25, 2016.

DO OBJECT TO THE ABOVE REQUEST.

DO NOT OBJECT TO THE ABOVE REQUEST.

COMMENTS: _____

John McJEFF
NAME

5920 WATAUGA RD.
ADDRESS

WATAUGA TX 76148
CITY, STATE & ZIP CODE

**Property Located at:
5920 Watauga Road
Block: 23 Lot 3R
Browning Heights North**

RECEIVED
NOV 28 2016

BY: _____

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DO OBJECT TO THE ABOVE REQUEST.

DO NOT OBJECT TO THE ABOVE REQUEST.

COMMENTS: don't want to promote businesses
geared towards low income.

Paula Merrell Nwaeze

NAME

5901 Watauga Rd

ADDRESS

Watauga TX 76148

CITY, STATE & ZIP CODE

**Property Located at:
5901 Watauga Road
Watauga Heights Addition**

RECEIVED
NOV 28 2016

BY: _____

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This letter and your related comments must be received in City Hall by November 25, 2016.

_____ DO OBJECT TO THE ABOVE REQUEST.

DO NOT OBJECT TO THE ABOVE REQUEST.

COMMENTS: _____

Donald R. + Gloria Berry
NAME

6337 Saramae Dr.
ADDRESS

Watauga, TX 76148-3108
CITY, STATE & ZIP CODE

RECEIVED
NOV 28 2016

BY: _____

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This letter and your related comments must be received in City Hall by November 25, 2016.

DO OBJECT TO THE ABOVE REQUEST.

DO NOT OBJECT TO THE ABOVE REQUEST.

COMMENTS: None

Jesus Montexo
NAME

6317 Saramac Dr.
ADDRESS

Watauga Tx. 76148
CITY, STATE & ZIP CODE

RECEIVED
NOV 28 2016

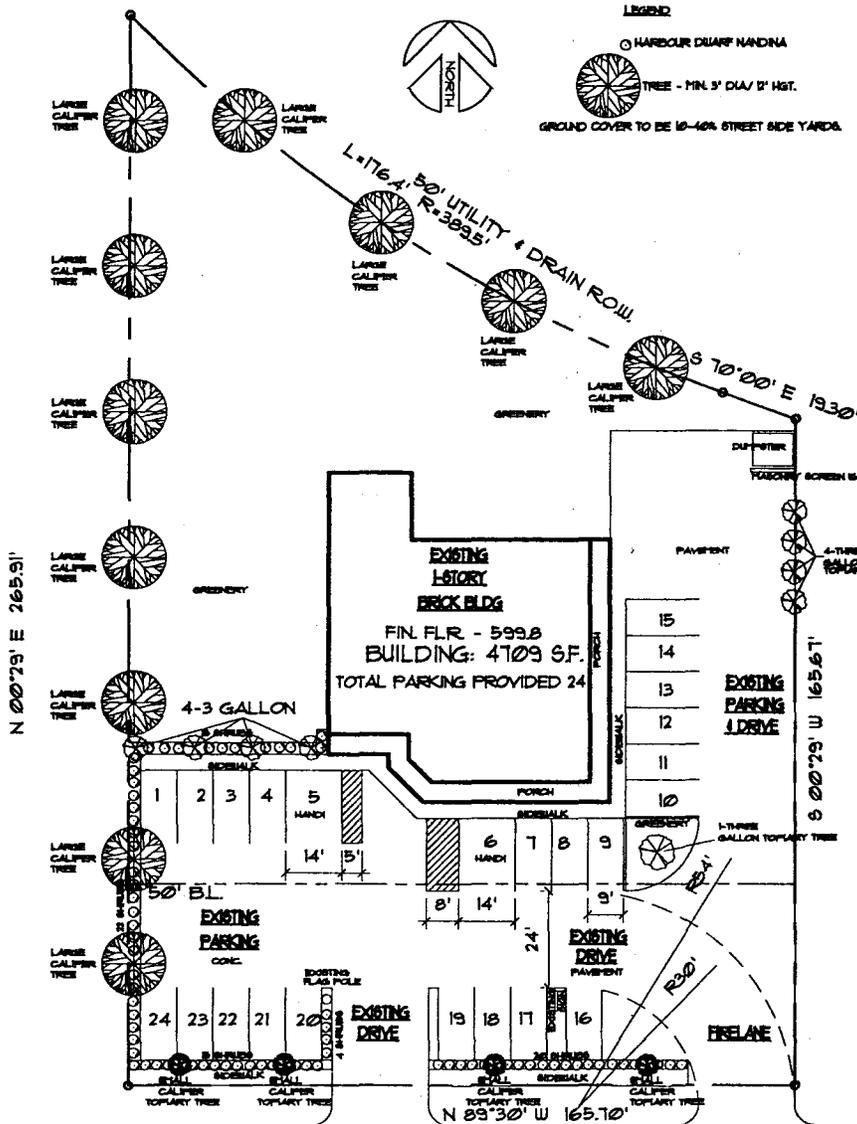
BY: _____

Attachment 5



Home » GIS Tool





5941 WATAUGA RD.
SITE PLAN

<p>SITE PLAN SCALE: 1"=30'</p>	
<p>TEXAS HEARTS OF FAITH THRIFT STORE</p>	
<p>5941 WATAUGA RD. WATAUGA TARRANT COUNTY TEXAS, 76148</p>	<p>CONTACT: HOF MINISTER CHAPLAIN JULIE GREEN (972) 765-8108</p>
<p>JOB: 6073 DATE: OCT. 21, 2016 THE PLAN FACTORY 817-654-9212 4303 SOUTH BOWEN RD. - SUITE 117 - ARLINGTON, TX 76016</p>	

IT SHALL BE THE FULL RESPONSIBILITY OF THE BUILDER TO VERIFY ALL ASPECTS OF THIS PLAN AND ADJUST IF REQUIRED

BUILDING: 13% COV
PAVEMENT: 47% COVERAGE TOTAL AREA IN THE NON-STREET WILL BE 60 SF. FOR EACH 12 PARKING SPACES

GREENERY: 40% LANDSCAPING TOTAL BREAK DOWN AND CITY REQUIREMENTS AS FOLLOWS

ALL NEWLY PLANTED TREES WILL BE PLANTED IN PERMEABLE AREAS AND WILL BE 3' DIAMETER AND EACH 12' HT. AND APPROX. 4" OR MORE WILL BE PROVIDED IN STREET YARDS LESS THAN 10,000 S.F. IN FRONT AND WILL BE PLACED LESS THAN 10,000 S.F. ON THE RIGHT SIDE OF THE YARD AND ON THE LEFT SIDE OF THE YARD WHERE IT IS VISIBLE FROM THE ADJACENT STREET, WHICH WILL TOTAL LESS THAN 10,000 S.F. ONE TREE PER 1,000 S.F. OF THE STREET YARD WILL BE IMPLEMENTED.

NO CURRENT EXISTING TREES ARE ON THE PREMISES SO THERE WILL BE 2 ADDITIONAL LARGE TREES OF ATLEAST 12' HT. AND APPROX. 4" OR MORE ADDED AND WITHIN THE 10,000 SF PERIMETER WILL ALSO BE IMPLEMENTED.

TREES: 15% OF THE FRONT AREA AND SIDE YARDS WILL BE VISIBLE FROM AN ADJACENT STREET LANDSCAPED AREA AND ON EACH SIDEYARD VISIBLE FROM AN ADJACENT STREET LANDSCAPED VIEW OF EACH AREA.

TWO SMALL OR ORNAMENTAL TREES IN LIEU OF ONE LARGE TREE WILL BE IMPLEMENTED IN THE FRONT STREET LANDSCAPED VIEW AREA; EACH SMALL ORNAMENTAL TREE WILL BE A MIN. OF 6' IN HT. AT THE TIME OF PLANTING. NOT MORE THAN 50% OF THE REQUIRED LARGE TREES MAY BE SUBSTITUTED BY INSTALLING ORNAMENTAL TREES AT A RATE OF 2 ORNAMENTAL TREES TO ONE LARGE TREE WHICH WILL BE IMPLEMENTED IN THE STREET YARD IN FRONT FOR ADJACENT PROFESSIONAL STREET VIEW.

NO TREES SHALL BE PLANTED IN ANY RIGHT-OF-WAY OR ANY FIRE LANE RIGHT-OF-WAY.

EACH ONE SHRUB WILL BE PLANTED EVERY 50 S.F. OF THE AREA THAT IS TO BE LANDSCAPED, ONLY FULL MATURITY OF EACH SHRUB WILL BE LOCATED IN THE RIGHT OF WAY IN WHICH WILL NOT BE A CONFLICT WITH ANY VEHICULAR OR PEDESTRIAN TRAFFIC VISIBILITY WILL BE IMPLEMENTED FOR ADDITIONAL BEAUTIFICATION.

GROUND COVER WILL STAY AS IT IS ALREADY IMPLEMENTED, OTHER THAN WITHIN THE FLAG POLE BRICKED AREA ALL YEAR FLOWERS WILL BE IMPLEMENTED WHICH WILL BE 10% ALL GROUND COVER AREAS SHALL BE KEPT CLEAR OF WEEDS AN UNDERGROWTH OR ANY ADDITIONAL ISSUES THAT WOULD HINDER ANY OF OUR BEAUTIFICATION DEVELOPMENT.

PARKING LOTS AND VEHICULAR USE AREA IN WHICH A MIN. AMOUNT OF THE TOTAL AREA OF ALL VEHICULAR USE AREAS SHALL BE DEVOTED TO LANDSCAPED ISLANDS, PENINSULAS, OR MEDIANS IN WHICH WILL BE MAINTAINED FOR THE UP KEEP OF ALL BEAUTIFICATIONS AT THIS LOCATION.

THE STREET AND YARD AREA WILL HAVE A MIN. TOTAL AREA IN SUCH ISLAND, PENINSULAS, AND MEDIANS IN THE STREET YARD SHALL BE 90 S.F. OF EACH 12 PARKING SPACES.

TEXAS HEARTS OF FAITH THRIFT STORE NON-STREET YARD AREA, WHICH WILL HAVE A MIN. TOTAL AREA IN SUCH ISLANDS, PENINSULAS, AND MEDIANS, IN THE NON-STREET SHALL BE 60 S.F. FOR EACH 12 PARKING SPACES TO HELP WITH BEAUTIFICATION AS THIS LOCATION ALSO.

TEXAS HEARTS OF FAITH THRIFT STORE DOES NOT ALLOW PORTABLE BUILDINGS, AND ANY OUTSIDE STORAGE OF ANY KIND NOR ANY PERMANENT TRAILERS WILL BE ALLOWED AT THIS LOCATION.

Attachment 6

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

December 21, 2016

Ms. Jacquelyn Reyff
Planning and Development Manager
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

Via Email

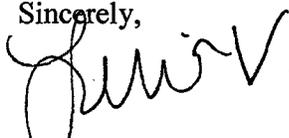
*Re: Ordinance authorizing approval of a SUP for Case 16-09, property at
5941 Watauga Road*

Dear Ms. Reyff:

Our office has received and reviewed the Planning and Zoning Commission Staff Report requesting a Specific Use Permit (SUP) for property located at 5941 Watauga Road (Case 16-09). Please find enclosed an Ordinance prepared by our office authorizing approval of a SUP for Case 16-09. 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. Should you have any questions or need anything further, please do not hesitate to contact my office.

Sincerely,



JESSIKA J. VELASQUEZ

MGD/jjv
Encl.

cc: Mayor Hector Garcia
Mr. Greg Vick, City Manager
Ms. Zolaina Reyes, 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 SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 5941 WATAUGA ROAD (CASE 16-09); 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, understands the property located at 5941 Watauga Road, previously used as a Pawn Shop, requires a Specific Use Permit (SUP) in order to operate as "Texas Hearts of Faith Thrift Store";

WHEREAS, the City Council of the City of Watauga, Texas, understands that allowing the property to operate as a thrift store is a change consistent with the City's Future Land Use Plan/Map;

WHEREAS, the City Council of the City of Watauga, Texas, recognizes that additional landscaping, screening, and updating of this structure and surrounding area will result in a direct benefit to the City of Watauga;

WHEREAS, the City Council of the City of Watauga, Texas, recognizes that the Planning and Zoning Commission at its December 6, 2016, meeting voted to recommend approval of Case 16-09;

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

I.

The City of Watauga, Texas hereby authorizes approval for a Specific Use Permit (SUP) for Case 16-09, regarding property and structure located at 5941 Watauga Road, allowing for the operation of the property as the "Texas Hearts of Faith Thrift Store," with the condition that "there may be no portable buildings and/or outside storage of any kind."

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 _____, 2017.

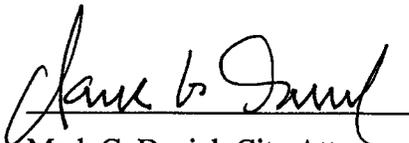
APPROVED:

Hector F. Garcia, Mayor

ATTEST:

Zolaina R. Parker, City Secretary

APPROVED AS TO FORM AND LEGALITY:


Mark G. Daniel, City Attorney

Attachment 7



AGENDA MEMORANDUM

DATE: January 10, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Zolaina R. Parker, City Secretary, TRMC 

SUBJECT: Approval of a Resolution calling for a General Election for Mayor, City Council Places 3, 4 and 5

BACKGROUND/INFORMATION:

Each year, the City Council adopts a Resolution calling for an election to be held in order to provide citizens the opportunity to elect individuals to represent them as members of the governing body. This year the General Election will be held on Saturday, May 6, 2017 to elect representatives for the office of Mayor, City Council Member Places 3, 4, and 5. This proposed Resolution also provides for the election to be held jointly through Tarrant County Elections Administration.

FINANCIAL IMPLICATIONS:

At this time, Tarrant County Elections Administration does not know the exact amount each entity will pay for the joint election; therefore the estimated figures below may fluctuate depending on the number of entities participating in the Joint Election Agreement.

\$6,000.00-\$7,000.00- Tarrant County (Administering Joint Election)

\$1,000.00-\$1,500.00- Star Telegram (Publication Fees)

Funding Source:

01-020-74180

01-020-74050

RECOMMENDATION/ACTION DESIRED:

Adoption of the proposed Resolution calling for a General Election for Mayor, City Council Places 3, 4, and 5; to be held on Saturday, May 6, 2017 at Watauga City Hall, 7105 Whitley Road, Watauga, Texas, including days and hours of Early Voting, continuing joint election services through Tarrant County, and setting other provisions incidental to the election in accordance with Texas Election Laws and the Watauga Home Rule Charter.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Letter from City Attorney
- 2) Proposed Resolution

Attachment 1

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

December 28, 2016

Via Email

Ms. Zolaina R. Parker, City Secretary
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

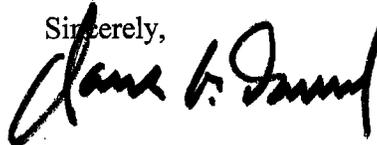
*Re: Resolution and Election Order for the City of Watauga, Texas
2017 General Election*

Dear Ms. Parker:

Per your request, I have reviewed the Resolution by the City of Watauga calling an election to be held on May 6, 2017 for the Mayor and City Council Member Places 3, 4, and 5 and providing for a joint election agreement with Tarrant County. I approve of the Resolution and would recommend that the same 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

MGD/tp

cc: Mayor Hector Garcia
Mr. Greg Vick, City Manager

Attachment 2

CITY OF WATAUGA, TEXAS
RESOLUTION NO. _____

A RESOLUTION AND ELECTION ORDER BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS CALLING AN ELECTION TO BE HELD IN SAID CITY ON THE 6TH DAY OF MAY 2017 FOR THE GENERAL ELECTION OF THE MAYOR, CITY COUNCIL MEMBER PLACE 3, CITY COUNCIL MEMBER PLACE 4, AND CITY COUNCIL MEMBER PLACE 5; PROVIDING FOR A JOINT ELECTION AGREEMENT WITH TARRANT COUNTY; SETTING THE DATE, PLACE AND TIME OF SAID ELECTION; AND OTHER PROVISIONS OTHERWISE INCIDENTAL TO SUCH RESOLUTION IN ACCORDANCE WITH THE TEXAS ELECTION LAWS AND ARTICLES III AND IV OF THE CITY OF WATAUGA HOME RULE CHARTER; 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, the General Election for the City Council Members of the City of Watauga as set forth by the Home Rule Charter and by the Texas Election Code is required to be held on May 6, 2017, at which time the voters will elect persons to fill the office of the Mayor, City Council Member Place 3, City Council Member Place 4, and City Council Member Place 5, of the City of Watauga, Texas.

WHEREAS, the City of Watauga, Texas, Keller Independent School District (KISD) and Birdville Independent School District (BISD) desire to conduct joint elections through Tarrant County pursuant to the provisions of the Texas Election Code, including the conduct of joint early voting and to provide for the sharing of expenses.

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

I.

The City of Watauga, KISD and BISD shall hold a joint election through Tarrant County Elections Administration on May 6, 2017 for the purpose of electing members of the City Council of the City of Watauga and trustees to the KISD Board of Trustees and trustees to the BISD Board of Trustees.

II.

An election is hereby called to elect persons to fill the offices of the Mayor, ~~City Council Member Places 3, 4, and 5~~ on the City Council to serve until May 2019. Such election shall be held at City Hall, 7105 Whitley Road, City of Watauga, Texas on May 6, 2017 from 7:00 a.m. until 7:00 p.m.

III.

The Election Code provides that candidates may file for office from January 18, 2017 through February 17, 2017. Candidates may file an application in the office of the City Secretary on weekdays, Monday through Friday, from 8:00 a.m. until 5:00 p.m.

IV.

Days and hours for Early Voting by Personal Appearance shall be as follows:

April 24-28, 2017	Monday – Friday	8:00 a.m. - 5:00 p.m.
April 29, 2017	Saturday	7:00 a.m. - 7:00 p.m.
April 30, 2017	Sunday	11:00 a.m. - 4:00 p.m.
May 1-2, 2017	Monday - Tuesday	7:00 a.m. - 7:00 p.m.

V.

The election shall be conducted according to the election laws of the State of Texas and the Home Rule Charter of the City of Watauga.

VI.

The Presiding Election Judge and Alternate Presiding Judge shall be appointed by Tarrant County.

VII.

The Tarrant County Chief Deputy Elections Administrator, Stephen Vickers is hereby appointed as the Early Voting Clerk. Applications for ballot by mail must be received by mail no later than the close of business April 25, 2017 (Mailing Address: P.O. Box 961011, Fort Worth, Texas, 76161-0011; Attention: Stephen Vickers, Tarrant County Chief Deputy Elections Administrator, Early Voting Clerk).

VIII.

Early Voting shall be conducted at the Tarrant County Main Early Voting location: 2700 Premier Street, Fort Worth, Texas 76111 and Watauga City Hall, 7105 Whitley Road, Watauga, Texas 76148, as well as other branch offices established by Tarrant County.

IX.

The expenses of the election shall be borne by the City of Watauga, KISD and BISD as outlined in an election agreement with Tarrant County. The Mayor is hereby authorized to sign such agreement.

X.

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

XI.

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.

XII.

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

Texas, and upon 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 the 23rd day of January, 2017.

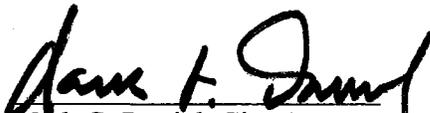
APPROVED:

Hector F. Garcia, Mayor

ATTEST:

Zolaina R. Parker, City Secretary

APPROVED AS TO FORM AND LEGALITY:



Mark G. Daniel, City Attorney



AGENDA MEMORANDUM

DATE: January 11, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Paul Hackleman, P.E., Public Works Director *PH*

THROUGH: Greg Vick, City Manager *GV*

SUBJECT: Discussion and Action on approval of an amendment to Burgess Niple contract for design and construction administration of Whitley Road Phase II from Watauga Road to Chapman Road.

BACKGROUND/INFORMATION:

The purpose for this agenda item is for discussion and action on approval of an amendment to Burgess and Niple contract to perform engineering design and construction administration for Whitley Road Phase II from Watauga Road to Chapman Road in the amount of \$355,500.

The Approved Certificates of Obligation will provide funding for 2016-17 Capital Improvement Projects (CIP). Whitley Road Phase II is listed as one of the 2016-17 CIP Projects. Design would include concrete street section, storm drain improvements, 16" water main replacement, rehabilitation or replacement of utilities, and sidewalks.

The engineering design shall be coordinated to allow the City to bid the project for construction this summer. The project would be bid allowing the contractor to close sections of Whitley Road to traffic reducing construction time and cost. The estimated construction cost of Whitley Road Phase II is \$3,538,946 including a 15% contingency.

FINANCIAL IMPLICATIONS:

Engineering Contract	\$ 355,500	2016-17 Budget
Future Construction Cost	\$3,538,946	Future City Council Approval Needed

RECOMMENDATION/ACTION DESIRED:

Authorize the City to enter into an Engineering Contract with Burgess and Niple in the amount of \$355,500.00 for the design and administration of Whitley Road Phase II.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Approval letter from Mark Daniel, City Attorney
- 2) Amendment to Agreement Engineering
- 3) Engineering Opinion of Probable Construction Cost

Attachment 1

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

JANUARY 18, 2017

Mr. Paul Hackleman
Public Works Director
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

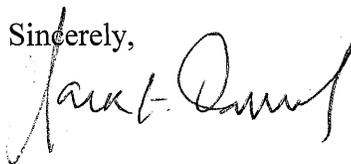
Re: Amendment to Agreement – Design of Whitley Road, Phase II

Dear Mr. Hackleman:

Per your request, I have reviewed the revised Amendment to Agreement between the City of Watauga and Burgess & Niple concerning professional engineering services in connection with the design of Whitley Road, Phase II from Watauga Road to Chapman Road. This Amendment included revised fee figures. I approve of this revised Amendment and would recommend that you forward the same to the City Secretary for submission to the City Council for consideration.

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 Hector Garcia
Mr. Greg Vick, City Manager
Ms. Zolaina R. Parker, City Secretary

Attachment 2

BURGESS & NIPLE

3950 Fossil Creek Blvd. | Suite 210 | Fort Worth, TX 76137 | 817.306.1444

January 13, 2017

Mr. Paul Hackleman, P.E.
Director of Public Works
City of Watauga, Texas
7800 Virgil R. Anthony Sr. Blvd.
Watauga, Texas 76148

Reference: Amendment to Agreement
Whitley Road, Phase II Design

Dear Paul:

Burgess & Niple is pleased to submit this Amendment to Agreement for professional services to provide engineering services for the City of Watauga. This amendment is to design Whitley Road, Phase II from Watauga Road to Chapman Road. Attached is an Amendment to Agreement, which is prepared for the Mayor's signature.

Thank you for the opportunity to serve the City of Watauga.

Respectfully submitted,
Burgess & Niple, Inc.
TBPE FIRM REGISTRATION NO. F-10834



William D. Wendland, P.E.
Associate
Director, Fort Worth Public Sector

Attachment

Watauga - Whitley Road PH 2 Design Cover Letter_20170113.docx

AMENDMENT TO AGREEMENT
Whitley Road, Phase II Design

THIS IS AN AMENDMENT TO THE ORIGINAL AGREEMENT BETWEEN THE CITY OF WATAUGA AND GSWW, INC., (WHICH IS NOW DOING BUSINESS AS BURGESS & NIPLE, INC.) FOR PROFESSIONAL SERVICES DATED DECEMBER 17, 2007.

THIS AMENDMENT IS EFFECTIVE AS OF _____ ("Effective Date") between **City of Watauga, Texas** ("Owner") and **Burgess & Niple, Inc.** ("Engineer"). Engineer agrees to provide the additional/revised services described below to Owner for **Whitley Road, Phase II Design** ("Project"). All terms and provisions listed in the original contract remain in full force and effect with the exception of the following:

Exhibit A: Scope of Services: See Attached

9.01 Payment:

Invoices issued to the Owner and payments to the Engineer shall be made in accordance with the "Agreement between City of Watauga and GSWW, Inc., (which is now doing business as Burgess & Niple, Inc.) for Professional Services" and shall be based on the percent complete of each task authorized.

<u>Task</u>	<u>Description</u>	<u>Lump Sum</u>
100	Design	\$284,800.00
200	Advertisement, Bidding and Award	\$13,400.00
300	Construction Administration	\$57,300.00
Total:		\$355,500.00

Payment for Scope of Services shall not exceed \$355,500 without written authorization from the Owner.

IN WITNESS WHEREOF, the parties hereto have executed this amendment, the Effective Date of which is indicated above.

OWNER: **City of Watauga, Texas**

ENGINEER: **Burgess & Niple, Inc.**

By: _____
Hector F. Garcia

By:  _____
Steven D. Sanders, P.E.

Title: Mayor

Title: Vice President – Dallas/Fort Worth District

Date Signed: _____

Date Signed: 1/13/2017

Address for giving notices:

Address for giving notices:

7105 Whitley Road

3950 Fossil Creek Blvd., Suite 210

Watauga, Texas 76148

Fort Worth, Texas 76137

817-514-5800

817-306-1444 fax 817-306-1555

EXHIBIT A **SCOPE OF SERVICES**

Whitley Road, Phase II Design

Project Understanding and Objective

B&N will provide professional engineering services to design the improvements for Whitley Road, Phase II. The project limits are from Watauga Road to Chapman Road - approximately 2,700 linear feet. Whitley Road is a Collector Road listed on the Watauga Master Thoroughfare Plan. Whitley Road will be improved to a variable-width concrete roadway with monolithic curb. It will contain bike lanes and sidewalks where the existing right-of-way will allow. The improvements will also include underground storm drains, replacement of the 16" water line and rehabilitation of sanitary sewer lines under Whitley Road as needed.

Scope of Services

Task 100: Design

Following the notice to proceed, Engineer will subcontract with a Surveyor to locate and document visible and apparent information pertinent to the design and construction of Whitley Road, Phase II. A right-of-way strip map from Watauga Road to Chapman Road will be prepared. The new roadway will be contained within the existing right-of-way and it will not be wider than the existing culvert at the south creek crossing. All residential driveways for this project will be profiled in the plans. The Engineer will utilize existing City guidelines and the recommendations from the Bursley Road, Phase I geotechnical report for pavement subgrade stabilization, and guidelines for Portland cement concrete pavement design and earthwork recommendations. The Engineer will modify the previous design of the drainage system for Whitley Road, Phase II to contain the 100-year storm within both a new underground system and within the right-of-way. The Engineer will design the replacement of the 16" water line. If required, Engineer will design a retaining wall along the west side of Whitley Road at the south end of the project limits, including exhibits for up to four (4) easements necessary to construct the wall. Engineer will prepare plans and specifications of the entire Phase II project for the purpose of taking bids of the project in one bid package.

Task 200: Bidding

Once the plans are approved for advertisement by the Owner, the Engineer will assist the Owner in advertising and bidding of the project in one bid package. Engineer will assist the Owner with awarding the project.

Task 300: Construction Administration

Engineer will provide construction administration services on Whitley Road, Phase II. The Construction time is estimated to be 360 days. Construction Administration is defined as monthly site visits, answering contractor's and Owner's questions during construction, preparing change orders (estimated at three (3) maximum), reviewing contractor's monthly payment applications, attending biweekly construction meetings, assisting in the final walk-through and preparing record drawings.

Exclusions

The project only includes the above Scope of Services listed above. Because the existing culvert and channel are not anticipated to be revised, it does not include hydraulic modeling of the existing culvert or channel, nor does it include geotechnical engineering, abstracting services, arborist services, construction staking services, or subsurface utility engineering (SUE) investigation services.

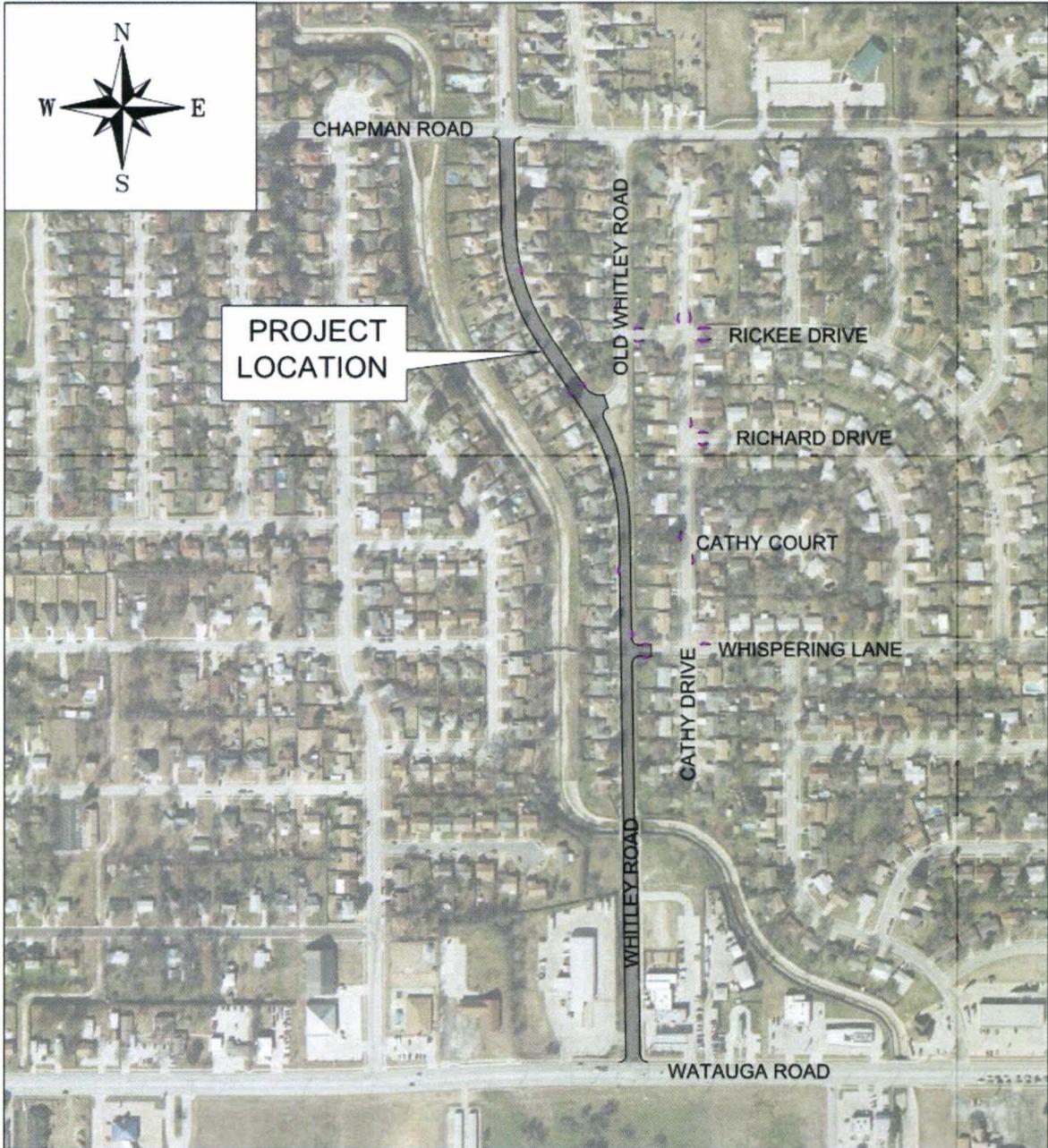
Deliverables

B&N will prepare construction plans, specifications and cost estimates so that the City of Watauga can advertise to receive bids for the construction of the project. Up to five (5) hard copies of the plans, specifications and cost estimates will be provided to the City of Watauga along with an electronic PDF version. One set of Record Drawings will be delivered at the conclusion of the project.

**EXHIBIT A
SCOPE OF SERVICES**

Whitley Road, Phase II Design

Location Map



**EXHIBIT A
SCOPE OF SERVICES**

Whitley Road, Phase II Design



BURGESS & NIPLE
Engineers ■ Planners

**Level of Effort
TASK/HOUR BREAKDOWN
Professional Services for
City of Watauga - Whitley Road Phase 2 (Watauga to Chapman) - Design and Construction
(Street, Storm Drain, Sanitary Sewer, 16" Water)**

Task No.	Task Description	Total Hours	Total Labor Effort	Expense			Task Total
				Sub-Consultant	Travel	Reproduction	
1.0	Project Management (Design)	68	\$14,350	\$0	\$24	\$0	\$14,374
1.1	QA/QC	24					
1.2	Pre-Design Coordination Meeting	8					
1.3	Prepare Monthly Progress Reports and invoices (9 months)	36					
2.0	Preliminary Design Phase Services	1171	\$187,553	\$35,100	\$276	\$0	\$222,929
2.1	Survey: Ground Topo	16					
2.2	Survey: ROW Research & Property Map	16					
2.3	Create CAD Bases	720					
2.4	Cover Sheet	3					
2.5	Sheet Index	3					
2.6	General Notes	6					
2.7	Project Control and Monument Sheet	8					
2.8	Develop Layout Sheets	212					
2.9	Coordinate with Utility Companies	72					
2.10	Prepare Standard and Special Detail Sheets	34					
2.11	Develop Preliminary Specifications	68					
2.12	Develop Preliminary Estimate of Probable Construction Cost	8					
2.13	Submit Preliminary Plans to City for Review	1					
2.14	Conduct Review Meeting w/City Develop Minutes and action items	4					
3.0	Final Design Phase Services	309	\$47,288	\$0	\$24	\$200	\$47,512
3.1	Develop 100% Final Plans	256					
3.2	Develop 100% Final Estimate of Probable Construction Cost	3					
3.3	Develop 100% Final Construction Specifications	48					
3.4	Seal construction documents; send copy to City	2					
4.0	Advertisement, Bidding and Award Phase Services	81	\$13,335	\$108	\$24	\$0	\$13,467
4.1	Upload Plans & Specifications to CivCast	1					
4.2	Sell Contract Documents and Maintain Plan Holders List	8					
4.3	Receive, log and respond to all bidders questions and request	16					
4.4	Develop addendas	40					
4.5	Attend Bid Opening	4					
4.6	Tabulate and Review Bids Received, evaluate and make Award Recommendation; Attend City Council Meeting	12					
5.0	Construction Phase Services	294	\$55,781	\$0	\$578	\$1,000	\$57,357
5.1	Project Management (12 months)	48					
5.2	Construction Meetings (24)	48					
5.3	Change Orders (3 max)	54					
5.4	Construction Admin, Site Visits	144					
Totals		1923	\$318,307	\$35,208	\$924	\$1,200	\$355,639

Attachment 3

Paul Hackleman

From: Wendland, Billy <Billy.Wendland@burgessniple.com>
Sent: Friday, January 13, 2017 11:41 AM
To: Paul Hackleman
Cc: Sanders, Steven
Subject: Whitley Road Phase II - revised proposal
Attachments: Watauga - Whitley Road PH 2 Design_20170113.pdf

Paul,

Per our discussion yesterday, I have adjusted down the effort I had previously estimated in my proposal for Construction Administration. This and other tweaking makes the proposal as follows:

<u>Task</u>	<u>Description</u>	<u>Lump Sum</u>
100	Design	\$284,800.00
200	Advertisement, Bidding and Award	\$13,400.00
300	Construction Administration	<u>\$57,300.00</u>
Total:		\$355,500.00

I estimate I will have 65 plan sheets, design will take 6-7 months and construction will take 360 days. The schedule I gave you earlier is still valid.

I greatly appreciate your willingness to allow me to revisit my proposal. Let me know if you need anything else from me.

Thank you,
Billy

William D. Wendland, P.E.
Associate
Director, Fort Worth Public Sector



TBPE FIRM REGISTRATION NO. F-10834

3950 Fossil Creek Blvd, Suite 210
Fort Worth, TX 76137-2745
Phone: 817-306-1444, ext 6105
Cell: 817-905-6183
Fax: 817-306-1555
william.wendland@burgessniple.com

Burgess & Niple, Inc. (B&N) was established in 1912 and for over two decades, has been ranked among Engineering News-Record's Top 500 Design Firms. B&N is ranked 13th on the 2016 list (based on 2015 billings) of the Top 50 Trenchless Design Firms in North America by Trenchless Technology magazine. This is the seventh consecutive year B&N has been named to the list. ENR ranked B&N 158th on the 2013 list of Top 200 Environmental Firms. For the seventh straight year, B&N has been recognized by Roads & Bridges magazine as a "Go-To Design Firm." In 2015, B&N appeared twice on this prestigious list, ranking 11th among the Top Road and Highway Design Firms and 15th among the Top Bridge Design Firms.

Offices across the nation. Projects worldwide.

Please visit our website at www.burgessniple.com.

WHITLEY ROAD - WATAUGA ROAD TO CHAPMAN ROAD

Paving and Miscellaneous will be prorated between water and storm drain funds.

Water = 69.93% and Storm Drain = 30.07%

ITEM NO.	DESCRIPTION OF UNIT	UNIT	QUANTITY	UNIT PRICE	COST	FUND SOURCE	
						69.93% Bond Funds	30.07% Drainage Funds
PAVING							
1	Prepare/Restore ROW	LS	1	\$ 50,197.50	\$ 50,197.50	\$ 35,102.55	\$ 15,094.95
2	Remove Existing Curb and Gutter	LF	4,125	\$ 4.60	\$ 18,975.00	\$ 13,269.01	\$ 5,705.99
3	Remove Existing Concrete Flatwork	SF	27,632	\$ 1.15	\$ 31,776.80	\$ 22,221.16	\$ 9,555.64
4	Unclassified Excavation	CY	6,000	\$ 20.70	\$ 124,200.00	\$ 86,851.68	\$ 37,348.32
5	Controlled Density Embankment	CY	2,000	\$ 9.20	\$ 18,400.00	\$ 12,866.92	\$ 5,533.08
6	8" Thk. Lime Stabilized Subgrade	SY	12,387	\$ 2.88	\$ 35,612.63	\$ 24,903.51	\$ 10,709.11
7	Lime for Stabilized Subgrade	TONS	250	\$ 172.50	\$ 43,125.00	\$ 30,156.83	\$ 12,968.17
8	7" Thk. Concrete Pavement	SY	11,782	\$ 39.79	\$ 468,805.78	\$ 327,830.67	\$ 140,975.11
9	6" Integral Curb	LF	4,728	\$ 3.45	\$ 16,311.60	\$ 11,406.52	\$ 4,905.08
10	6" Curb and 24" Gutter	LF	40	\$ 24.15	\$ 966.00	\$ 675.51	\$ 290.49
11	5" Thk. Concrete Driveways (Residential)	SF	12,984	\$ 6.47	\$ 84,064.91	\$ 58,785.66	\$ 25,279.25
12	6" Thk. Concrete Driveways (Commercial)	SF	700	\$ 7.76	\$ 5,433.75	\$ 3,799.76	\$ 1,633.99
13	4" Thk. Concrete Sidewalks (6' width)	SF	33,000	\$ 6.33	\$ 208,725.00	\$ 145,959.07	\$ 62,765.93
14	ADA Ramps	EA	10	\$ 747.50	\$ 7,475.00	\$ 5,227.18	\$ 2,247.82
15	12" x 12" Concrete Header	LF	165	\$ 13.80	\$ 2,277.00	\$ 1,592.28	\$ 684.72
16	Concrete for Retaining Wall	CY	300	\$ 747.50	\$ 224,250.00	\$ 156,815.53	\$ 67,434.47
17	3" Dia. Weep Holes for Retaining Wall	EA	50	\$ 5.75	\$ 287.50	\$ 201.05	\$ 86.45
18	Type "D" HMAC for Transitions and Misc. uses	TONS	66	\$ 112.70	\$ 7,438.20	\$ 5,201.45	\$ 2,236.75
19	Final Pavement Markings and Signage	LS	1	\$ 16,042.50	\$ 16,042.50	\$ 11,218.34	\$ 4,824.16
20	Remove and Replace Brick Mailbox	EA	10	\$ 1,150.00	\$ 11,500.00	\$ 8,041.82	\$ 3,458.18
21	Solid Sodding incl. 4" topsoil	SY	2,100	\$ 6.33	\$ 13,282.50	\$ 9,288.30	\$ 3,994.20
PAVING SUB TOTAL					\$ 1,389,146.88	\$ 971,414.83	\$ 417,731.84
WATER							
22	16" Dia. Water Line	LF	2,700	\$ 143.75	\$ 388,125.00	\$ 388,125.00	\$ -
23	12" Dia. Water Line	LF	100	\$ 82.80	\$ 8,280.00	\$ 8,280.00	\$ -
24	8" Dia. Water Line	LF	100	\$ 63.25	\$ 6,325.00	\$ 6,325.00	\$ -
25	16" Gate Valves	EA	2	\$ 17,250.00	\$ 34,500.00	\$ 34,500.00	\$ -
26	12" Gate Valves	EA	1	\$ 2,990.00	\$ 2,990.00	\$ 2,990.00	\$ -
27	8" Gate Valves	EA	1	\$ 1,794.00	\$ 1,794.00	\$ 1,794.00	\$ -
28	Bore Box Culvert and Casing for 16" WL	LF	100	\$ 460.00	\$ 46,000.00	\$ 46,000.00	\$ -
29	Transfer Existing Water Services	EA	44	\$ 920.00	\$ 40,480.00	\$ 40,480.00	\$ -
30	Water Service (Single or Double)	EA	44	\$ 299.00	\$ 13,156.00	\$ 13,156.00	\$ -
31	Fire Hydrant Assy.	EA	6	\$ 4,784.00	\$ 28,704.00	\$ 28,704.00	\$ -
32	Ductile Iron Fittings for Water Line	TONS	5.00	\$ 5,750.00	\$ 28,750.00	\$ 28,750.00	\$ -
33	Connect to Existing Water Line	EA	4	\$ 2,300.00	\$ 9,200.00	\$ 9,200.00	\$ -
34	Salvage Existing Water Valve (All Sizes)	EA	5	\$ 575.00	\$ 2,875.00	\$ 2,875.00	\$ -
35	Salvage Existing Fire Hydrants	EA	5	\$ 897.00	\$ 4,485.00	\$ 4,485.00	\$ -
36	Temporary Asphalt Pavement Replacement	LF	2,700	\$ 24.15	\$ 65,205.00	\$ 65,205.00	\$ -
37	Water Trench Safety	LF	2,700	\$ 1.15	\$ 3,105.00	\$ 3,105.00	\$ -
WATER SUB TOTAL					\$ 683,974.00	\$ 683,974.00	\$ -
DRAINAGE							
38	48" Dia. (Cl. III) RCP Storm Drain	LF	473	\$ 230.00	\$ 108,790.00	\$ -	\$ 108,790.00
39	42" Dia. (Cl. III) RCP Storm Drain	LF	541	\$ 189.75	\$ 102,654.75	\$ -	\$ 102,654.75
40	36" Dia. (Cl. III) RCP Storm Drain	LF	511	\$ 155.25	\$ 79,332.75	\$ -	\$ 79,332.75
41	30" Dia. (Cl. III) RCP Storm Drain	LF	272	\$ 115.00	\$ 31,280.00	\$ -	\$ 31,280.00
42	24" Dia. (Cl. III) RCP Storm Drain	LF	744	\$ 92.00	\$ 68,448.00	\$ -	\$ 68,448.00
43	21" Dia. (Cl. III) RCP Storm Drain	LF	83	\$ 86.25	\$ 7,158.75	\$ -	\$ 7,158.75
44	18" Dia. (Cl. III) RCP Storm Drain	LF	933	\$ 80.50	\$ 75,106.50	\$ -	\$ 75,106.50
45	6' Sq. Storm Drain Vault	EACH	2	\$ 6,325.00	\$ 12,650.00	\$ -	\$ 12,650.00
46	4' Sq. Storm Drain Vault	EACH	4	\$ 5,175.00	\$ 20,700.00	\$ -	\$ 20,700.00
47	20" Recessed Curb Inlet	EACH	2	\$ 9,775.00	\$ 19,550.00	\$ -	\$ 19,550.00
48	10" Recessed Curb Inlet	EACH	16	\$ 6,325.00	\$ 101,200.00	\$ -	\$ 101,200.00
49	Type "P" Headwall	EACH	2	\$ 6,325.00	\$ 12,650.00	\$ -	\$ 12,650.00
50	2:27 Backfill for Storm Drain Pipe - 6" thk.	LF	3,957	\$ 28.75	\$ 112,863.75	\$ -	\$ 112,863.75
51	Tie 48" RCP to Existing Box Culvert	LS	1	\$ 13,800.00	\$ 13,800.00	\$ -	\$ 13,800.00
52	6" Dia. Waterline Lowering	EACH	14	\$ 4,025.00	\$ 56,350.00	\$ -	\$ 56,350.00
53	Asphalt Pavement Replacement	LF	1,957	\$ 34.50	\$ 67,516.50	\$ -	\$ 67,516.50
54	Remove Ex. Sidewalk & Drainage Structures	SF	258	\$ 3.45	\$ 890.10	\$ -	\$ 890.10
55	Remove & Replace Ex. Sidewalk	LF	448	\$ 39.10	\$ 17,438.80	\$ -	\$ 17,438.80
56	6" Thk. Class "A" 3000 PSI Concrete Pavement	SY	65	\$ 50.60	\$ 3,289.00	\$ -	\$ 3,289.00
STORM SEWER SUB TOTAL					\$ 792,278.70	\$ -	\$ 792,278.70
MISCELLANEOUS							
57	Remove and Replace 6' High Wood Fence	LF	750	\$ 35.65	\$ 26,737.50	\$ 18,697.24	\$ 8,040.26
58	Remove and Replace 8' High Wood Fence	LF	250	\$ 48.30	\$ 12,075.00	\$ 8,443.91	\$ 3,631.09
59	Remove and Replace Chain Link Fence	LF	200	\$ 27.60	\$ 5,520.00	\$ 3,860.07	\$ 1,659.93
60	Remove and Replace School Zone Flashers	EA	1	\$ 2,300.00	\$ 2,300.00	\$ 1,608.36	\$ 691.64
61	Signalization Adjustments at Watauga Road	LS	1	\$ 23,000.00	\$ 23,000.00	\$ 16,083.64	\$ 6,916.36
62	Traffic Control Plan and Implementation	LS	1	\$ 22,425.00	\$ 22,425.00	\$ 15,681.55	\$ 6,743.45
63	Erosion Control	LS	1	\$ 3,162.50	\$ 3,162.50	\$ 2,211.50	\$ 951.00
64	Project Signs	EA	2	\$ 862.50	\$ 1,725.00	\$ 1,206.27	\$ 518.73
65	Miscellaneous Allowance	LS	1	\$ 115,000.00	\$ 115,000.00	\$ 80,418.22	\$ 34,581.78
MISC-SUB TOTAL					\$ 211,945.00	\$ 148,210.78	\$ 63,734.22
Total					\$ 3,077,344.36	\$ 2,416,906.14	\$ 637,438.22
Surveying					\$ 46,160.17	\$ 32,279.29	\$ 13,880.87
Engineering and Construction Administration					\$ 389,281.32	\$ 258,234.33	\$ 111,047.00
15% Contingencies					\$ 461,801.65	\$ 322,792.91	\$ 138,808.75
TOTAL					\$ 3,964,367.51	\$ 2,416,906.14	\$ 637,438.22

This document is released for the purpose of interim review under the authority of William D. Wendland, P.E. 67958 on 01/09/2017. It is not to be used for construction, bidding or permit purposes.



AGENDA MEMORANDUM

DATE: January 11, 2017

TO: Honorable Mayor and Council

FROM: Greg Vick, City Manager 
Zolaina R. Parker, City Secretary 

SUBJECT: Approval of proposed Council Rules of Procedure Manual which includes provisions for Pre Council Meetings

BACKGROUND/INFORMATION:

During the December 12, 2016 Regular City Council Meeting, staff was directed to prepare a proposed Pre Council Meeting Process for Council to review. At the time, staff was already developing and drafting a proposed Council Rules of Procedure Manual which encompasses all provisions and guidelines included in the existing Council Resolution No. 13-02-25-03. The proposed Manual incorporates the Pre Council Meeting Process and all of the existing guidelines already approved by Council.

Proposed Pre Council Meeting Process:

Council Rules of Procedure Manual, Section 3.01.

The City Council shall meet in the Council Chambers at City Hall at 6:00 p.m., unless otherwise changed by the Mayor. Pre Council Meetings will provide Council and staff an opportunity to provide and receive feedback, on current or future city business. The Pre Council Agenda should include, but is not limited to, the following:

- a. Call to order***
- b. Discussion and Presentations on upcoming topics***
- c. Discussion and questions regarding Consent Agenda items for regular meeting***
- d. Discussion and questions regarding Regular Agenda items for regular meeting***
- e. Executive Session (if needed)***

No official action or vote shall be taken by the City Council in the Pre Council Meeting. Pre Council Meetings shall be held at City Hall and are open to the public.



The City Attorney has reviewed and amended as necessary the proposed Council Rules of Procedures Manual.

Following the approval of the proposed Council Rules of Procedure Manual, the Pre Council Meeting Process will be implemented unless otherwise directed by the City Council.

FINANCIAL IMPLICATIONS:

None

RECOMMENDED/ACTION DESIRED:

Approve the proposed resolution adopting the Council Rules of Procedure Manual

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Letter of approval from City Attorney
2. Proposed Resolution and Council Rules of Procedure Manual (Exhibit A)

Attachment 1

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

January 13, 2017

Ms. Zolaina R. Parker, City Secretary
City of Watauga
7105 Whitley Road
Watauga, Texas 76148

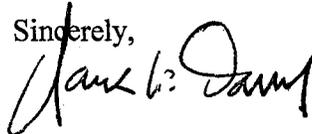
Re: Resolution re Council Rules of Procedure Manual

Dear Ms. Parker:

Per your request, I have reviewed Resolution by the City Council for the City of Watauga which repeals Resolution No. 13-02-25-03 and adopts a Council Rules of Procedure Manual. I have previously reviewed The Council Rules of Procedure Manual which will be attached as Exhibit "A" to this Resolution. I approve of the Resolution and the Manual and would recommend that the same 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

MGD/tp

cc: Mayor Hector Garcia
Mr. Greg Vick, City Manager

Attachment 2

CITY OF WATAUGA, TEXAS
RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS REPEALING RESOLUTION 13-02-25-03; AND ADOPTING A COUNCIL RULES OF PROCEDURE MANUAL; 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, the City Council of the City of Watauga, Texas pursuant to the City Charter, Section 3.09, and pursuant to Ordinance 387, is required to adopt a Resolution to establish certain procedures to be followed when conducting meetings of the City Council of the City of Watauga, Texas; and

WHEREAS, the City Council previously adopted Resolution 13-02-25-03, which outlines the general rules of procedure for the City Council; and

WHEREAS, the City Council desires to adopt a Council Rules of Procedure Manual which encompasses all the items which exist in Resolution 13-02-25-03, to better organize and more efficiently conduct City Council Meetings; and

WHEREAS, the City Council Rules of Procedures Manual augments the City Charter to ensure that members of the City Council and staff adhere to the guidelines established by the City Council to conduct all meetings; and

WHEREAS, it is the intent of the City Council that all current and future Council Members adhere to these guidelines.

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

I.

The City Council of the City of Watauga, Texas, hereby adopts the City Council Rules of Procedure attached hereto as Exhibit "A".

II.

The City Council of the City of Watauga, Texas, hereby repeals Resolution 13-02-25-03.

III.

All Resolutions, or portions thereof, 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 Resolution or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

IV.

If any section, subsection, sentence, clause or phrase of this Resolution shall for any reason shall be held to be invalid, such decision shall not affect the validity of the remaining portions of the Resolution which shall remain in full force and effect.

V.

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

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas this the 23rd day of January, 2017.

APPROVED:

HECTOR F. GARCIA, MAYOR

ATTEST:

ZOLAINA R. PARKER, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

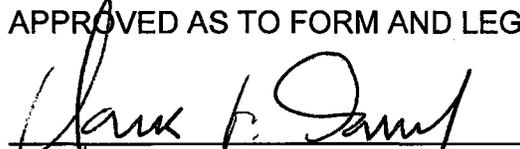

MARK G. DANIEL, CITY ATTORNEY

EXHIBIT "A"



**CITY OF WATAUGA
COUNCIL RULES OF PROCEDURE
MANUAL**

As Adopted by Resolution

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Section 1 – GENERAL

Parliamentary law and the rules of procedure derived from such law are essential to all deliberative organizations so that they may consider all matters before them in an effective and efficient manner and produce results that are legal and binding. Moreover, such procedural safeguards ensure due process during deliberations among members of the organization while at the same time protecting the rights of both the group and each member. Accordingly, these rules of procedure establish guidelines to be followed by all persons attending City Council meetings, including members of the City Council, administrative staff, news media, citizens and visitors.

Section 2 – AUTHORITY

The City Charter of Watauga, Texas [Adopted: January 19, 1980 and last amended May 9, 2015] provides in Article II (The Governing Body), Section 3.09 (Meetings and rules of procedure) that “The Council shall determine its own rules and order of business...” Thus, these rules of procedure are established. In the event of any conflict between the City Charter and these rules of procedure, the City Charter shall prevail.

The parliamentary reference for the City Council is the most recent edition of *Robert’s Rules of Order Newly Revised* (RONR) (issued in odd-numbered years). When any issue concerning procedure arises that is not covered by the Rules of Procedure, the City Charter or state law, the Council will refer to RONR, which shall determine such procedural issue. RONR is merely a parliamentary reference and any failure to explicitly follow RONR shall not serve to negate any action taken by the City Council.

Section 3 – MEETINGS

The City Council shall follow both the letter and the spirit of the Texas Open Meetings Act.

3.01. Pre Council Meetings.

The City Council shall meet in the Council Chambers at City Hall at 6:00 p.m., unless otherwise changed by the Mayor. Pre Council Meetings will provide Council and staff an opportunity to provide and receive feedback, on current or future city business. The Pre Council Agenda should include, but is not limited to, the following:

- a. Call to order
- b. Discussion and Presentations on upcoming topics
- c. Discussion and questions regarding Consent Agenda items for regular meeting
- d. Discussion and questions regarding Regular Agenda items for regular meeting
- e. Executive Session (if needed)

No official action or vote shall be taken by the City Council in the Pre Council Meeting. Pre Council Meetings shall be held at City Hall and are open to the public.

3.02. Regular Meetings.

The City Council shall conduct regular meetings generally on the fourth Monday of every month. The regular meetings shall be preceded by a Pre Council Meeting and will

commence after the conclusion of the Pre Council Meeting. Regular meetings of the City Council shall be held at City Hall and are open to the public.

3.03. Workshop Meetings.

Workshop meetings may be scheduled by the Mayor, a majority of Council Members or by the City Manager. Workshop meetings are normally conducted prior to regular or special meetings but may also be conducted at other times as well. The purpose of a workshop meeting is to exchange information between Council, staff, vendors or other groups. No official action is taken by Council during these meetings, but workshops shall be posted and are open to the public.

3.04. Agenda.

- a. The Mayor, each City Council Member and the City Manager shall have the right to have matters of city business included on City Council meeting agendas. Agenda items, including any necessary or applicable supporting documents and materials to be included in agenda packets, shall be submitted in written form to the City Secretary at least fourteen (14) days prior to the City Council Meeting. The City Secretary will coordinate the placement of items on the agenda. Agenda items may be removed only by the person who initially placed that item on the agenda. Such removal shall be made prior to the public posting of the official meeting notice or during the Agenda approval portion of the City Council meeting. Agenda packets will be available to the City Council Members the Wednesday before each Regular City Council Meeting and at least 72 hours in advance of any Special City Council Meeting.
- b. Drafts of contracts, ordinances, resolutions, or other items requiring review should be submitted to the City Attorney in a manner and time sufficient to allow for their review prior to this submittal deadline.
- c. A person other than the Mayor, a Council Member or the City Manager requesting that a matter or item be included on the City Council Meeting Agenda under New Business must complete the form attached hereto as Annex D and submit the same to the office of the City Secretary at least fourteen (14) days prior to the City Council Meeting for which the request is made. If the Mayor, a Council Member or the City Manager determines that consideration of the item or items is in the best interest of the City, those items shall be placed on the City Council meeting agenda with the Mayor, Council Member or City Manager making the determination being listed as the sponsoring official. The sponsoring official needs to ensure all relevant materials concerning the agenda item are provided to the City Secretary's office prior to the recommended fourteen (14) days before the Council Meeting to ensure this material can be included in the City Council packets.
 - 1) Any person wishing to make a presentation that includes video or another form of electronic media must provide that information in digital format to the City Secretary's Office no later than three (3) hours prior to the scheduled starting time of the meeting for review by the staff. City staff shall review the information as to form and content. The information shall not contain any statements, graphics or pictures that are offensive or reflect personal attacks on other individuals, the City Council members or City staff. The digital format must be

compatible with the City's technology equipment. The presentation will be tested prior to the meeting to ensure that it is compatible with the City's equipment.

- d. All matters of City business (agenda items), including supporting materials, shall be submitted to the City Secretary not later than 5:00 p.m. fourteen (14) business days preceding the City Council Meeting during which the matter is to be considered. The Mayor or the Mayor Pro-tem may make exceptions to this requirement for Special City Council meetings, and in emergency cases, as determined by the Mayor or the Mayor Pro-tem.
- e. There shall be no limitations as to the number of items that may be placed on the Consent Agenda. However, any council member shall have the right, at any time to request the removal of any item or items from the Consent Agenda. Such item or items shall be moved to New Business for purposes of discussion, debate or action. The Mayor of the City of Watauga, as presiding officer of the meeting, shall honor such a request.
- f. The total number of items under the Unfinished Business and New Business categories for any formal Council Meeting shall not exceed twelve (12) in number in each category plus all Consent Agenda items moved unless it has been determined by the Mayor or Mayor Pro-tem that placing additional items that exceed that number is in the best interest of the City.

3.05. Minutes.

- a. Minutes of City Council meetings will be recorded and maintained by the City Secretary. The Minutes will include final motions with voting results. The minutes will also reflect the names of those citizens presenting public comments. Minutes of meetings will generally be submitted to the City Council for approval at the next regularly scheduled meeting.

Section 4 - STANDARDS OF CONDUCT

4.01. City Council Members.

Council Members shall demonstrate civility to one another as individuals, for the validity of different opinions, for the democratic process, and for the community and citizens being served. Elected officials should exhibit appropriate behavior. All members of the City Council have equal votes and all Council Members speak only for themselves.

4.02. Council Relations with the Media.

All City press releases, media advisories, story suggestions, or similar items should be submitted through the Public Information Officer for distribution.

4.03. City Staff. (During Meetings)

All remarks and questions addressed to the City Council by staff members shall be addressed to the City Council as a whole and not to any individual member. City staff shall follow proper parliamentary procedure during meetings.

4.04. Citizens and Visitors.

- a. Reactions from the audience following the recognition and rewarding of citizens and special guests is considered appropriate and encouraged. Reactions from the audience during staff presentations to the Council and during debate between Council Members are not appropriate and not permitted. The presiding officer will ensure that the decorum of the meeting is maintained and is appropriate.
- b. No placards, banners, or signs will be permitted in the City Council chamber or in any other room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council, however, are permitted.

Section 5 - DUTIES AND PRIVILEGES OF COUNCIL MEMBERS

5.01. Seating Arrangement.

The Mayor shall determine seating of the Council Members.

5.02. Conflict of Interest.

A City Council Member prevented from voting by a conflict of interest, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend executive meetings regarding the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest including Chapter 171 of the Local Government Code, as now or hereafter amended.

5.03. Voting.

- a. Voting, except on procedural motions, shall be accomplished by show of hands of members of the council or by lighting device reflecting the ayes and nays. Tabulation of the voting by the council vote shall be announced in open meetings by the Mayor or his or her duly appointed representative. All members of the Council may have one vote and only one vote on each item and issue. Four (4) members of the Council, excluding the mayor, shall constitute a quorum. In the event that there are vacancies on the Council, the quorum shall be reduced by the number of vacancies existing. No action by the Council shall be valid unless adopted by the affirmative vote of at least three of those members attending any meeting at which there is a quorum present. [City Charter § 3.09 (c)]

Section 6 - CHAIR AND DUTIES

6.01. Chair.

The Mayor, if present, shall preside as chair at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro tem shall preside. In the absence of both the Mayor and Mayor Pro tem, the remaining City Council Members shall designate one member as to act as chair and preside for that meeting.

6.02. Preservation of Order.

The chair shall preserve order and decorum, call upon the Police Chief as necessary to enforce compliance with the rules, and confine members in debate to the question under discussion. It is the responsibility of the Chair to keep the comments of Council Members on topic during public meetings.

Section 7 - ORDER OF BUSINESS

7.01. Regular and Special Meetings.

Regular and Special meetings will generally adhere to the following agenda:

1. **Pre Council Meeting (as needed)**
2. **Call to Order**
3. **Invocation**
4. **Pledge of Allegiance (United States and Texas Flags)**
5. **Discussion and Approval of Meeting Agenda**
6. **Citizens Open Forum**
7. **Presentations-** Groups or businesses wishing to make presentations to the City Council should submit a written request to the City Secretary seven (7) days prior to the scheduled meeting (if necessary).
8. **Reports-** The Reports portion of the agenda will be for the City Council to receive reports from City staff, consultants, or other individuals.
9. **Consent Agenda** (if necessary)
10. **Public Hearings** (if necessary)
11. **Unfinished Business** (if necessary)
12. **New Business** (if necessary)
13. **Executive Session/Meeting** (if necessary)
14. **Adjournment**

7.02. Discussion and Approval of Meeting Agenda

This portion of the agenda is for the City Council to discuss items on the City Council Meeting agenda and recommend changes to the agenda. Items may be removed from the agenda, or moved to other categories of the agenda, and the order that items are called to be considered may be changed. No new items may be placed on the agenda. Recommendations for changes to the agenda shall not be open for discussion by members of the public.

7.03. Addressing the City Council

Members of the public are invited and encouraged to attend any meetings of the City Council that are not closed to the public in accordance with the Texas Opening Meetings Act. It is the desire of the City Council that citizens actively participate in the City's governance system and processes. Therefore, public input to the City Council, is encouraged through the Citizens Open Forum, or during Public Hearings.

a. Public Comments

Citizens shall have the right to be heard at any and all regular meetings of the City Council in regard to matters on the agenda to be considered prior to action being taken.

- (1) Before a member addresses the City Council, the person wishing to speak shall complete a Request to Speak Form and present it to the City Secretary. The presiding officer shall call upon those who have submitted forms. When called upon to speak by the presiding officer, the person shall come to the podium, state his/her name and address for the record. If speaking for an organization or group, the speaker should identify the group represented. The City Council shall reserve the right by majority vote in public meeting to refuse to receive comments from any person who is not a business owner and/or resident of the City of Watauga. Further, upon the request of any single member of the City Council, such member of the public shall be required to show proof of his or her residency in the City of Watauga. This section does not apply to known government officials of Tarrant County, Texas or the United States.
- (2) Individual citizens presenting information to the City Council during the Citizens Open Forum shall not exceed three (3) minutes in their comments presenting information to the City Council or ten (10) minutes when more than three (3) citizens speak on a single topic. However, the Mayor may extend the speaker's allotted time. Citizens Open Forum is not established to engage in a conversation with the City Council and no formal Council action will be taken. Citizens desiring to discuss an item with the Council or to request specific Council action should complete the form attached hereto as Annex D, for possible placement on the agenda of a City Council Meeting at a later date.

b. Public Comments by City Council in Response to Citizens Open Forum

- (1) If a citizen comments on an item which is posted on the agenda for that meeting, the City Council may ask questions of the Citizen and discuss the item. Such questions or discussion may occur during Citizens Open Forum or when the item is reached on the agenda.
- (2) If a citizen comments on an item which is not posted on the agenda for that meeting, members of the City Council may provide a statement of specific factual information given in response to the inquiry or recite existing policy in response to the inquiry. 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 subsequent meeting.
- (3) If necessary, the Mayor 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 which has been called by the City Council or include any deliberation or formal action.

Section 8 – RULES SUSPENSION

Any provision of these rules not governed by the City Charter, City Code, or state law may be temporarily suspended by a two-thirds vote of the members of the City Council present. The vote on any such suspension shall be taken by “Aye” and “Nay” votes and entered upon the record.

ANNEX A

Fundamental Principles of Parliamentary Law

The Mayor, Council Members, City Manager, City Attorney, City Secretary, and City staff members appearing before the various meetings of the Watauga City Council should become familiar with following rules and customs:

1. All members have equal rights, privileges, and obligations; rules must be administered impartially.
2. The minority has rights, which must be protected.
3. Full and free discussions of all motions, reports, and other items of business is a right of all members.
4. In doing business the simplest and most direct procedure should be used.
5. Logical precedence governs introduction and disposition of motions.
6. Only one question can be considered at a time.
7. Members may not make a motion or speak in debate until they have been recognized by the chair and thus have obtained the floor.
8. No member may speak a second time on the same question if anyone who has not spoken on that question wishes to do so.
9. Members must not attack or question the motives of other members. Customarily, all remarks are addressed to the presiding officer.
10. In voting, members have the right to know at all times what motion is before the assembly and what affirmative and negative votes mean.
11. The majority vote decides. This is a fundamental concept of democracy.
12. All meetings will be characterized by fairness and good faith.

ANNEX B

The Chief Purposes of Motions

PURPOSE	MOTION
Present an idea for Discussion and action	Main motion Resolution Consider informally
Improve a pending motion	Amend Division of question
Regulate or cut off debate	Limit or extend debate Close debate
Delay a decision	Refer to committee Postpone to a certain time Postpone temporarily Recess Adjourn
Meet an emergency	Question of privilege Suspend rules
Gain information on a pending motion	Parliamentary inquiry Request for information Request to ask a member a question Question of privilege
Question the decision of the presiding officer	Point of order Appeal from decision of the chair
Enforce rights and privileges	Division of assembly Division of question Parliamentary inquiry Point of order Appeal from decision of the chair
Consider a question again	Resume consideration Reconsider Rescind Renew a motion Amend a previous action Ratify
Change an action already taken	Reconsider Rescind Amend a previous action
Terminate a meeting	Adjourn Recess

ANNEX C

Parliamentary Strategy

To Support a Motion	To Oppose a Motion
<ol style="list-style-type: none"> 1. Second it promptly and enthusiastically. 2. Speak in favor of it as soon as possible. 3. Do your homework; know your facts; have handouts, charts, overhead projector slides, etc. if appropriate. 4. Move to amend motion, if necessary, to make it more acceptable to proponents. 5. Vote against motion to table or to postpone, unless delay will strengthen your position. 6. Move to recess or postpone, if you need time to marshal facts or work behind the scenes. 7. If defeat seems likely, move to refer to committee, if that would improve chances. 8. If defeat seems likely, move to divide question, if appropriate, to gain at least a partial victory. 9. Have available a copy of the rules of procedure, City Charter, and <i>Robert's Rules of Order, Newly Revised</i>, most recent edition, in case of a procedural dispute. 10. If motion is defeated, move to reconsider, if circumstances warrant it. 11. If motion is defeated, consider reintroducing it at a subsequent meeting. 	<ol style="list-style-type: none"> 1. Speak against it as soon as possible. Raise question; try to put proponents on the defensive. 2. Move to amend the motion so as to eliminate objectionable aspects. 3. Move to amend the motion to adversely encumber it. 4. Draft a more acceptable version and offer as amendment by substitution. 5. Move to postpone to a subsequent meeting. 6. Move to refer to committee. 7. Move to recess, if you need time to round up votes or obtain more facts. 8. Question the presence of quorum, if appropriate. 9. Move to adjourn 10. On a voice vote, vote emphatically. 11. If the motion is adopted, move to reconsider, if you might win a subsequent vote. 12. If the motion is adopted, consider trying to rescind it at a subsequent meeting. 13. Have available a copy of the rule of procedure, City Charter, and <i>Robert's Rules of Order, Newly Revised</i>, most recent edition, in case of a procedural dispute.

ANNEX D

REQUEST FOR A COUNCIL MEMBER TO SPONSOR AN ITEM ON A CITY COUNCIL AGENDA

Requests to have an item sponsored by a City Council Member must be submitted to the City Secretary's Office at least fourteen (14) days prior to the City Council Meeting for which the request is made. Such requests **MUST BE SPONSORED BY AT LEAST ONE (1) MEMBER OF THE CITY COUNCIL** to be placed on the agenda. All relevant information concerning the matter must be provided by you or the sponsoring Council Member to the City Secretary's Office not later than 5:00 p.m. the Tuesday before the City Council Meeting so this information can be included in the Council agenda packet.

Name: _____

Address: _____ Phone Number: _____

Are you a Resident and/or Business Owner in Watauga? Yes No

Please put a check mark next to the name of the City Council Member(s) you would like to sponsor the item			
Mayor		Council Member, Place 4	
Council Member, Place 1		Council Member, Place 5	
Council Member, Place 2		Council Member, Place 6	
Council Member, Place 3		Council Member, Place 7	

Subject to be discussed:

Signature of Requestor

Date

OFFICE USE ONLY):
Date and Time request was received: _____
Signature of person receiving request: _____
Date of City Council Meeting to be discussed: _____
Signature of Council Member sponsoring item: _____

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