



**“A GREAT PLACE TO LIVE”**

**AGENDA  
WATAUGA CITY COUNCIL  
SPECIAL MEETING  
WEDNESDAY, AUGUST 3, 2016  
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD  
6:15 P.M.**

**COUNCIL MEETING**

**CALL TO ORDER**

**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.

**NEW BUSINESS**

1. Discussion and action on ratification of an amendment to the Meet and Confer Agreement between the City of Watauga and the Watauga Firefighters’ Association established on March 23, 2015  
**Marcia Reyna, Human Resources/ Civil Service Director**

2. Discussion on overview of proposed Classification and Compensation Implementation Plan and results of study  
**Greg Vick, City Manager**  
**Marcia Reyna, Human Resources/ Civil Service Director**
3. Discussion and action on approval of an ordinance amending the Fiscal Year 2015-2016 Budget (Crime Control and Prevention District Fund 18) for the purchase of police armor in an amount not to exceed \$58,000 [CAPTION]  
**Sandra Gibson, Director of Finance and Administration**  
**Glen Fowler, Police Chief**
4. Discussion and action on approving the purchase of police armor from CMC Government Services, Inc., dba CMC Government Supply, in an amount not to exceed \$57,722  
**Deby Woodard, Assistant Finance Director/Purchasing Manager**  
**Glen Fowler, Police Chief**
5. Discussion and action on approval of awarding Bid # 16-035 Street Overlay Program 2016 to Reynolds Asphalt in an amount not to exceed \$110,953.80  
**Deby Woodard, Assistant Finance Director/Purchasing Manager**
6. Discussion on the City Manager's Proposed Budget for Fiscal Year 2016-2017 with possible Council action to change by adding or deleting items to the proposed budget prior to formal adoption on September 7, 2016  
**Greg Vick, City Manager**  
**Sandra Gibson, Director of Finance and Administration**
7. Discussion and action to place a proposal to adopt a Tax Rate of \$0.618411 per \$100.00 valuation for Fiscal Year 2016-2017 on the September 7, 2016, City Council Agenda as an action item  
**Greg Vick, City Manager**  
**Sandra Gibson, Director of Finance and Administration**
8. Discussion and action on setting the Public Hearings on a proposed tax rate of \$0.618411 per \$100.00 valuation for Fiscal Year 2016-2017 on August 15, 2016 during the Regular Meeting of the City Council and on August 29, 2016 during a Special Meeting of the City Council with both meetings to be held at 6:30 p.m., in the City Council Chamber at 7105 Whitley Road, Watauga, Texas, 76148  
**Greg Vick, City Manager**  
**Sandra Gibson, Director of Finance and Administration**

## **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.**

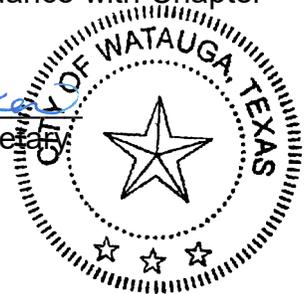
**ADJOURNMENT**

**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, Texas, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on Friday, July 29, 2016 before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.

  
Zolaina R. Parker, City Secretary





## AGENDA MEMORANDUM

**DATE:** July 26, 2016

**TO:** Honorable Mayor and Members of the City Council

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

**THROUGH:** Greg Vick, City Manager 

**SUBJECT:** Amendment to Meet and Confer Agreement between City of Watauga and Watauga Firefighters' Association

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### **BACKGROUND/INFORMATION:**

The City of Watauga and the Watauga Firefighters' Association began Meet and Confer deliberations on June 21, 2016. These deliberations were held in accordance Section 142.113 of the *Texas Local Government Code (TLGC)* and *Texas Open Meetings Act*. The purpose of this meeting was to amend the Meet and Confer Agreement established on March 23, 2015.

There are five (5) proposed amendments to the existing agreement which have been marked in red for your reference. These changes include:

1. Article I - The definitions of "Certified Firefighter" and "Paramedic" were added to the Definitions List.
2. Article IV - This proposed change allows for Lateral Entry for Beginning Positions in the Fire Department. This allows the Fire Department to hire experienced Firefighter/Paramedics and place them on the Step Plan based on years of experience up to a max of Step 5.
3. Article V - The wording pertaining to the Association's requirement to participate in the Interview Panel for Beginning Positions was changed. This change now allows management to proceed with interviews if an Association member cannot attend the interview.
4. Article VII - The proposed amendment in this article, Extension of Probationary Period for New Employees, requires a twelve (12) month probationary period upon completion of both the Firefighter and Paramedic certification. The purpose of this change is to allow an employee to serve a full probation period of twelve (12) months once both certifications are attained. This allows management to assess an individual's performance in both areas for a full probationary period.

5. Article IX – A policy for Reappointment as a Firefighter after Resignation is being proposed. Currently, if a Firefighter leaves the City, they are subjected to the entire hiring process. With approval from the Chief, this would allow a former Firefighter/Paramedic to be reappointed. The former employee would still be required to meet certain re-employment requirements.

On July 20, 2016, a verbal agreement was reached and a draft of the agreement was presented and preliminary approved by Greg Vick, City Manager and Jeff Hawkins, Watauga Firefighters' Association President.

Pursuant to Section 142.114(a)(2) of the TLGC, the Association held a secret ballot vote between July 21 and 22, 2016. Ten (10) members of the Watauga Firefighters' Association participated in this secret ballot. The votes were tallied as follows: For-8, Against-1 and Abstain-1. A majority of the Association members approved the agreement.

Pursuant to Section 142.114(a)(1), a majority of the governing body of the municipality must ratify the agreement by a majority vote. This agreement is being brought before the Watauga City Council for approval. Mark Daniel, City Attorney, has reviewed the agreement and approved its form and legality.

**FINANCIAL IMPLICATIONS:**

The five (5) amendments to the agreement may result in savings for the City by assisting with recruitment and retention efforts. The provisions allowing for Lateral Entry and Re-appointment may result in a higher salary for the incumbent, but the City would realize savings in training and recruitment.

**RECOMMENDATION/ACTION DESIRED:**

It is requested that City Council ratify (approve) the amended Meet and Confer Agreement between the City of Watauga and Watauga Firefighters' Association.

**ATTACHMENTS/SUPPORTING DOCUMENTATION:**

- 1) Letter of approval from City Attorney dated July 26, 2016
- 2) Letter from Watauga Firefighters' Association regarding secret ballot vote
- 3) Amended Meet and Confer Agreement between the City of Watauga and Watauga Firefighters' Association

# 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

July 25, 2016

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

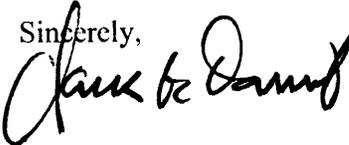
*Via Email*

*Re. Watauga Firefighters Association Meet and Confer Agreement*

Dear Ms. Reyna:

Pursuant to your request, I have reviewed the draft copy of a Meet And Confer Agreement between the City of Watauga and the Watauga Firefighters Association. I have not participated in the negotiations related to this agreement, therefore I rely on the representations of City staff. I approve of the Agreement as to form and legality and would recommend that this be presented to the City Council for consideration and approval.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact the office.

Sincerely,  


MARK G. DANIEL

MGD/ajd

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

## Attachment 2

Received on 7/22/11  
Marcia Reyna  
Civil Service Director

Mrs. Marcia Reyna

Over the Past 2 days our association discussed and voted to approve the amendments to our Meet and Confer Agreement as the City of Watauga proposed without any changes.

Thank you for your help.

8-For  
1-Against  
1-Abstain

**Jeff Hawkins**

President



**Justin Morris**

Secretary

**Stephen Osborn**

Vice President



**David Martinez**

Treasurer

# Attachment 3



**MEET AND CONFER AGREEMENT**

**BETWEEN**

**CITY OF WATAUGA, TEXAS**

**AND**

**THE WATAUGA FIREFIGHTERS' ASSOCIATION**

**DRAFT**

**Term: March 23, 2015 to March 23, 2018**

**Amended August XX, 2016**

## TABLE OF CONTENTS

DEFINITIONS .....	3
AUTHORITY AND RECOGNITION.....	4
HIRING AGE LIMIT .....	4
INTERVIEW PANEL FOR BEGINNING POSITIONS.....	5
LAST CHANCE AGREEMENT .....	6
EXTENSION OF PROBATIONARY PERIOD FOR NEW EMPLOYEES .....	7
PROMOTIONAL PROCESS.....	7
TERM OF AGREEMENT .....	11
SAVINGS CLAUSE & AMENDMENT CLAUSE .....	11

**ARTICLE I**  
**DEFINITIONS**

1. "Agreement" means the Meet and Confer Agreement entered between the Watauga Firefighters' Association and the City of Watauga.
2. "Association" means the Watauga Firefighters' Association, its elected leaders and its collective membership.
3. "Certified Firefighter" means an individual certified by the Texas Commission on Fire Protection (TCFP).
4. "City" means the City of Watauga, its mayor, city council members, city manager, fire chief, civil service director and those persons designated by the City of Watauga to manage the city and its fire department.
5. "WFA" means the Watauga Firefighters' Association.
6. The term "commission" means the City of Watauga Firefighters' and Police Officers' Civil Service Commission.
7. The term "day" or "days" shall mean calendar days unless otherwise specified.
8. The term "Department" means the Watauga Fire Department.
9. The term "Department Head" means the Chief of the Watauga Fire Department, his or her designee, or the acting Chief of the Watauga Fire Department.
10. The term "director" means the Civil Service Director of the City of Watauga Firefighters' and Police Officers' Civil Service Commission.
11. The term "local rules" means the Local Rules and Regulations promulgated by the City of Watauga Firefighters' and Police Officers' Civil Service Commission.
12. The term "firefighter" means a firefighter employed by the Watauga Fire Department of the City of Watauga.
13. "Paramedic" means an individual certified or licensed by the Texas Department of State Health Services (TDSHS).
14. "TLGC" means the Texas Local Government Code.

## **ARTICLE II**

### **AUTHORITY AND RECOGNITION**

The City of Watauga and the Watauga Firefighter's Association have voluntarily met and reached an agreement on the conditions set out in this Agreement pursuant to the provisions of the TLGC, Chapter 142 et seq., Subchapter C.

To the extent that this Agreement is in conflict with or changes TLGC, Chapter 143 or any other statute, executive order, local ordinance, or rule, this Agreement shall supersede such provision. This preemption provision is authorized by section 142.117 of the TLGC. The Parties have agreed expressly that each and every provision involving or creating such a conflict shall have the effect of superseding the statutory standard or result which would otherwise be obtained, in the absence of this Agreement. This provision is of the essence to the bargain and Agreement which has been reached.

The Association submitted a petition for recognition on April 11, 2013, as authorized by TLGC Chapter 142.103, which was recognized by Watauga City Council on April 22, 2013. The City recognizes the Association, for the purposes of meet and confer, as the sole and exclusive bargaining agent for the covered firefighters as described in the petition for recognition, excluding the head of the fire department and excluding the employees exempt under Subsection (b) of section 142.103, in accordance with Subchapter C of Chapter 142 TLGC and the petition.

## **ARTICLE III**

### **HIRING AGE LIMIT**

Eligibility for Beginning Position in the Fire Department

- A. A person may not take an entrance examination for a beginning position in the fire department unless the person is at least eighteen (18) years of age, but have not attained forty (40) years of age or older.
  
- B. A person may not be certified as eligible for a beginning position in the fire department if the person has attained forty (40) years of age or older.

## ARTICLE IV

### LATERAL ENTRY FOR BEGINNING POSITIONS

- A. A person may be eligible for lateral entry to a beginning position if they are certified as a Firefighter and Paramedic.
- B. Lateral entry applicants must successfully meet and complete all Fire Department Eligibility Standards as set by Section 4.08 of the City of Watauga Firefighters' and Police Officers' Civil Service Rules and Regulations.
- C. A person eligible for lateral entry shall be placed on the City's approved step plan at the step which equates to their years of experience, up to a maximum of Step 5. Only years of experience at a paid Fire Department will apply.
- D. A person who obtains a position for lateral entry will not be eligible for promotion until they have served in the next lower position at the Watauga Fire Department for at least two (2) years before the date the promotional examination is held.
- E. Seniority points shall be calculated at one (1) point for each full year of service with the Watauga Fire Department as a commissioned firefighter, up to a maximum of ten (10) points. Service with another agency will not apply.

## ARTICLE V

### INTERVIEW PANEL FOR BEGINNING POSITIONS

A Fire Department applicant must successfully pass a structured interview conducted by an Interview Panel. The panel members may not have any previous relationship, personal or professional, with any applicant. Panel members may not be on any type of disciplinary probation. The panel will consist of a maximum of five (5) members, but may conduct the interview with a minimum of four (4) members. The Interview Panel shall be composed of the Fire Chief, two (2) Battalion Chiefs, and two (2) members of the association, if available. If association members are not available, the interviews will continue as scheduled.

The Association will select two (2) members to serve on the Interview Panel. The Association will provide the Civil Service Director with the names of the selected panel members in writing. The list will include primary and secondary panel members. The secondary panel member will serve as an alternate in the absence of the primary. The selected panel members will serve until written notification of a change is presented to the Civil Service Director.

The Civil Service Director or designee will serve as a moderator during the interview. The role of the Director is to oversee the process.

## ARTICLE VI

### LAST CHANCE AGREEMENT

In the event a firefighter commits a serious violation of a policy, rule or statute, the use of a last chance agreement provides the Department Head with an alternate to indefinite suspension. The use of the last chance agreement will be at the Department Head's discretion.

In considering appropriate disciplinary action, the Department Head may require that a firefighter be evaluated by a qualified professional designated by the Department Head. The designated qualified professional must be an in-network provider under the City's current health plan. If that professional recommends a program of counseling and/or rehabilitation for the firefighter, the Department Head may offer the firefighter, as an alternative to indefinite suspension, the opportunity to enter into a last chance agreement. The agreement may include the following provisions in addition to any other provisions agreed upon by the firefighter and the Department Head.

- A. The firefighter shall successfully complete the program of counseling and/or rehabilitation recommended by the qualified professional designated by the Department Head.
- B. The program of counseling and/or rehabilitation will be completed on the firefighter's off duty time, unless the Department Head approves the use of accrued vacation leave or sick leave. The firefighter shall be responsible for paying all costs of the program of counseling and/or rehabilitation, which are not covered by the firefighter's health insurance plan.
- C. The firefighter shall agree to a probationary period not to exceed one (1) year, with the additional requirement that if, during the probationary period, the firefighter commits the same or a similar act of misconduct, the firefighter will be indefinitely suspended without right of appeal.
- D. If the firefighter's misconduct involves alcohol or substance abuse related behavior, the Department Head may require that the firefighter submit to mandatory alcohol or drug testing, upon order by the Department Head, during the probationary period.
- E. If the firefighter accepts the opportunity for a last chance agreement, the firefighter may not appeal any terms of the agreement. Successful completion of a counseling and/or rehabilitation program will be specifically defined in the agreed alternative discipline document. If the firefighter fails to successfully complete the agreed upon program, the firefighter may be indefinitely suspended without right of appeal, nor right to bring any contract dispute regarding the suspension, before any administrative or judicial body.

- F. The Use of a last Chance Agreement does not prohibit the Department Head from imposing discipline for violation(s) of other unrelated infractions as described in Section 143.051.

## ARTICLE VII

### EXTENSION OF PROBATIONARY PERIOD FOR NEW EMPLOYEES

- A. A person appointed to a beginning position in the fire department **who is certified as a Firefighter and Paramedic** must serve a probationary period of twelve (12) months beginning on the first day of that person's employment as a firefighter.
- B. **A person appointed to a beginning position in the fire department who is not certified as a Firefighter and Paramedic shall have their probationary period extended by twelve (12) months upon successful completion of both certifications.**
- C. The probationary period may **also** be extended by a period not to exceed twelve (12) months due to **prolonged** leave. This extension will be at the Department Head's discretion and only due to required military leave, medical leave, and/or injury leave. The length of time in which the probation period is extended will not exceed the length of time the employee was on military leave, medical leave, and/or injury leave. **The Department Head's offer of a probationary extension to the firefighter will be agreed upon in writing.**

## ARTICLE VIII

### PROMOTIONAL PROCESS

- A. Written Examination

Each firefighter seeking a promotion shall be given a written examination in the presence of the other eligible promotional candidates. Identical examinations will be given to the promotional candidates. Promotional candidates who successfully pass the written examination with a raw score of 70% or better will proceed to participate in a Promotional Panel. Only the written examination may be appealed as defined in Section 143.034 of the Local Government Code.

- B. Promotional Panel

There shall be an established Promotional Panel to conduct an Assessment Center. The panel shall consist of four (4) firefighters from outside the Watauga Fire Department, preferably from a department with equal or greater number of

firefighters as the Watauga Fire Department. Promotional Panel members must not be on any type of probation. Up to three (3) members of the panel should be of the same rank being sought by the applicant. At least one (1) of the panel members should be of next higher rank than the position being sought. In the case that not all panel members can be present, it is acceptable to perform the assessment with three (3) panel members. It is required that the members of the Panel not be personally acquainted with the candidates nor be employed by the Watauga Fire Department.

Each member of the Panel will certify by a written, sworn, and notarized affidavit that he or she has not and will not talk to or correspond with ANY PERSON about any candidate's abilities, personality, or qualifications for promotion, prior to and during participation in the assessment center process. The member must further stipulate that he or she has no direct relationship with any candidate, other than professional, that would interfere with the assessor's objectivity in providing a fair, balanced, and impartial evaluation of the candidate. Each candidate will certify by a written, sworn, and notarized affidavit that he or she has not and will not talk to or correspond with ANY PERSON about any candidate's abilities, personality, or qualifications for promotion, prior to and during participation in the assessment center process. The panel shall assess the candidate's skills based on leadership group exercises, decision making exercises and oral interview questions. There will be a total of ten (10) questions and/or exercises which are equally weighted at ten (10) points each.

No part of the Assessment Center may be appealed.

Upon completion of all assessments, the Civil Service Director shall provide each candidate a written performance evaluation. The evaluation shall at minimum highlight the candidate's strengths and weaknesses as observed throughout the process.

The Civil Service Director or his/her designee shall be in attendance at all of the exercises conducted by the assessment board. The Civil Service Director's role will be to oversee the process. The Civil Service Director is not to be an assessor nor provide any input or evaluation. No observers other than the Director of Civil Service or his/her designee shall be allowed during the assessment center.

### C. Seniority Points

The final promotional score of each candidate shall also include seniority points.

Seniority points shall be calculated at one (1) point for each full year of service with the Watauga Fire Department as a commissioned fire fighter, up to a maximum of ten (10) points. Cut off for seniority time will be the date of the written examination.

Only those employees receiving a passing grade (70%) on the written test are eligible for seniority points.

#### D. Scoring Methodology

Each candidate's final score shall be the sum of the scores from the written examination and assessment center plus seniority points. The final score on the total promotional system determines placement of candidates on the eligibility list, as follows:

Written Examination - Maximum Possible Score: 60 points

Promotional Panel - Maximum Possible Score: 40 points

Maximum Total Score: 100 points

Additional Points:

Seniority - Maximum Possible: 10 points

Total Maximum Score: 110 points

Note: Additional points for seniority are added to the candidates total score, if and only when the candidate has scored a minimum of 70% or greater on the written examination.

### ARTICLE IX

#### REAPPOINTMENT AS A FIREFIGHTER AFTER RESIGNATION

##### A. Application for Reappointment

A person who previously served as a City of Watauga Firefighter may apply in writing to the Department Head for reappointment within three (3) years of the effective date of separation if the applicant meets the eligibility requirements in *Section B. Eligibility* herein. A person applying under this article will not be required to take an entrance examination and will not be placed on an eligibility list.

##### B. Eligibility

An applicant for reappointment must have resigned voluntarily and in good standing from the Watauga Fire Department as a Firefighter. Reappointment will not be considered if the applicant resigned pending disciplinary action or investigation.

An applicant eligible for reappointment must meet the following requirements:

1. Hold a valid and current Basic Firefighter certification from the Texas Commission on Fire Protection.
2. Hold a valid and current Paramedic license from the Texas Department of State Health Services.
3. Successfully complete a physical/medical evaluation and drug screen.
4. Successfully pass a background investigation.

An applicant for reappointment must meet all the eligibility requirements for a person in the classification of Firefighter, with the exception of the age requirement, as provided under *Section 4.08 Eligibility Standards for Beginning Position in the Fire Department* of the Watauga Firefighters' and Police Officer's Local Rules.

#### C. Reappointment

It shall be at the Department Head's discretion to determine the applicant's suitability for reappointment. In the event the Department Head determines that the applicant should not be reappointed, the applicant shall be notified of the decision in writing and the reappointment process is terminated. The Department Head shall forward a copy of this documentation to the Civil Service Director.

If the Department Head approves a reappointment and the applicant successfully completes and meets all of the reappointment requirements, the applicant will be reappointed if a vacancy exists. Notice of the reappointment shall be given in writing to the Civil Service Director. A candidate for reappointment may be appointed regardless of the availability of an eligibility list. A candidate for reappointment has priority over candidates on an eligibility list.

In the event there is no vacancy for a Firefighter at the time of application for reappointment, the Department Head may retain the application. Reappointment can be made only within three (3) years of the date of resignation. If there is no reappointment within three years from date of resignation of the applicant, the reappointment process is automatically terminated.

#### D. Restoration of Certain Benefits

Upon reappointment, the applicant's prior years of service with the City of Watauga Fire Department in the classification of Firefighter will be counted only for the following purposes:

1. Longevity Pay
2. Accrual Benefits
3. Determination as to the appropriate placement in the Civil Service Step Plan

If reappointed, the applicant shall serve a one (1) year probation and not receive the benefits of Civil service protection. The applicant's seniority and eligibility for purposes of promotion shall be determined by their reappointment date and in accordance with the Watauga Firefighters' and Police Officer's Local Rules.

## ARTICLE X

### TERM OF AGREEMENT

This Agreement shall have an effective date of March 23, 2015, amended on August XX, 2016, and shall remain in full force and effect through March 23, 2018 and extended thereafter until superseded by a new Agreement or until March 24, 2018, whichever occurs first.

## ARTICLE XI

### SAVINGS CLAUSE & AMENDMENT CLAUSE

#### Savings Clause

If any provision of this Agreement is rendered invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision of this Agreement, which shall continue to be in full force and effect for the duration of the Agreement, and the parties shall meet as soon as possible to agree on a substitute provision. However, if the parties are unable to agree within thirty (30) days following commencement of the initial meeting, then the matter shall be postponed until subsequent Meet and Confer negotiations are resumed. To this end, the provisions of this Agreement are severable. This Agreement may be amended by written mutual agreement.

#### Amendment Clause

This Agreement may not be changed or altered in any manner except by mutual written agreement. The Parties agree that upon mutual agreement additional provisions may be negotiated and added as Amendments or as a Restated Agreement. Any Amendments of this Agreement shall be in writing, shall contain an effective date, and shall be dated and signed by the authorized representatives of the respective parties. All Amendments are ratified in the same manner as provided by state law, the TLGC, Chapter 142 et seq., Subchapter C, for original ratification.

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

FOR THE CITY OF WATAUGA, TEXAS:

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

GREGORY T. VICK  
CITY MANAGER

**ATTEST:**

\_\_\_\_\_

ZOLAINA R. PARKER  
CITY SECRETARY

APPROVED:

\_\_\_\_\_

WILLIAM CRAWFORD, FIRE CHIEF

APPROVED AS TO FORM:

\_\_\_\_\_

MARK G. DANIEL



**FOR THE WATAUGA FIREFIGHTERS' ASSOCIATION:**

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

**JEFFREY HAWKINS**  
PRESIDENT

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

**STEPHEN OSBORN**  
VICE PRESIDENT



## AGENDA MEMORANDUM

**DATE:** July 29, 2016

**TO:** Honorable Mayor and Council

**FROM:** Greg Vick, City Manager   
Marcia Reyna, Human Resources & Civil Service Director

**SUBJECT:** Discussion on overview of proposed Classification and Compensation Implementation Plan and results of study

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### **Background/Information:**

During the July 25, 2016 Workshop, staff presented the proposed Classification and Compensation Implementation Plan. The proposed plan incorporates four phases over a four year span beginning with the 2016-2017 Fiscal Year and ending in the 2020-2021 Fiscal Year.

### **Financial Implications:**

The 2016-2017 Fiscal Year Implementation Plan Includes:

- Full Time to Minimum Market
- Part Time to Minimum Market
- Continue Step-Civil Service Employees
- COLA-Civil Service & Civilian Employees

Total proposed cost for 2016-2017 Fiscal Year is \$372,000 (includes TMRS/Medicare)

### **Recommendation/Action Desired:**

Staff wishes to provide an opportunity for Council to discuss the proposed Classification and Compensation Implementation Plan. No action is necessary at this time, as final adoption of the Compensation Policies will be presented during August 2016 and formal adoption of the Classification and Compensation Plan for the 2016-2017 Fiscal Year, will be presented during September 2016.

### **Attachments:**

1) None



## AGENDA MEMORANDUM

**DATE:** July 26, 2016

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Sandra Gibson, Director of Finance, CGFO *S Gibson*

**THROUGH:** Greg Vick, City Manager *G Vick*

**SUBJECT:** Consideration and Approval of Proposed Ordinance amending the FY2015-2016 Budget in the amount of \$58,000

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### **BACKGROUND/INFORMATION:**

Section 363.205 (f) of the Local Government Code states that the Crime Control and Prevention District's budget may be amended after the beginning of the fiscal year on approval by the board and the governing body. Section 102.01 of the Local Government Code allows the City Council of the City of the Watauga to make changes in the FY2015-16 for municipal purposes.

A request for purchase of body armor in the amount of \$57,722 has been requested from the City of Watauga Police Department. Additional appropriations are needed for this purchase and fund balance is available.

### **FINANCIAL IMPLICATIONS:**

An increase of \$58,000 in appropriations for the FY2015-16 Crime Control District's Budget.

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

Consideration and Approval of Proposed Ordinance amending the FY2015-2016 Budget to include additional appropriations in the amount of \$58,000.

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

- 1) Letter from Mark Daniel, City Attorney
- 2) Ordinance Amending FY2015-16 Budget

# 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  
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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

July 25, 2016

*Via Email*

Ms. Sandra Gibson  
Director of Finance and Administration  
City of Watauga  
7105 Whitley Road  
Watauga, Texas 76148

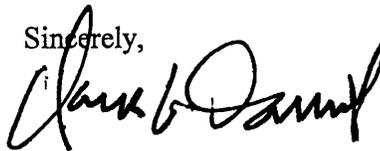
*Re: Ordinance regarding 2015-2016 Fiscal Year Budget*

Dear Ms. Gibson:

Pursuant to your request, I have reviewed the above referenced Ordinance by the City Council for the City of Watauga approving appropriations in the 2015-2016 Fiscal Year budget pursuant to Section 102.010 of the Local Government Code. I approve of this Ordinance and would recommend that the same be submitted to the Council for consideration at its 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,



MARK G. DANIEL  
City Attorney for the City of Watauga

MGD/tp

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

# Attachment 2

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS THAT APPROVES APPROPRIATIONS IN THE 2015-2016 FISCAL YEAR'S BUDGET PER SECTION 102.010 OF THE LOCAL GOVERNMENT CODE, PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 102.010 of the Local Government Code allows the City Council of the City of Watauga to make changes in the Fiscal Year 2015-16 budget for municipal purposes; and

**WHEREAS**, after a full and final consideration, the City Council is of the opinion that the budget should be amended;

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

**SECTION 1.**

Additional appropriations be made to the following fund in the following amount:

**Crime Control and Prevention District (Fund 18)**

\$58,000 to account #18-080-85170 to provide for the additional amount necessary to fund public safety supplies and equipment.

**SECTION 2.**

The 2015-2016 City of Watauga Budget is hereby amended to reflect the additional appropriations listed above.

**SECTION 3.**

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 such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which such event conflicting provisions of this Ordinance, in which such event conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 4.**

If any section, subsection, 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.

**SECTION 5.**

This ordinance shall become effective 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.

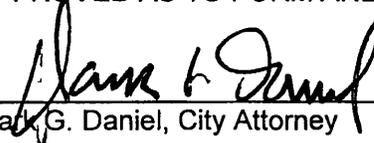
**PASSED AND ADOPTED** By the City Council of the City of Watauga, Texas this 3rd day of August, 2016.

\_\_\_\_\_  
Hector F. Garcia, Mayor

ATTEST:

\_\_\_\_\_  
Zolaina R. Parker, City Secretary

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Mark G. Daniel, City Attorney



## AGENDA MEMORANDUM

**DATE:** July 21, 2016

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Glen Fowler, Chief of Police *Glen Fowler*  
Deby Woodard, Assistant Finance Director/Purchasing Manager *Woodard*

**THROUGH:** Greg Vick, City Manager *G.V.*

**SUBJECT:** Approval of Police Armor from CMC Government Services, Inc. dba CMC Government Supply in an amount not to exceed \$57,722

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### BACKGROUND/INFORMATION:

Peace Officers across our nation are encountering increased threats from violent encounters involving suspects armed with rifles and long guns. The light concealable body armor that we currently provide to our police officers is only designed to resist attacks from handguns and smaller caliber weapons. These vests are entirely ineffective in defending against rifle rounds like those commonly sold and carried in Texas, such as the 5.56/.223 and 7.62 caliber variants. These are the types of weapons that have been used in recent mass shootings where multiple officers were injured and killed. There is a strong desire to equip Watauga's officers with external plate vests and ballistic helmets that are designed to significantly increase their chances of survival in deadly threat encounters. These items would be issued to each officer, and utilized on high risk calls that involve active shooters, reports of shots being fired, armed suspects, search warrants, and other incidents where the perceived or known risks to officers are elevated.

The quote provided by CMC Government Services, Inc. dba CMC Government Supply utilizes Buyboard contract # 432-13. The City of Watauga is a member of Buyboard and per authority granted by the Local Government Code Section 271.102 and Texas Government Code Chapter 791, government entities may utilize cooperative purchasing between local government entities and cooperative purchasing organizations. The code is designed to allow government entities to utilize contracts for products and services that have already gone through the bid process, thereby meeting all State and Local purchasing laws and requirements. The City of Watauga as a member, may utilize contracts offered through the purchasing cooperatives, thus enhancing the purchasing power and reducing costs and man-hours.

**FINANCIAL IMPLICATIONS:**

This purchase will be from the Crime Control & Prevention District fund balance with the approval of a budget amendment by the Crime Control & Prevention District Board and City Council.

**RECOMMENDATION/ACTION DESIRED:**

It is the recommendation from staff that we work expeditiously to acquire these items to provide an enhanced level of protection for our police officers.

Staff recommends the purchase of the police armor from CMC Government Services, Inc. dba CMC Government Supply in an amount not to exceed \$57,722 as presented.

**ATTACHMENTS/SUPPORTING DOCUMENTATION:**

1. CMC Government Services, Inc. dba CMC Government Supply Quote

# Attachment 1



# Official Government Price Quotation

CMC Government Services, Inc.  
 5200 Keller Springs Road Suite 522 Dallas, Texas 75248  
 Telephone (972) 960-0800 FAX (214) 889-5180

Date: July 19, 2016

Customer Chief Glen Fowler  
 Contact Watauga City Police Department  
 Address 7101 Whitley Rd  
 Watauga, TX 76148  
 City  
 State  
 Zip Code

Ship To SAME

### PRICING AND PRODUCT INFORMATION

ITEM #	PRODUCT DESCRIPTION	QTY	UNIT PRICE	EXTENDED PRICE
1	Custom Active Shooter Kit including 1 - United Shield MOPC Plate Carrier - Black 1 - United Shield ACH MICH MIL Helmet - Black 2 - United Shield Delta 6h NIJ 06 Certified Multi-hit 3 3 lb 10x12 plates 2 - United Shield Delta 6h NIJ 06 Certified Multi-hit 6x8 side plates 2 - POLICE ID Tags/Patches  DELIVERY NLT September 20, 2016  Texas BuyBoard Contract 432-13 Public Safety & Fire House Supplies & Equipment  Ground Shipping and Handling	38	\$1509 00	\$57,342 00
				\$380.00
This Quotation Is Good For Thirty (30) Days From the Origination Date Above Sales Tax (if any) is not included – Our standard payment terms are "Due on Receipt of Invoice". Pricing quoted based on payment with cash or government agency check. Unless otherwise quoted above, all orders paid with a PCard, Visa, MasterCard or Discover card will incur an additional 6% convenience fee that will automatically added at the time of payment.				\$57,722.00

Your CMC sales contact is David Goldstein - eMail: [dgoldstein@cmcgov.com](mailto:dgoldstein@cmcgov.com)

We are a US Federal Government CCR Vendor.  
 United States Government and DoD CAGE code is 33YP0  
 TIN is 68-0597010 - DUNS number is 171509115  
 GSA Schedule 84 Contract #: GS07F0215V  
 Texas BuyBoard Contract 432-13 Public Safety & Fire House Supplies & Equipment

We are classified as a small business.

We are an Authorized Reseller for all the products quoted

*This quotation is CONFIDENTIAL and is not to be shared with, shown to or distributed to any person not employed by and/or any other organization or entity not named above.*

**NIJ 0101.06 Certified**

The Delta+ -6H Level III+ stand alone single curve ballistic plate, ergonomically designed using proven technology affording the wearers excellent stand alone protection against a range of high velocity threats including the following ammunition:

- 5.56 x 45 55gr Ball (M193)
- 7.62 x 51 149gr FMJ (M80)
- 7.62 x 63 JSP
- 7.62 x 54R-L
- 7.62 x 39 Ball

**Armor Solution**

United Shield International uses a proprietary Polyethylene based technology combined with advanced fibre composites achieve NIJ 0101.06 certified level III+ stand alone plate.

**Weights and Performance**

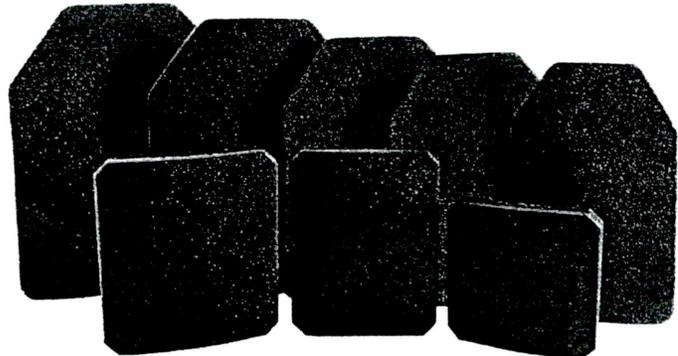
NIJ 0101.06 certified level III+ stand alone plate

- Multi Strike Protection
- 5.56 x 45 55gr Ball (M193)
- 7.62 x 51 149gr FMJ (M80)
- 7.62 x 39 Ball
- 7.62 x 63 JSP
- 7.62 x 54R - L

Weight  
10" x 12" – 3.3 lbs

**Shapes and Curvature**

Single-curve with cut out corners or shooters cut available  
Thickness: 1.2"



**Colors**

Standard Color is a black Polyurea coated 1000 Denier CORDURA fabric, but plates can be supplied in other painted colors or other finishes

**Warranty and Quality Assurance**

United Shield offers five year warranty on ballistic performance. United Shield manufactures in accordance with ISO9001 & ISO14001 quality standard.



International  
United Shield International Ltd.  
56 South Way, Walworth Industrial Estate, Andover,  
Hampshire, SP10 5AF, England  
Phone: +44 (0)1264 363 606, Fax +44 (0)1264 363 666  
Email: sales@unitedshield.com, www.unitedshield.com

North America  
United Shield International LLC  
1606 Barlow St, Unit 1, Traverse City  
MI 49686, USA  
Phone: +1 231 933 1179, Fax: +1 231 933 5368  
Email: unitedshield.pjb@gmail.com, www.unitedshield.com



The United Shield Modular Operator Plate Carrier (MOPC) has front and Back Plate Pockets that accept 10" x 12" plates with bottom loading for quick removal. The MOPC also accepts 6" x 8" side panels. The vest also has adjustable / detachable padded shoulder straps as well as adjustable nylon side straps with quick release buckles on the sides.

The MOPC is manufactured with high wearing 1000 denier nylon and includes a MOLLE webbing grid and an emergency drag strap.

This is a one size fits all, lightly padded mesh on inner surface to allow for comfort and air flow.

Police Placards available for front and back

## Recommended Use

The MOPC is recommended to be used with any of the United Shield International Rifle Plates.

## Sizes

One Size Fits all

## Colors

Standard Colors are OD green, Tan, Black, Multi Cam And ACU

## Warranty and Quality Assurance

United Shield International offers a warranty for a period of 12 Months against all defects in materials and workmanship.

United Shield International is an ISO 9001 & 14001 certified company.



International  
United Shield International Ltd.  
56 South Way, Walworth Industrial Estate, Andover,  
Hampshire, SP10 5AF, England  
Phone: +44 (0)1264 363 606, Fax +44 (0)1264 363 666  
Email: sales@unitedshield.com, www.unitedshield.com

North America  
United Shield International LLC  
1606 Barlow St, Unit 1, Traverse City  
MI 49686, USA  
Phone: +1 231 933 1179, Fax: +1 231 933 5368  
Email: unitedshield.brian@gmail.com, www.unitedshield.com

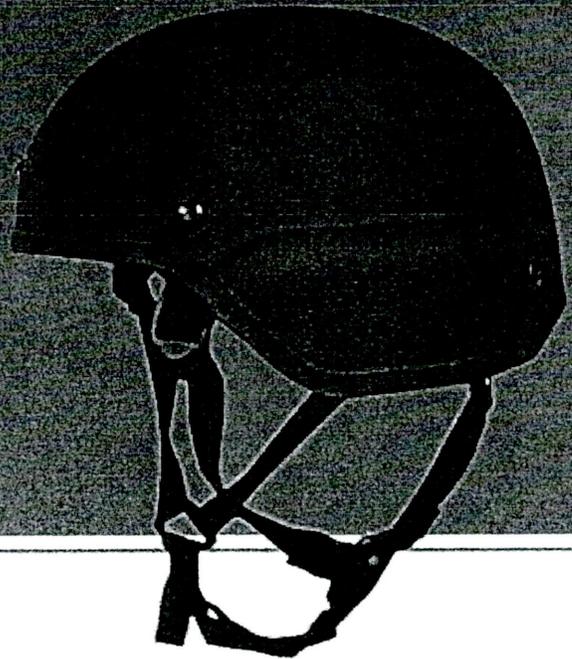
The new US military design featuring a low profile compact helmet with minimum target area and weight. Features United Shield Internationals advanced 7 comfort pad system.

This helmet offers improved head stability with a 4 point adjustable harness, suede covered chin cup and nape strap.

The ACH/MICH MIL helmet has ballistic performance to NIJ0106.01 and HP White 0401.01. Shock absorption – US Army ACH Spec for impact; Hemi-Anvil, 10 ft/sec with less than 150 G's force transmitted to head.

Fragmentation performance to US ACH Mil Spec.

Mil Spec Team Wendy pad system.



## Ballistic Protection

United Shield offers a broad range of helmet constructions to suit threat and weight performance criteria. The ACH/MICH MIL helmet is available to meet NIJ level II and IIIA to NIJ 0106.01

## Fragmentation Protection

Protection against fragments V50 700m/sec (2300 fps) according to STANAG 2920 (17gr FSP) and US MIL STD 662F. Also meets or exceeds US MIL SPEC ACH Fragmentation for 2gr, 4gr, 16gr, 17gr and 64gr RCC fragments

## Size and Weight

Small, Medium, Large and Extra Large  
Weight – 2.6 – 2.8 lbs

## Colors

Standard Colors are Black, Tan, Olive Drab and Coyote Brown. Most other colors are available as well as our new Hydro dip process for camo patterns such as Multicam.

## Warranty and Quality Assurance

United Shield International offers a 5 year warrant on the ballistic performance of the helmet. The internal harness is warranted for a period of 2 years. United Shield International is an ISO 9001 & 14001 certified company.





## AGENDA MEMORANDUM

**DATE:** July 25, 2016

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Deby Woodard, Assistant Finance Director/Purchasing Manager *Deby Woodard*

**THROUGH:** Greg Vick, City Manager *GV*

**SUBJECT:** Consideration and Approval of Reynolds Asphalt in the amount of \$110,953.80 for the Street Overlay Program 2016

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### **BACKGROUND/INFORMATION:**

Bid # 16-035 Street Overlay Program 2016 for the Public Works Department was opened Wednesday, July 20, 2016 at 10:00AM. Bids were received from a total of eight (8) vendors including Advanced Paving, Anderson Asphalt, Oldcastle Pavement, Pavecon Public Works, Peachtree Construction, Reyes Group, Reynolds Asphalt, and SPI Asphalt as per the attached tabulation.

The bid consists of two (2) streets; Bernadine Street and Summit Ridge Drive.

Staff evaluated the bids that were submitted and recommends award to Reynolds Asphalt with the lowest total bid price of \$110,953.80.

### **FINANCIAL IMPLICATIONS:**

Adequate funding was previously approved in the FY2015-16 budget and is currently available for both streets.

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

Approval of Reynolds Asphalt for the Street Overlay Program 2016 in the amount of \$110,953.80.

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

- 1) Street Overlay Program 2016 # 16-035 Bid Tabulation

# Attachment 1





## AGENDA MEMORANDUM

**DATE:** July 29, 2016

**TO:** Honorable Mayor and Council

**FROM:** Greg Vick, City Manager 

**SUBJECT:** Discussion on the City Manager's Proposed Budget for Fiscal Year 2016-2017 with possible Council action to change by adding or deleting items to the Proposed Budget prior to formal adoption on September 7, 2016

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### **Background/Information:**

As required by the City Charter, the City Manager's Proposed Budget was submitted to the City Council on or before August 1, 2016, and represents the proposed financial plan for Fiscal Year 2016-2017.

### **Financial Implications:**

Council action to increase or decrease revenues and/or expenditures may result in a change of fund balances and/or change in services provided.

### **Recommendation/Action Desired:**

N/A

### **Attachments:**

1) By Reference, the City Manager's Proposed Budget for Fiscal Year 2016-2017



## AGENDA MEMORANDUM

**DATE:** July 29, 2016

**TO:** Honorable Mayor and Council

**FROM:** Greg Vick, City Manager 

**SUBJECT:** Discussion and action to place a proposal to adopt a Tax Rate of \$0.618411 per \$100.00 Valuation for Fiscal Year 2016-2017 on the September 7, 2016 City Council Agenda as an action item

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### **Background/Information:**

The City Manager's proposed budget recommends adoption of a tax rate at \$0.618411 per \$100.00 valuation.

### **Financial Implications:**

The adoption of the proposed tax rate of \$0.618411 per \$100.00 valuation will produce more revenue from property taxes than last year's budget by an amount of \$728,860 which is a 12.51 percent levy increase from the Fiscal Year 2015-2016 Budget Year. This levy will be used for funding additional debt service related to streets and parks projects, increases to employee compensation and medical insurance expenses, purchases of equipment, increases in dispatch/jail shared services, as well as other expenses relating to meeting the community needs.

### **Recommendation/Action Desired:**

Approval to place the proposed tax rate of \$0.618411 per \$100.00 valuation on the September 7, 2016 City Council Agenda as an action item.

### **Attachments:**

- 1) Worksheet for Calculation of Tax Increase

**Worksheet for Calculation of Tax Increase  
City of Watauga**

Date: 07/29/2016 12:15 PM

1. 2015 taxable value, adjusted for court-ordered reductions. Enter Line 6 of the Effective Tax Rate Worksheet.	\$940,189,594
2. 2015 total tax rate. Enter Line 4 of the Effective Tax Rate Worksheet.	\$0.618718/\$100
3. Taxes refunded for years preceding tax year 2015. Enter Line 13 of the Effective Tax Rate Worksheet.	\$7,690
4. 2015 tax levy. Multiply line 1 times line 2 and divide by 100. To the result, add line 3.	\$5,824,812
5. 2016 total taxable value. Enter line 19 of the Effective Tax Rate Worksheet.	\$1,059,759,897
6. 2016 proposed tax rate. Enter the proposed tax rate approved by the Governing Body.	\$0.618411/\$100
7. 2016 tax levy. Multiply line 5 times line 6 and divide by 100.	\$6,553,672
8. Tax levy increase (decrease). Subtract line 4 from line 7.	\$728,860
9. Percentage levy increase (decrease). Divide line 8 by line 4. Multiply by 100.	12.51%
10. Notice & hearing limit. Enter the lower of the effective tax rate or the rollback tax rate.	\$0.550395
11. Percentage tax increase (decrease)*. Subtract Line 10 from Line 6. Divide result by Line 10. Multiply by 100.	12.36%

\*Amount by which the proposed tax rate exceed the lower of the rollback tax rate or the effective tax rate. This figure was previously published in the Notice of Public Hearing on Tax Increase and the Notice of Tax Revenue Increase.



## AGENDA MEMORANDUM

**DATE:** July 29, 2016

**TO:** Honorable Mayor and Council

**FROM:** Greg Vick, City Manager 

**SUBJECT:** Discussion and action on setting the Public Hearings on a Proposed Tax Rate of \$0.618411 per \$100 valuation for Fiscal Year 2016-2017 on August 15, 2016 during the Regular Meeting of the City Council and on August 29, 2016 at a Special Meeting of the City Council both meetings to be held at 6:30 p.m. in the City Council Chamber at 7105 Whitley Road, Watauga, Texas 76148

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### **Background/Information:**

The rate of \$0.618411 per \$100.00 valuation property tax rate is proposed in the City Manager's Proposed Budget for Fiscal Year 2016-2017 which was presented to Council and available for public view on August 1, 2016.

It is recommended that the City Council conduct two (2) public hearings on the recommended rate on August 15, 2016 and August 29, 2016 at 6:30 p.m. in the City Council Chamber at 7105 Whitley Road, Watauga, Texas 76148.

### **Financial Implications:**

Failure to hold the public hearings could jeopardize the City's ability to collect taxes for funding during Fiscal Year 2016-2017.

### **Recommendation/Action Desired:**

Selection of August 15, 2016 and August 29, 2016 as the dates to hold the public hearings on the proposed tax rate of \$0.618411 per \$100 valuation for Fiscal Year 2016-2017.

### **Attachments:**

1) None