



**AGENDA
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, NOVEMBER 14, 2016
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.

PRESENTATION

1. Presentation of a Proclamation to DeVivo Bros. Eatery, in honor of their many contributions to the City of Watauga and the law enforcement community
Hector F. Garcia, Mayor

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. Approve Monthly Financial Report – expenses and revenues for all funds from October 1, 2016, through October 31, 2016
Greg Vick, City Manager
Sandra Gibson, Director of Finance, CGFO
2. Approve City Council Regular Meeting Minutes of August 15, 2016
Zolaina R. Parker, City Secretary
3. Approve City Council Special Meeting Minutes of August 29, 2016
Zolaina R. Parker, City Secretary
4. Approve City Council Regular Meeting Minutes of September 7, 2016
Zolaina R. Parker, City Secretary
5. Approve City Council Special Meeting Minutes of September 19, 2016
Zolaina R. Parker, City Secretary
6. Approve City Council Regular Meeting Minutes of October 24, 2016
Zolaina R. Parker, City Secretary
7. Approval of a proposed resolution eliminating section 16.1, 20.1, 20.3, 20.4, 20.5, 20.6 and 20.8 and replacing with policy 7.01, eliminating section 20.12 and replacing with policy 7.05, eliminating section 13.16 and replacing with policy 9.01 and adding new policy 14.02 of the City of Watauga Personnel, Administration and Financial Policies and Procedures Manual [CAPTION]
Greg Vick, City Manager
Marcia Reyna, Director of Human Resources/Civil Service Director
8. Approval of a proposed resolution amending the FY 2016-17 Classification Plan for Full-Time, Part-Time, Seasonal (General Government) employees [CAPTION]
Greg Vick, City Manager
Marcia Reyna, Director of Human Resources/Civil Service Director

PUBLIC HEARING

1. Planning and Zoning Case 16-08: Consider amendments to the City of Watauga Code of Ordinances, Chapter 40, Section 40-4 of the Code of Ordinances for the City of Watauga, Texas addressing visibility triangles; amending Chapter 115, Section 63 (8) for addressing visibility triangles, amending Chapter 115, Section 115-117 due to the relocation of subsections to Chapter 26; amending Chapter 26, Section 26-97 to add subsections relocated from Chapter 115

- 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 16-08, regarding amendments to Chapter 40, Section 40-4 of the Code of Ordinances of the City of Watauga, Texas, addressing visibility triangles; amending Chapter 115, Section 63(8) for addressing visibility triangles, amending Chapter 115, Section 115-117 due to the relocation of subsections to Chapter 26; amending Chapter 26, Section 26-97 to add subsections relocated from Chapter 115 [CAPTION]
Greg Vick, City Manager
Jacquelyn Reyff, AICP, Director of Planning and Economic Development
Paul Hackleman, Director of Public Works

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.

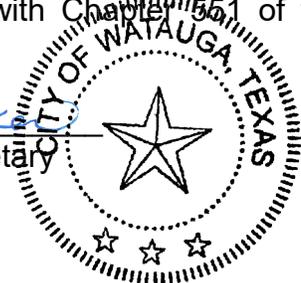
ADJOURNMENT

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, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on Wednesday, November 9, 2016, before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.


Zolaina R. Parker, City Secretary





**CITY OF WATAUGA FINANCE DEPARTMENT
INTEROFFICE CORRESPONDENCE**

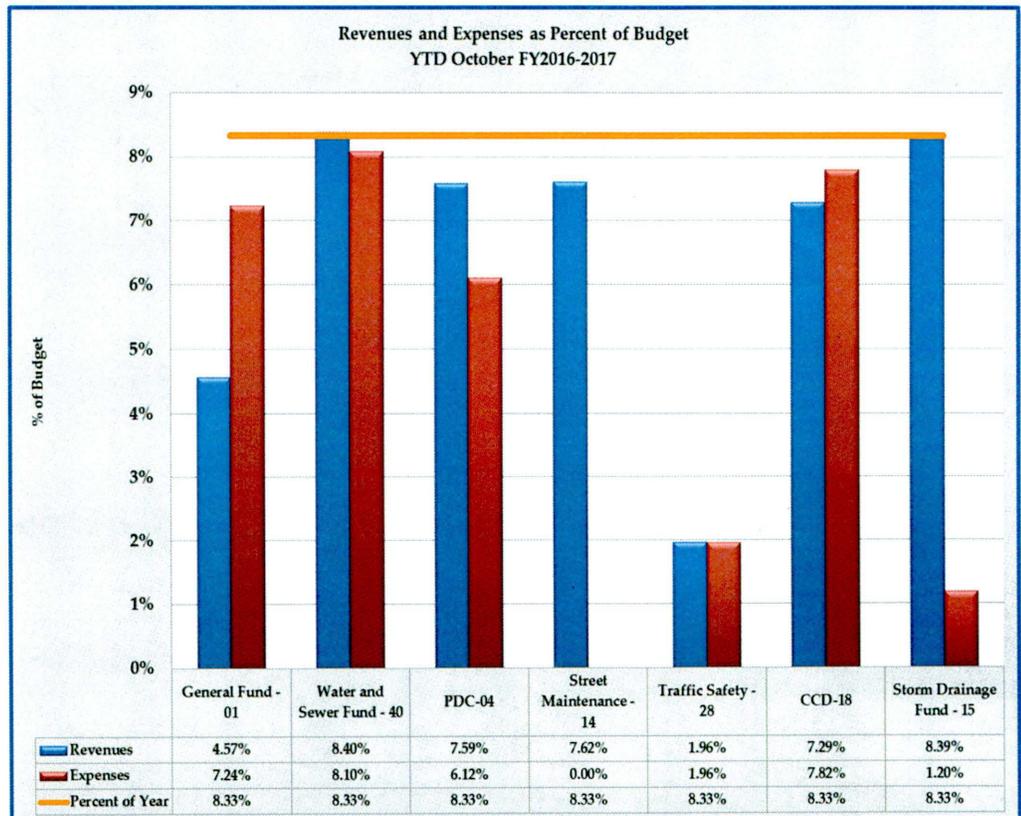
DATE: November 8, 2016
TO: Honorable Mayor and City Council
THROUGH: Greg Vick, City Manager *GV*
FROM: Sandra Gibson, Director of Finance and Administration *S. Gibson*
SUBJECT: Monthly Report – October, 2016

Sales Tax

The City’s monthly sales tax distribution from the State Comptroller received in the month of November, 2016 (reflecting September sales receipts) decreased by 7.2%, or \$30,801. Since this sales tax distribution is attributable to the month of September, these receipts will be recorded in FY2015-2016.

Financial Highlights

October is the first month of the fiscal year and many of the revenues and expenditures are accrued back to FY2015-2016. Through October, 2016, the City is 8% through the fiscal year. Year-to-date revenues and expenditures are shown on the chart below. Details of each fund’s revenues and expenditures are attached.

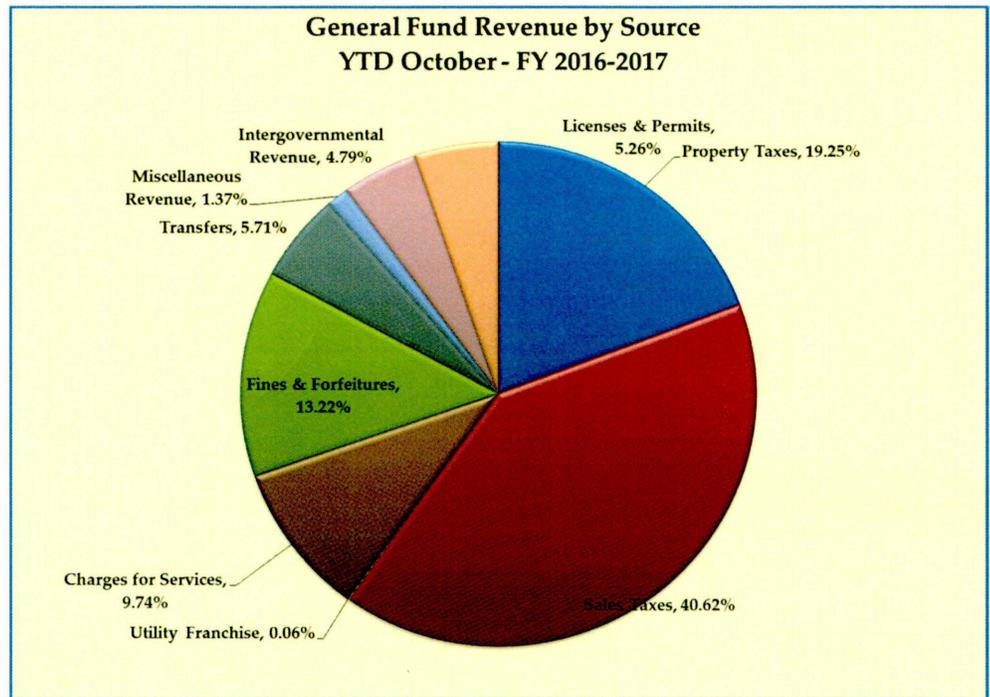


General Fund

Year-to-date revenues are 3% less in comparison to last year at this time, representing 4.6% of budget collected.

Property Tax. The City has received 2.2% of budgeted property taxes. Most of these revenues are received in December and January.

Sales Tax. Year-to-date, sales tax receipts in the General Fund are at 7.5% of budget (accrual basis).



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

Licenses and Permits - License and permit fees are at 8.2% of budget collected.

Charges for Services - Charges for Services receipts are at 7.1% of budget at this time.

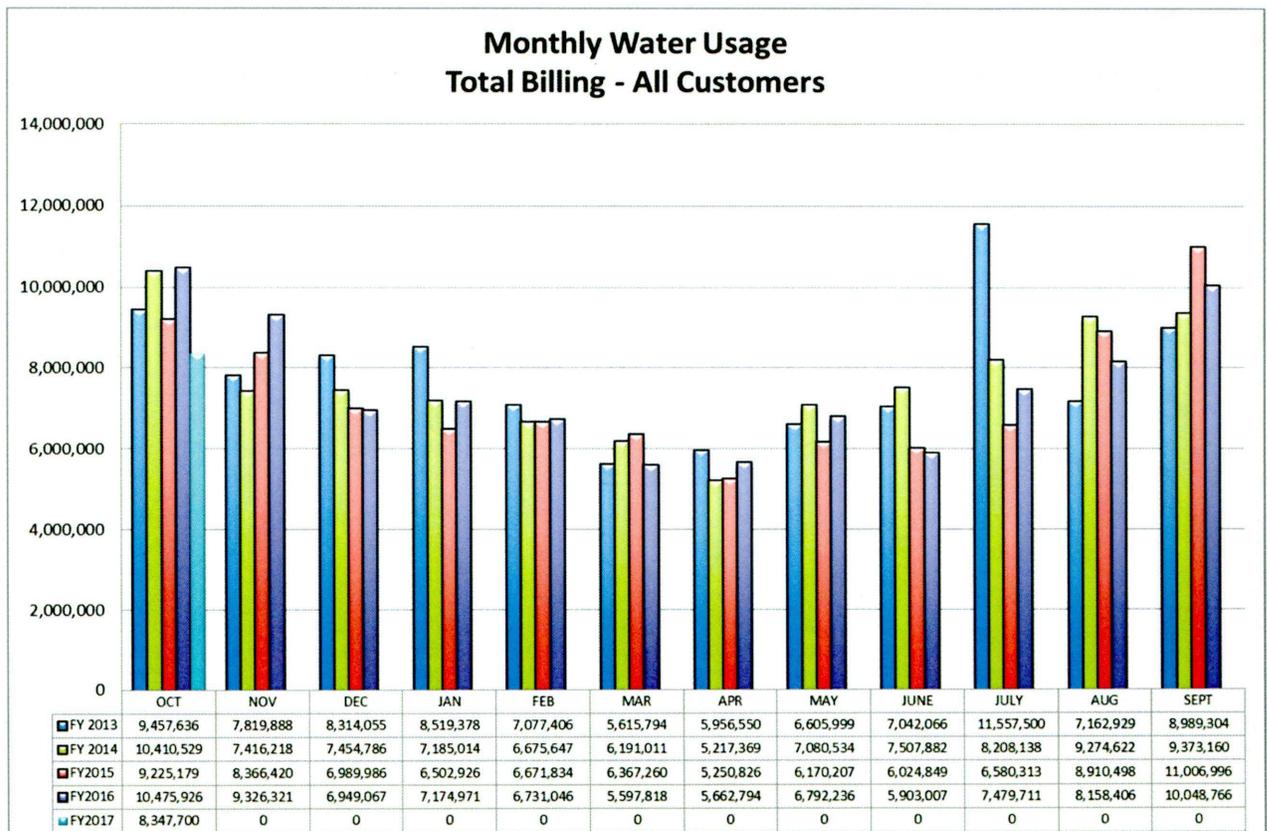
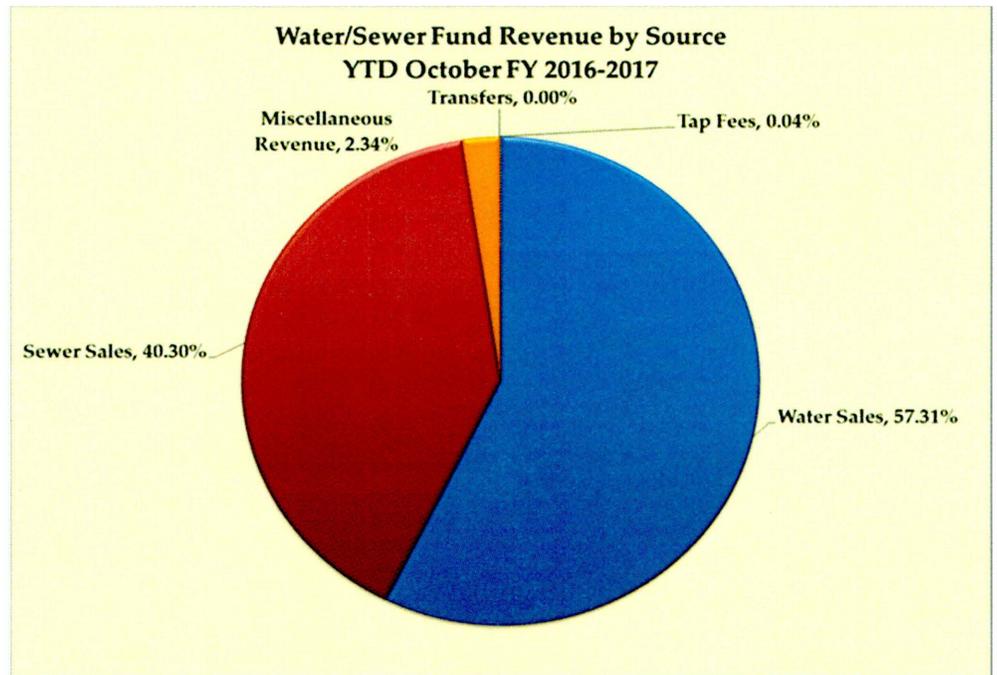
Fines and Forfeitures - Fines and Forfeitures collections as of October 2016 are up \$15,569, or 27.0% in comparison with October 2015. Year-to-date collections are at 9.8% of budget collected.

Miscellaneous Revenue. Miscellaneous revenue received total \$7,574 which is 2.7% of budgeted revenues.

Intergovernmental Revenue and Transfers. Intergovernmental Revenue is 5.3% of budget and Transfers are 5.5% of budget.

Water and Sewer Fund

Water and sewer revenues are currently at 8.4% of budgeted revenues. Water sales decreased by \$86,579 due to a decrease in consumption. Water consumption for the month of September (billed in October) was down by 20% in comparison with prior year consumption for the same period. Year-to-date expenses are currently at 8.1%.



Miscellaneous Sales - Miscellaneous sales include penalty revenue, EPA revenue, service charges, returned check fees, and damaged/tampering fees. This category of revenue is on target at 8.1% of budget collected.

Storm Drain Fund – Revenues are on target at 8.4% of budget collected. Expenses are at 1.2% of budget in this fund through October 2016.

Special Revenue Funds - In the Street Maintenance Fund, revenues are 7.6% of budget collected and no expenditures have been recorded at this time at this time. The Crime Control and Prevention District has collected 7.3% of budgeted sales tax revenues and is at 7.8% of budget expended. The Parks Development Fund has collected 7.6% of sales tax revenues and is at 6.1% of budget expended through October, 2016.

Traffic Safety Fund – In the Traffic Safety (Red Light Camera) fund, fines and forfeitures are 8.6% of budget collected and expenses are 2% of budget expended.

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

GENERAL FUND - 01

REVENUE:	CURRENT BUDGET	10/31/2016 YTD ACTUAL	% USED	% REMAINING	10/31/2015 YTD ACTUAL	\$ CHG 17 vs 16	% CHG 17 vs 16
TAXES							
AD VALOREM	4,767,318	106,508	2.23%	97.77%	88,802	17,706	19.94%
Delinquent	30,000	1,314	4.38%	95.62%	3,768	(2,454)	-65.13%
Penalty & Interest	27,000	1,097	4.06%	95.94%	971	126	12.95%
SALES TAX	3,016,227	224,751	7.45%	92.55%	225,018	(266)	-0.12%
UTILITY FRANCHISE	1,100,000	318	0.03%	99.97%	32	286	0.90%
LICENSES & PERMITS	353,000	29,082	8.24%	91.76%	24,998	4,084	16.34%
INTERGOVERNMENTAL REVENUE	501,000	26,514	5.29%	94.71%	47,219	(20,705)	-43.85%
OIL & GAS LEASE REVENUE	-	-	-	-	-	0	-
CHARGES FOR SERVICES	758,000	53,882	7.11%	92.89%	62,823	(8,941)	-14.23%
FINES & FORFEITURES	745,700	73,159	9.81%	90.19%	57,591	15,569	27.03%
MISCELLANEOUS INCOME	282,100	7,574	2.68%	97.32%	9,531	(1,957)	-20.53%
OPERATING TRANSFERS IN	569,000	31,579	5.55%	94.45%	52,489	(20,910)	-39.84%
TOTAL REVENUE	\$12,149,345	\$555,780	4.57%	95.43%	\$573,242	(\$17,462)	-3.05%
TOTAL EXPENDITURES	\$13,081,676	\$947,530	7.24%	92.76%	\$900,613	\$46,917	5.21%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$932,331)	(\$391,750)			(\$327,371)	(\$64,378.65)	

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

WATER & SEWER - 40

REVENUE:	CURRENT BUDGET	10/31/2016 YTD ACTUAL	% USED	% REMAINING	10/31/2015 YTD ACTUAL	\$ CHG 17 vs 16	% CHG 17 vs 16
WATER SALES	4,650,000	411,873	8.86%	91.14%	498,452	(86,579)	-17.37%
SEWER SALES	3,700,000	289,600	7.83%	92.17%	296,586	(6,985)	-2.36%
MISCELLANEOUS	209,000	16,840	8.06%	91.94%	16,632	208	1.25%
PENALTY	205,000	17,668	8.62%	91.38%	14,969	2,699	18.03%
INTEREST	5,000	225	4.51%	95.49%	-	225	-
TRANSFERS	-	-	-	-	-	-	-
TAP FEES	-	300	-	-	-	300	-
SALE OF ASSETS	-	-	-	-	-	-	-
 TOTAL REVENUE	 \$8,769,000	 \$736,507	 8.40%	 91.60%	 \$826,639	 (\$90,132)	 -10.90%
 TOTAL EXPENDITURES	 \$8,209,788	 \$665,005	 8.10%	 91.90%	 \$948,969	 (\$283,964)	 -29.92%
 EXCESS REVENUE OVER (UNDER) EXPENDITURES	 \$559,212	 \$71,502			 (\$122,330)	 \$193,832	

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

PARKS DEVELOPMENT FUND - 04

REVENUE:	<u>CURRENT BUDGET</u>	<u>10/31/2016 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>10/31/2015 YTD ACTUAL</u>	<u>\$ CHG 17 vs 16</u>	<u>% CHG 17 vs 16</u>
SALES TAX	744,935	56,542	7.59%	92.41%	56,610	(68)	-0.12%
INTEREST EARNINGS	1,000	93	9.31%	90.69%	58	35	-
INTEREST/ESCROW	-	-	-	-	-	-	-
CONTRIBUTIONS/OTHER	-	-	-	-	-	-	-
TOTAL REVENUE	\$745,935	\$56,635	7.59%	92.41%	\$56,668	(32)	-0.12%
TOTAL EXPENDITURES	748,150	45,819	6.12%	93.88%	\$ 53,724	(7,905)	-14.71%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$2,215)	\$10,817			\$2,943	\$7,873	

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

STREET MAINTENANCE FUND - 14

REVENUE:	CURRENT BUDGET	10/31/2016 YTD ACTUAL	% USED	% REMAINING	10/31/2015 YTD ACTUAL	\$ CHG 17 vs 16	% CHG 17 vs 16
SALES TAX	733,044	55,833	7.62%	92.38%	55,899	(66)	(0 00)
INTEREST EARNINGS	1,000	98	-	-	59	(55,801)	-
INTEREST/ESCROW	-	-	-	-	-	0	-
CONTRIBUTIONS/OTHER	-	-	-	-	-	0	-
TOTAL REVENUE	\$ 734,044	\$55,931	7.62%	92.38%	55,958	(\$55,866)	-99.84%
TOTAL EXPENDITURES	710,000	-	0.00%	100.00%	-	\$0	
EXCESS REVENUE OVER (UNDER) EXPENDITURES	\$24,044	\$55,931			\$55,958	(\$26)	

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

Traffic Safety - 28

REVENUE:	<u>CURRENT BUDGET</u>	<u>10/31/2016 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>10/30/2015 YTD ACTUAL</u>	<u>\$ CHG 17 vs 16</u>	<u>% CHG 17 vs 16</u>
FINES & FORFEITURES	680,000	62,350	9.17%	90.83%	52,592	9,759	18.56%
MISC GRANT PROCEEDS	-	-	-	-	-	-	-
TOTAL REVENUE	680,000	62,350	9.17%	90.83%	52,592	9,759	18.56%
TOTAL EXPENDITURES	478,560	9,401	1.96%	98.04%	8,023	1,377	17.17%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	\$201,440	\$52,949			\$44,568	\$8,381	

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

CRIME CONTROL DISTRICT - 18

REVENUE:	<u>CURRENT BUDGET</u>	<u>10/31/2016 YTD ACTUAL</u>	<u>% USED</u>	<u>% REMAINING</u>	<u>10/31/2015 YTD ACTUAL</u>	<u>\$ CHG 17 vs 16</u>	<u>% CHG 17 vs 16</u>
SALES TAX	1,490,000	111,909	7.51%	92.49%	112,129	(220)	-0.20%
INTEREST EARNING/OTHER	47,500	232	0.49%	-	84	148	175.15%
MIS GRANT PROCEEDS	-	-	0.00%	100.00%	-	-	-
	-	-	-	-	-	-	-
TOTAL REVENUE	\$1,537,500	\$112,142	7.29%	92.71%	\$112,214	(\$72)	-0.06%
TOTAL EXPENDITURES	1,539,700	120,335	7.82%	92.18%	\$105,831	\$14,503	13.70%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$2,200)	(\$8,193)			\$6,382	(\$14,575)	

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

STORM DRAIN FUND - 15

REVENUE:	CURRENT BUDGET	10/31/2016 YTD ACTUAL	% USED	% REMAINING	10/31/2015 YTD ACTUAL	\$ CHG 17 vs 16	% CHG 17 vs 16
USERS FEE	1,415,000	118,407	8.37%	91.63%	118,342	65	0.05%
OTHER REVENUE	-	-	-	-	-	-	-
INTEREST INCOME	3,500	623	17.80%	82.20%	322	301	-
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TOTAL REVENUE	\$1,418,500	\$119,030	8.39%	91.61%	\$118,663	\$367	0.31%
TOTAL EXPENDITURES	\$2,849,251	\$34,202	1.20%	98.80%	\$37,496	(\$3,294)	-8.79%
EXCESS REVENUE OVER (UNDER) EXPENDITURES	(\$1,430,751)	\$84,828			\$81,167	\$3,661	

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, AUGUST 15, 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 6:30 p.m., with the following members present:

Hector F. Garcia	Mayor
Hal Gerhardt	Mayor Pro Tem
Brandon Krausse	Council Member
Lee Griffin	Council Member
James Wright	Council Member
Melva Clark	Council Member
Patrick Shelbourne	Council Member
Robert Davis	Council Member

and

Greg Vick	City Manager
Jessika Velasquez	Assistant to City Attorney
Zolaina R. Parker	City Secretary
Sandra Gibson	Director of Finance and Administration, CGFO
Paul Hackleman	Public Works Director
Glen Fowler	Police Chief
William Crawford	Fire Chief
Sal Torres	Parks and Community Services Director
Lana Ewell	Library Director
Jacquelyn Reyff	Planning and Development Manager
Bradley Fraley	Chief Information Officer

COUNCIL MEETING

CALL TO ORDER

Mayor Garcia called the meeting to order at 6:30 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

Council Member Wright made a motion to approve the meeting agenda as posted. Council Member Clark seconded the motion, which passed as follows:

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

CITIZEN'S OPEN FORUM

None.

PRESENTATIONS

1. Statement of Notice on Tax Vote

Mayor Garcia provided a Statement of Notice on Tax Vote.

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

1. Approve City Council Workshop Meeting Minutes of July 25, 2016
2. Approve City Council Regular Meeting Minutes of July 25, 2016
3. Approve City Council Special Meeting Minutes of August 3, 2016
4. Approve reappointment of Mr. Barry Sullivan to the Civil Service Commission, Place 3
5. Approve reappointment of Ms. Rachel Pilgrim to the Library Board, Place 2
6. Approve reappointment of Ms. Henrietta Egenti to the Library Board, Place 4
7. Approve reappointment of Ms. Mary Guerra to the Library Board, Place 6

8. Approve reappointment of Mrs. Kay Ivey to the Planning and Zoning Commission, Place 2
9. Approve reappointment of Mr. Ron Holland to the Planning and Zoning Commission, Place 4
10. Approve reappointment of Mr. Sergio Molina to the Planning and Zoning Commission, Place 6
11. Approve reappointment of Mr. James Kite to the Zoning Board of Adjustment, Place 2
12. Approve reappointment of Mrs. Roma Bowman to the Zoning Board of Adjustment, Place 4
13. Approve resignation of Mr. H. Glenn Knight from the Watauga Parks Development Corporation, Place 6
14. Approve appointment of Detective Milissa Heidi Tank-Holland to the Watauga Improving Neighborhoods Committee, Place 2
15. Approval of Mayor's recommendation to appoint Paul Hackleman, Director of Public Works, as the Voting Member of the City of Fort Worth Water and Wastewater System Advisory Committee and Brandon Dupree, Utility Superintendent, as the Alternate Member for the Fiscal Years beginning October 1, 2016 through September 30, 2018

PUBLIC HEARING

1. Public Hearing on the Proposed Budget for the Watauga Crime Control and Prevention District for Fiscal Year 2016-2017
 - a. Open Public Hearing-allow for staff comments

Mayor Garcia recessed the Regular Meeting and opened the public hearing at 6:36 p.m.
 - b. Public Comments

There were no public comments.
 - c. Close Public Hearing

Mayor Garcia closed the public hearing and reconvened the Regular Meeting at 6:37 p.m.

2. Public Hearing on the Proposed Tax Rate of \$0.618411 per \$100.00 valuation for Fiscal Year 2016-2017

a. Open Public Hearing-allow for staff comments

Mayor Garcia recessed the Regular Meeting and opened the public hearing at 6:37 p.m.

b. Public Comments

There were no public comments.

c. Close Public Hearing

Mayor Garcia closed the public hearing and reconvened the Regular Meeting at 6:39 p.m.

NEW BUSINESS

1. Discussion and action on approval of the Watauga Crime Control and Prevention District Budget for Fiscal Year 2016-2017

Council Member Wright made a motion to approve the Watauga Crime Control and Prevention District Budget for Fiscal Year 2016-2017. Council Member Krausse seconded the motion, which passed as follows:

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

2. Discussion and action, if any, in relation to the Proposed Tax Rate of \$0.618411 per \$100.00 valuation for Fiscal Year 2016-2017, as discussed during the Public Hearing

Council Member Krausse made a motion to take no action. Council Member James Wright seconded the motion, which passed as follows:

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

3. 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

Mayor Pro Tem Gerhardt made a motion to take no action. Council Member Krausse seconded the motion, which passed as follows:

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

4. Discussion and action on approval of a proposed ordinance amending the Fiscal Year 2015-2016 Budget to include additional appropriations in the amount of \$180,000 for security enhancements

Council Member Clark made a motion to approve a proposed ordinance amending the Fiscal Year 2015-2016 Budget to include additional appropriations in the amount of \$180,000 for security enhancements. Mayor Pro Tem Gerhardt seconded the motion, which passed as follows:

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

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 ORDINANCE NO. 1626

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

5. Discussion and action on approval of Phase I - Security Enhancements Plan; to include approval of a contract with Knight Security in an amount of \$133,630.59, for a total implementation cost not to exceed \$210,000

Council Member Wright made a motion to approve Phase I - Security Enhancements Plan; to include approval of a contract with Knight Security in an amount of

Minutes
City Council Regular Meeting
August 15, 2016
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\$133,630.59, for a total implementation cost not to exceed \$210,000. Council Member Krausse seconded the motion, which passed as follows:

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

ADJOURNMENT

With there being no further business, Mayor Garcia adjourned the meeting at 6:51 p.m.

APPROVED: this 14th day of November, 2016.

SIGNED: this 14th day of November, 2016.

APPROVED:

Hector F. Garcia, Mayor

ATTEST:

Zolaina R. Parker, City Secretary

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

**MINUTES
WATAUGA CITY COUNCIL
SPECIAL MEETING
MONDAY, AUGUST 29, 2016
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 P.M.**

The City Council of the City of Watauga, Texas convened in Special Session at 6:30 p.m., with the following members present:

Hector F. Garcia	Mayor
Hal Gerhardt	Mayor Pro Tem
Brandon Krausse	Council Member
James Wright	Council Member
Melva Clark	Council Member
Patrick Shelbourne	Council Member
Robert Davis	Council Member

and

Greg Vick	City Manager
Mark G. Daniel	City Attorney
Zolaina R. Parker	City Secretary
Sandra Gibson	Director of Finance and Administration, CGFO
Paul Hackleman	Public Works Director
Robert Parker	Assistant Police Chief
William Crawford	Fire Chief
Marcia Reyna	Human Resources/Civil Service Director
Lana Ewell	Library Director
Jacquelyn Reyff	Planning and Development Manager
Bradley Fraley	Chief Information Officer

with

Council Member Lee Griffin, absent with notice.

COUNCIL MEETING

CALL TO ORDER

Mayor Garcia called the meeting to order at 6:30 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 Gerhart made a motion to meeting agenda as presented. Council Member Davis seconded the motion, which passed as follows:

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

CITIZEN'S OPEN FORUM

None.

PRESENTATION

1. Statement of Notice on Tax Vote

Mayor Garcia read the statement of notice on tax vote.

2. Presentation regarding Birdville Independent School District proposed School Bus Stop Arm Camera Program (*Discussion during New Business Number 1*)

David Jackson, American Traffic Solutions and Robert Parker, Assistant Police Chief, provided a presentation regarding Birdville Independent School District proposed School Bus Stop Arm Camera Program.

CONSENT AGENDA

Council Member Shelbourne made a motion to approve the agenda as presented. Council Member Davis seconded the motion, which passed as follows:

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

1. Approval of Monthly Financial Report – expenses and revenues for all funds from July 1, 2016, through July 31, 2016
2. Approve reappointment of Mr. Ron Holland to the Planning and Zoning Commission, Place 4

3. Approve reappointment of Mr. Sergio Molina to the Planning and Zoning Commission, Place 6
4. Approve reappointment of Ms. Rachel Pilgrim to the Library Board, Place 2

PUBLIC HEARING

1. Hold a Public Hearing on the proposed budget for the Watauga Parks and Development Corporation for Fiscal Year 2016-2017
 - a. Open Public Hearing-allow for staff comments
Mayor Garcia recessed the Regular Meeting and 6:54 p.m.
 - b. Public Comments
No citizens came forward to speak.
 - c. Close Public Hearing
Mayor Garcia closed the Public Hearing at 6:55 p.m.
2. Hold a second and final Public Hearing on the proposed tax rate of \$0.618411 per \$100.00 valuation for Fiscal Year 2016-2017
 - a. Open Public Hearing-allow for staff comments
Mayor Garcia recessed the Regular Meeting at 6:55 p.m.
 - b. Public Comments
No citizens came forward to speak.
 - c. Close Public Hearing
Mayor Garcia closed the Public Hearing at 6:56 p.m.
3. Hold a Public Hearing for citizen input on the proposed City of Watauga Budget for Fiscal Year 2016-2017
 - a. Open Public Hearing-allow for staff comments
Mayor Garcia recessed the Regular Meeting at 6:56 p.m.
 - b. Public Comments

No citizen came forward to speak.

c. Close Public Hearing

Mayor Garcia closed the Public Hearing at 6:57 p.m., and reconvened the Regular Meeting.

NEW BUSINESS

1. Discussion and possible action on approval of a traffic safety proposal from Birdville Independent School District regarding School Bus Stop Arm Camera Program; and directing the City Manager to move forward in the development of an ordinance and interlocal agreement for participation

Mayor Pro Tem Gerhardt made a motion to direct the City Manager to move forward in the development of an ordinance and interlocal agreement and whatever else is necessary for the participation with Birdville Independent School District regarding School Bus Stop Arm Camera Program. Council Member Wright seconded the motion, which passed as follows:

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

2. Discussion and possible action on the proposed tax rate of \$0.618411 per \$100.00 valuation for Fiscal Year 2016-2017 discussed during the Public Hearing

Council Member Shelbourne made a motion to take no action. Mayor Pro Tem Gerhardt seconded the motion, which passed as follows:

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

3. Discussion and possible action authorizing Tarrant County to perform aerial spraying for mosquitos in the City of Watauga once Risk Level 4 is reached, for a fee in an amount not to exceed \$5,028.88

Council Member Wright made a motion authorizing Tarrant County to perform aerial spraying for mosquitos in the City of Watauga once Risk Level 4 is reached, for a fee in an amount not to exceed \$5,028.88. Council Member Clark seconded the motion, which passed as follows:

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

4. CONSIDERATION AND APPROVAL OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF WATAUGA, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SAID CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN OFFICIAL BID FORM; COMPLYING WITH THE REQUIREMENTS OF THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENTS WITH THE CITY'S FINANCIAL ADVISORS AND/OR BOND COUNSEL; AND PROVIDING AN EFFECTIVE DATE [CAPTION]

Mayor Pro Tem Gerhardt made a motion to approve the attached Ordinance awarding the sale and establishing the final pricing structure for the Obligations designated as "City of Watauga, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 20 16" resolving other matters incident and related to the issuance and sale of said Certificates, including the approval and distribution of an Official Statement pertaining thereto; and other matters in connection therewith. Council Member Shelbourne seconded the motion, which passed as follows:

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

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 ORDINANCE NO. 1627

CONSIDERATION AND APPROVAL OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF WATAUGA, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SAID CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN OFFICIAL BID FORM; COMPLYING WITH THE REQUIREMENTS OF THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENTS WITH THE CITY'S FINANCIAL ADVISORS AND/OR BOND COUNSEL; AND PROVIDING AN EFFECTIVE DATE

5. Discussion on overview of proposed Classification and Compensation Implementation Plan and results of study

There was no discussion and no action taken.

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

There was no discussion and no action taken.

ADJOURNMENT

With there being no further business, Mayor Garcia adjourned the meeting at 7:50 p.m.

APPROVED: this 14th day of November, 2016.

SIGNED: this 14th day of November, 2016.

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APPROVED:

Hector F. Garcia, Mayor

ATTEST:

Zolaina R. Parker, City Secretary

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

MINUTES DRAFT

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
WEDNESDAY, SEPTEMBER 7, 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 6:32 p.m., with the following members present:

Hector F. Garcia	Mayor
Hal Gerhardt	Mayor Pro Tem
Brandon Krausse	Council Member
Lee Griffin	Council Member
James Wright	Council Member
Melva Clark	Council Member
Patrick Shelbourne	Council Member
Robert Davis	Council Member

and

Greg Vick	City Manager
Mark G. Daniel	City Attorney
Zolaina R. Parker	City Secretary
Sandra Gibson	Director of Finance and Administration, CGFO
Paul Hackleman	Public Works Director
Glen Fowler	Police Chief
William Crawford	Fire Chief
Marcia Reyna	Human Resources/Civil Service Director
Sal Torres	Parks and Community Services Director
Lana Ewell	Library Director
Jacquelyn Reyff	Planning and Development Manager
Bradley Fraley	Chief Information Officer

COUNCIL MEETING

CALL TO ORDER

Mayor Garcia called the meeting to order at 6:32 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 meeting agenda as posted. Council Member Davis seconded the motion, which passed as follows:

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

CITIZEN'S OPEN FORUM

None.

PRESENTATION

1. Presentation of an award to the City of Watauga for Planning Excellence

Mayor Garcia presented an award to the City of Watauga for Planning Excellence. Jacquelyn Reyff, Planning and Development Manager, accepted the award.

REPORTS

1. Administration – Update regarding Strategic Plan

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

PUBLIC HEARING

1. Platting Case 16-01: Request for approval of a final plat, for Lot 4R, Block 16, Astor Heights, being a replat of Lots 3 & 4, Block 16, Astor Heights Addition located north of Watauga Road and east of Whitley Road, also known as 6508 and 6512 N. Stardust Drive. Chad G. and Carrie L. Gore, owners/applicants. Salter Engineering & Surveying, Inc./Surveyor.
 - a. Open Public Hearing-allow for staff comments

Mayor Garcia recessed the Regular meeting and opened the Public Hearing at 6:46 p.m.; Jacquelyn Reyff, Planning and Development Manager, presented case 16-01.
 - b. Public Comments

There were no public comments.

c. Close Public Hearing

Mayor Garcia closed the Public Hearing and reconvened the Regular Meeting at 6:48 p.m.

NEW BUSINESS

1. Discussion and action on approval of a proposed ordinance electing for the City of Watauga to make current service and prior service contributions to the City's Account in the benefit accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation [CAPTION]

Council Member Shelbourne made a motion to approve an ordinance electing for the City of Watauga to make current service and prior service contributions to the City's Account in the benefit accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation. Council Member Wright seconded the motion, which passed as follows:

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

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 ORDINANCE NO. 1628

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ELECTING FOR THE CITY TO MAKE CURRENT SERVICE AND PRIOR SERVICE CONTRIBUTIONS TO THE CITY'S ACCOUNT IN THE BENEFIT ACCUMULATION FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM AT THE ACTUARIALLY DETERMINED RATE OF TOTAL EMPLOYEE COMPENSATION; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EX PENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE

2. Discussion and action Platting Case 16-01: Request for approval of a final plat, for Lot 4R, Block 16, Astor Heights, being a replat of Lots 3 & 4, Block 16, Astor Heights Addition located north of Watauga Road and east of Whitley Road, also known as 6508 and 6512 N. Stardust Drive

Council Member Wright made a motion to approve Platting Case 16-01: Request for approval of a final plat, for Lot 4R, Block 16, Astor Heights, being a replat of Lots 3 & 4, Block 16, Astor Heights Addition located north of Watauga Road and east of Whitley Road, also known as 6508 and 6512 N. Stardust Drive. Mayor Pro Tem Gerhardt seconded the motion, which passed as follows:

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

3. Discussion and action on approval of amendment to Burgess & Niple Engineering Contract for the design of Bursey Road-Phase II, from Willis Lane to Rufe Snow Drive, in an amount not to exceed \$250,000

Mayor Pro Tem Gerhardt made a motion to approve an amendment to Burgess & Niple Engineering Contract for the design of Bursey Road-Phase II, from Willis Lane to Rufe Snow Drive, in an amount not to exceed \$250,000. Council Member Wright seconded the motion, which passed as follows:

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

4. Discussion and action on approval of a resolution to adopt and implement the Fiscal Year 2016-17 Classification Plan for Full Time, Part Time, Seasonal and Civil Service Employees [RESOLUTION]

Council Member Wright made a motion to approve a resolution to adopt and implement the Fiscal Year 2016-17 Classification Plan for Full Time, Part Time, Seasonal and Civil Service Employees. Council Member Krausse seconded the motion, which passed as follows:

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

The resolution as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 RESOLUTION NO. 16-09-07-01

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING THE CLASSIFICATION PLAN AND PAY SCHEDULE FOR FULL-TIME,PART-TIME, SEASONAL AND CIVIL SERVICE EMPLOYEES FOR THE 2016 - 2017 FISCAL YEAR; PROVIDING FOR AN INCREASE TO THE MINIMUM, MIDPOINT, AND MAXIMUM PAY RANGES FOR FULL-TIME EMPLOYEES BASED ON RECOMMENDATIONS BY THE 2016 CLASSIFICATION COMPENSATION STUDY; PROVIDING FOR AN INCREASE IN THE HOURLY RATE OF PAY FOR PARTTIME AND SEASONAL EMPLOYEES BASED ON RECOMMENDATIONS BY THE 2016 CLASSIFICATION COMPENSATION STUDY; PROVIDING FOR AN INCREASE TO THE STEP PLAN FOR CIVIL SERVICE EMPLOYEES BASED ON RECOMMENDATIONS BY THE 2016 CLASSIFICATION COMPENSATION STUDY; PROVIDING FOR THE RECLASSIFICATION OF POSITIONS; 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

5. Discussion and action on a resolution that continues the Park Vista Public Improvement District through Fiscal Year 2016-2017 [CAPTION]

Council Member Wright made a motion to approve a resolution that continues the Park Vista Public Improvement District through Fiscal Year 2016-2017. Council Member Krausse seconded the motion, which passed as follows:

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

The resolution as approved carries the following caption:

CITY OF WATAUGA,TEXAS
 RESOLUTION NO. 16-09-07-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA AUTHORIZING THE CONTINUATION OF THE PARK VISTA PUBLIC IMPROVEMENT DISTRICT ESTABLISHED JANUARY 1999 AS PROVIDED BY CHAPTER 372 OF THE LOCAL GOVERNMENT CODE; DESCRIBING THE METHOD OF ASSESSMENT; 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

6. Discussion and action on an ordinance authorizing the levying of an assessment rate of \$0.00 per \$100.00 of assessed value of property located in the Park Vista Public Improvement District (PID) for Fiscal Year 2016-2017 [CAPTION]

Council Member Krausse made a motion to approve an ordinance authorizing the levying of an assessment rate of \$0.00 per \$100.00 of assessed value of property located in the Park Vista Public Improvement District (PID) for Fiscal Year 2016-2017. Council Member Wright seconded the motion, which passed as follows:

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

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 ORDINANCE NO. 1629

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS LEVYING ASSESSMENTS FOR USE AND SUPPORT OF THE PARK VISTA PUBLIC IMPROVEMENT DISTRICT OF THE CITY OF WATAUGA, TEXAS FOR THE 2016-2017 FISCAL YEAR; PROVIDING THAT ALL ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE

7. Discussion and action on approval of the Watauga Parks Development Corporation proposed budget for Fiscal Year 2016-2017

Council Member Wright made a motion to approve the Watauga Parks Development Corporation proposed budget for Fiscal Year 2016-2017. Council Member Shelbourne seconded the motion, which passed as follows:

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

8. Discussion and action on a proposed resolution approving the Tax Assessment Roll for 2016 [CAPTION]

Council Member Krausse made a motion to approve a resolution approving the Tax Assessment Roll for 2016. Council Member Wright seconded the motion, which passed as follows:

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

The resolution as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 RESOLUTION NO. 16-09-07-03

A RESOLUTION APPROVING THE TAX ASSESSMENT ROLL FOR 2016

9. Discussion and action on an ordinance adopting and approving the City of Watauga Budget for Fiscal Year beginning October 1, 2016 and ending September 30, 2017 [CAPTION]

Council Member Krausse made a motion to approve an ordinance adopting and approving the City of Watauga Budget for Fiscal Year beginning October 1, 2016 and ending September 30, 2017. Mayor Pro Tem Gerhardt seconded the motion, which passed as follows:

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

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 ORDINANCE NO. 1630

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS ADOPTING AND APPROVING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 IN ACCORDANCE WITH THE HOME RULE CHARTER OF THE CITY OF WATAUGA; PROVIDING FOR THE APPROPRIATION OF FUNDS IN THE BUDGET; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE, PROVIDING AN EFFECTIVE DATE

10. Discussion and action on an ordinance adopting and approving a property tax increase reflected in the Budget of the City of Watauga for Fiscal Year beginning October 1, 2016 and ending September 30, 2017 [CAPTION]

Council Member Krausse made a motion to approve an ordinance adopting and approving a property tax increase reflected in the Budget of the City of Watauga for Fiscal Year beginning October 1, 2016 and ending September 30, 2017. Council Member Wright seconded the motion, which passed as follows:

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

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 ORDINANCE NO. 1631

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA ADOPTING AND APPROVING A PROPERTY TAX INCREASE REFLECTED IN THE BUDGET FOR THE CITY OF WATAUGA FOR FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017, IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE SECTION 102.007; PROVIDING THAT ALL ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE, PROVIDING AN EFFECTIVE DATE

11. Discussion and action on an ordinance authorizing and approving the levying of ad valorem taxes for Fiscal Year October 1, 2016 through September 30, 2017 in the amount of \$0.618411 per \$100.00 valuation [CAPTION]

Council Member Wright made a motion to approve an ordinance authorizing and approving the levying of ad valorem taxes for Fiscal Year October 1, 2016 through September 30, 2017 in the amount of \$0.618411 per \$100.00 valuation. Council Member Krausse seconded the motion, which passed as follows:

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

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 ORDINANCE NO. 1632

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL

GOVERNMENT OF THE CITY OF WATAUGA, TEXAS FOR THE 2016-2017 FISCAL YEAR; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; PROVIDING FOR THE STATEMENT REQUIRED BY SECTION 26.05(b) OF PROPERTY TAX CODE; PROVIDING FOR THE DATE WHEN TAXES SHALL BECOME DELINQUENT IF NOT PAID; PROVIDING THAT ALL ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE, PROVING AN EFFECTIVE DATE

ADJOURNMENT

With there being no further business, Mayor Garcia adjourned the meeting at 6:51 p.m.

APPROVED: this 14th day of November, 2016.

SIGNED: this 14th day of November, 2016.

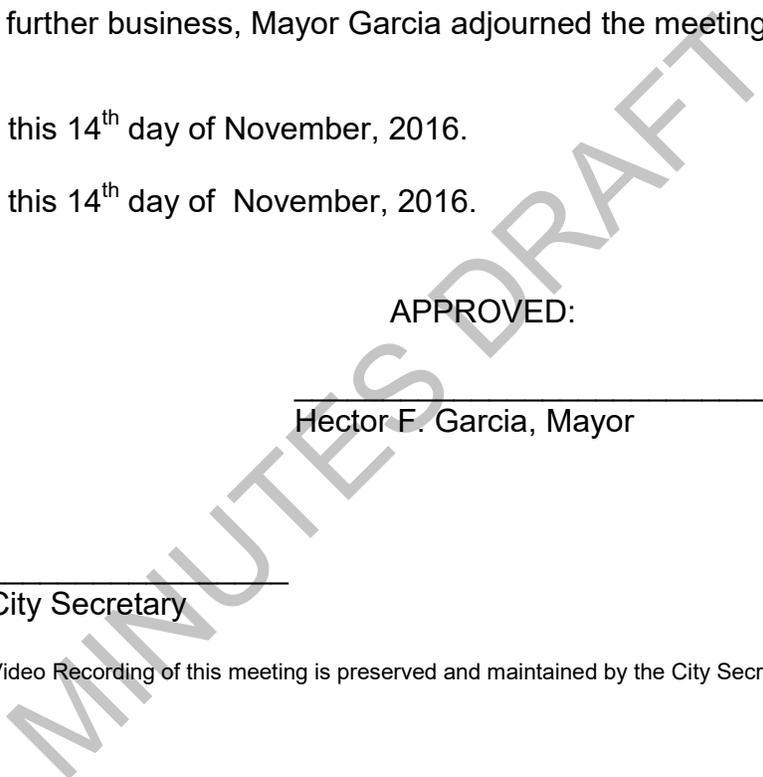
APPROVED:

Hector F. Garcia, Mayor

ATTEST:

Zolaina R. Parker, City Secretary

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



**MINUTES
WATAUGA CITY COUNCIL
SPECIAL MEETING
MONDAY, SEPTEMBER 19, 2016
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 P.M.**

The City Council of the City of Watauga, Texas convened in Special Session at 6:30 p.m., with the following members present:

Hector F. Garcia	Mayor
Brandon Krausse	Council Member
Lee Griffin	Council Member
James Wright	Council Member
Melva Clark	Council Member
Patrick Shelbourne	Council Member
Robert Davis	Council Member

and

Greg Vick	City Manager
Mark G. Daniel	City Attorney
Zolaina R. Parker	City Secretary
Sandra Gibson	Director of Finance and Administration, CGFO
Paul Hackleman	Public Works Director
Glen Fowler	Police Chief
Jacquelyn Reyff	Planning and Development Manager
Bradley Fraley	Chief Information Officer

with

Mayor Pro Tem Hal Gerhardt, absent with notice.

COUNCIL MEETING

CALL TO ORDER

Mayor Garcia called the meeting to order at 6:30 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

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

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

CITIZEN'S OPEN FORUM

Norm Bulaich, IESI, addressed the Solid Waste Collection contract which is up for renewal in 2017.

CONSENT AGENDA

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

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

1. Approval of Monthly Financial Report – expenses and revenues for all funds from August 1, 2016, through August 31, 2016
2. Approve resignation of Ms. Mary Guerra from the Library Board, Place 6
3. Approve reappointment of Mr. Robert Daniel to the Board of Appeals, Place 4
4. Approve appointment of Mr. Mark Taylor to the Library Board, Place 6
5. Approve appointment of Mr. Michael Kessler to the Watauga Parks Development Corporation, Place 6
6. Approve appointment of Mr. Phillip Jennings to the Zoning Board of Adjustment, Alternate Place 1

PUBLIC HEARING

1. Public Hearing: Platting Case 16-02. Consider approval of a final plat for Lots 3R-1 & 3R-2, Block 1, Stringer Addition, being a replat of Lot 3R-1, Block 1, Stringer Addition. The property is located at 8201 Rufe Snow Drive, on the

southwest corner of the Rufe Snow Drive and Bursey Road intersection. The proposed replat is to subdivide the commercial lot into 2 lots to accommodate a new restaurant. Owens-Stringer, Inc., Steve Stringer, owner. Texas Heritage Surveying LLC, Gary Johnson, surveyor.

- a. Open Public Hearing-allow for staff comments/presentation

Mayor Garcia recessed the Special Meeting at 6:41 and opened the public hearing. Jacquelyn Reyff, Planning and Development Manager, presented case 16-02.

- b. Public Comments

There were no public comments.

- c. Close Public Hearing

Mayor Garcia closed the public hearing and reconvened the Special Council Meeting at 6:44 p.m.

NEW BUSINESS

1. Discussion and action on approval of Platting Case 16-02: final plat for Lots 3R-1 & 3R-2, Block 1, Stringer Addition, being a replat of Lot 3R-1, Block 1, Stringer Addition, located at 8201 Rufe Snow Drive, on the southwest corner of the Rufe Snow Drive and Bursey Road intersection

Council Member Wright made a motion to approve of Platting Case 16-02: final plat for Lots 3R-1 & 3R-2, Block 1, Stringer Addition, being a replat of Lot 3R-1, Block 1, Stringer Addition, located at 8201 Rufe Snow Drive, on the southwest corner of the Rufe Snow Drive and Bursey Road intersection. Council Member Clark seconded the motion which passed as follows:

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

2. Discussion and action on approval of a Memorandum of Understanding between the City of Watauga and Atmos Energy Corporation regarding the Cross Bore Program

Council Member Shelbourne made a motion to approve the Memorandum of Understanding between the City of Watauga and Atmos Energy Corporation

regarding the Cross Bore Program. Council Member Griffin seconded the motion which passed as follows:

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

3. Discussion and action on approval of purchase of a new Watauga Police Department Dual Purpose K-9 from United States K-9 Unlimited, Inc., in an amount not to exceed \$13,900

Council Member Krausse made a motion to approve the purchase of a new Watauga Police Department Dual Purpose K-9 from United States K-9 Unlimited, Inc., in an amount not to exceed \$13,900. Council Member Wright seconded the motion which passed as follows:

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

4. Discussion and action on a proposed resolution approving the City of Watauga Parks and Open Space Master Plan 2017-2027 [CAPTION]

Council Member Clark made a motion to approve a resolution regarding the City of Watauga Parks and Open Space Master Plan 2017-2027. Council Member Shelbourne seconded the motion which passed as follows:

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

The resolution as approved carries the following captions:

CITY OF WATAUGA, TEXAS
 RESOLUTION NO. 16-09-19-01

A RESOLUTION ADOPTING THE PARKS AND OPEN SPACE 2017-2027
 MASTER PLAN FOR THE CITY OF WATAUGA, TEXAS

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5. Discussion and action regarding Solid Waste Collection and Recycling Services

Council Member Wright made a motion to continue Solid Waste Collection with Progressive dba Waste Connection Inc. Council Member Griffin seconded the motion which passed as follows:

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

ADJOURNMENT

With there being no further business, Mayor Garcia adjourned the meeting at 7:35 p.m.

APPROVED: this 14th day of November, 2016.

SIGNED: this 14th day of November, 2016.

APPROVED:

Hector F. Garcia, Mayor

ATTEST:

Zolaina R. Parker, City Secretary

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

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, OCTOBER 24, 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
Brandon Krausse	Council Member
James Wright	Council Member
Melva Clark	Council Member
Patrick Shelbourne	Council Member
Robert Davis	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	Director of Human Resources and Civil Service
Sal Torres	Director of Parks and Community Services
Lana Ewell	Director of Library Services
Jacquelyn Reyff	Director of Planning and Economic Development
Bradley Fraley	Chief Information Officer

with

Council Member Lee Griffin, absent with notice.

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

Council Member Davis made a motion to approve the agenda and move Consent Item Number 5 and 6 to New Business Number 6 and 7. Motion was not seconded and therefore failed.

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

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

CITIZEN'S OPEN FORUM

None.

PRESENTATIONS

1. Presentation of a Proclamation to the City of Watauga Police Department in honor of Domestic Violence Awareness Month

Mayor Garcia presented a Proclamation to the City of Watauga Police Department in honor of Domestic Violence Awareness Month. The Proclamation was accepted by Glen Fowler, Chief of Police and Christi Garcia, Crime Victim Liaison.

2. Presentation of a Proclamation to the City of Watauga Municipal Court in honor of Municipal Court Week

Mayor Garcia presented a Proclamation to the City of Watauga Municipal Court in honor of Municipal Court Week. The Proclamation was accepted by Marilyn Clothier, Municipal Court Administrator, Kimberly Bruns, Deputy Court Clerk, and Jimmy Smith, City Marshal.

3. Presentation of a proclamation to the City of Watauga in honor of National Community Planning Month

Mayor Garcia presented a Proclamation to the City of Watauga in honor of National Community Planning Month. The Proclamation was accepted by Jacquelyn Reyff, Director of Planning and Economic Development.

REPORTS

1. Finance – Pre-Audit Financial Report for the Quarter ending September 30, 2016

Sandra Gibson, Director of Finance, CGFO, provide a report on the Pre-Audit Financial Report for the Quarter ending September 30, 2016.

2. Public Works- Capital Improvement Projects Quarterly Report

Paul Hackleman, Director of Public Works, provided the quarterly report on the Capital Improvement Projects.

CONSENT AGENDA

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

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

1. Approval of Quarterly Investment Report as of September 30, 2016
2. Approval of resolution setting the Regular City Council Meeting dates for the 2017 Calendar Year [CAPTION]

The resolution as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 RESOLUTION NO. 16-10-24-01

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS FOR THE PURPOSE OF SETTING THE 2017 CITY COUNCIL REGULAR MEETING DATES; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HEREWITH ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE

3. Approval of resolution setting the City Observed Holiday Dates for the 2017 Calendar Year [CAPTION]

The resolution as approved carries the following caption:

CITY OF WATAUGA, TEXAS
RESOLUTION NO. 16-10-24-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS FOR THE PURPOSE OF SETTING THE 2017 CITY OBSERVED HOLIDAYS; 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 proposed Resolution establishing the Fort Worth Star Telegram as the Official Newspaper for the City of Watauga Fiscal Year 2016-2017, pursuant to Local Government Code 52.004 [CAPTION]

The resolution as approved carries the following caption:

CITY OF WATAUGA, TEXAS
RESOLUTION NO. 16-10-24-03

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS PURSUANT TO LOCAL GOVERNMENT CODE 52.004 REQUIRING THAT THE CITY OF WATAUGA, TEXAS DESIGNATE AN OFFICIAL NEWSPAPER FOR FISCAL YEAR 2016-2017; 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

- 5. Approval of 1st Renewal Option for Bid # 15-002 Topsoil, Sand & Rock
- 6. Approval to enter into an Interlocal Agreement with the City of Bedford and the City Colleyville for cooperative purchasing of insurance consultant and brokerage services
- 7. Approval of a proposed resolution eliminating Section 18.7 and 18.17 and replacing with policy 6.02, eliminating Section 18.15, 20.14 and 20.15 and replacing with policy 6.03, eliminating Section 17.1, 18.1, 18.2, 18.3, 18.4, 18.5, 18.10, 18.11, 18.12 and 26.1 and replacing with policy 6.04, and eliminating Section 18.8 and 18.9 replacing with policy 6.05, 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. 16-10-24-04

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING SECTION 6.02 OF THE PERSONNEL, ADMINISTRATION AND

FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING OVERTIME AND COMPENSATORY TIME; AMENDING SECTION 6.03 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING PAYROLL DEDUCTIONS AND GARNISHMENTS; AMENDING SECTION 6.04 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING THE CLASSIFICATION AND COMPENSATION PLAN; AMENDING SECTION 6.05 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING ON-CALL AND CALL BACK; 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

8. Approval to enter into an Inter-Jurisdictional Emergency Management Program with Tarrant County for all aspects of disaster management [CAPTION]

The resolution as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 RESOLUTION NO. 16-10-24-05

JOINT RESOLUTION ESTABLISHING AN INTER-JURISDICTIONAL EMERGENCY MANAGEMENT PROGRAM; PROVIDING THAT ALL RESOLUTIONS IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE

9. Approve appointment of Randy Barkley, Battalion Chief, as Emergency Management Coordinator for the Inter-Jurisdictional Emergency Management Program
10. Approve resignation of Andra Dunn from the Library Board, Place 5
11. Approve appointment of Sharon Subjeck to the Library Board, Place 5
12. Approve reappointment of Leah Chauvin to the Watauga Parks Development Corporation, Place 2
13. Approve reappointment of Jan Hill to the Watauga Parks Development Corporation, Place 3
14. Approve reappointment of Roma Bowman to the Watauga Parks Development Corporation, Place 4

PUBLIC HEARING

1. Planning and Zoning Case 16-06: Request for a Specific Use Permit (SUP) for Watauga Automotive, an existing Auto, repair garage business for an expansion of 2,400 SF at 5757 Watauga Road, legally described as Block 6, Lot 8 of the I. J. Schellinger Subdivision; located near the northwest corner of Watauga Road and Patsy Lane. The property is zoned C-Commercial. Michael Brown and Donna L. Wagner, owners and Thomas Hoover Engineering, is the applicant.

- a. Open Public Hearing-allow for staff comments

Mayor Garcia recessed the regular meeting and opened the public hearing at 7:31 p.m. Jacquelyn Reyff, Director of Planning and Economic Development, provided an overview of the case.

- b. Public Comments

There were no public comments.

- c. Close Public Hearing

Mayor Garcia closed the public hearing and reconvened the regular meeting at 7:35 p.m.

NEW BUSINESS

1. Discussion and action on approval of an ordinance approving Planning and Zoning Case 16-06, Request for a Specific Use Permit (SUP) for Watauga Automotive, an existing Auto, repair garage business for an expansion of 2,400 SF at 5757 Watauga Road, legally described as Block 6, Lot 8 of the I. J. Schellinger Subdivision; located near the northwest corner of Watauga Road and Patsy Lane [CAPTION]

Council Member Wright made a motion to approve an ordinance approving Planning and Zoning Case 16-06, Request for a Specific Use Permit (SUP) for Watauga Automotive, an existing Auto, repair garage business for an expansion of 2,400 SF at 5757 Watauga Road, legally described as Block 6, Lot 8 of the I. J. Schellinger Subdivision; located near the northwest corner of Watauga Road and Patsy Lane. Council Member Clark seconded the motion, which passed as follows:

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

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 ORDINANCE NO. 1633

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 5757 WATAUGA ROAD (CASE 16-06); 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

2. Discussion and action on approval of ordinance amending the Fiscal Year 2016-2017 Budget to include \$230,000 in additional appropriations that had not been expended in Fiscal Year 2015-2016 and lapsed due to fiscal year-end [CAPTION]

Council Member Wright made a motion to approve an ordinance amending the Fiscal Year 2016-2017 Budget to include \$230,000 in additional appropriations that had not been expended in Fiscal Year 2015-2016 and lapsed due to fiscal year-end. Mayor Pro Tem Gerhardt seconded the motion, which passed as follows:

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

The ordinance as approved carries the following caption:

CITY OF WATAUGA, TEXAS
 ORDINANCE NO. 1634

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS THAT APPROVES ADDITIONAL APPROPRIATIONS IN THE 2016-2017 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

3. Discussion and action on renewal of Property, Liability, and Workers' Compensation Coverage Continuation with Texas Municipal League Intergovernmental Risk Pool in amount of \$306,058.90

Council Member Clark made a motion to approve renewal of Property, Liability, and Workers' Compensation Coverage Continuation with Texas Municipal League

Intergovernmental Risk Pool in amount of \$306,058.90. Council Member Shelbourne seconded the motion, which passed as follows:

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

4. Discussion and action on approval of CDBG 42nd Year- Lalagray Lane- Wastewater System Improvements Project - Construction Bid Acceptance from Burgess and Niple in the amount of \$224,054.04

Council Member Shelbourne made a motion to accept the bid from Reytech Services, LLC for construction of the Lalagray Wastewater System Improvements Project in the amount of \$224,054.04, with the City of Watauga's pledge above and beyond Tarrant County's grant being, \$49,831.55. Council Member Wright seconded the motion, which passed as follows:

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

5. Discussion and possible action on selection of location for proposed splash park

Council Member Krausse made a motion to approve Capp Smith Park as the proposed location for a splash park. Council Member Davis seconded the motion, which passed as follows:

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

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.

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, at 7:57 p.m., Mayor Garcia announced that the City Council will convene in Executive Session (closed session) in the Council Chamber Conference Room, 7105 Whitley Road, as follows:

1. The City Council will convene in Executive Session pursuant to Chapter 551 of the Texas Government Code (Texas Open Meetings Act), Section 551.074 Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee.

ITEMS OF EXECUTIVE SESSION DELIBERATION:

1. To deliberate the annual employee evaluation of Zolaina R. Parker, City Secretary
2. To deliberate the annual employee evaluation of Greg Vick, City Manager

RECONVENE

The City Council returned to open session at 9:36 p.m., in the City Council Chamber for possible discussion and action as a result of the Executive Session as follows:

1. To deliberate the annual employee evaluation of Zolaina R. Parker, City Secretary

Council Member Shelbourne made a motion to take no action. Council Member Krausse seconded the motion, which passed as follows:

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

2. To deliberate the annual employee evaluation of Greg Vick, City Manager

Council Member Clark made a motion to take no action. Council Member Krausse seconded the motion, which passed as follows:

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

ADJOURNMENT

With there being no further business, Mayor Garcia adjourned the meeting at 9:38 p.m.

Minutes
City Council Regular Meeting
October 24, 2016
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APPROVED: this 14th day of November, 2016.

SIGNED: this 14th day of November, 2016.

APPROVED:

Hector F. Garcia, Mayor

ATTEST:

Zolaina R. Parker, City Secretary

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

MINUTES DRAFT



AGENDA MEMORANDUM

DATE: November 7, 2016

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 #16

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 sixteenth revision to the new Manual. It is proposed that the following four (4) policies be added to the new manual:

- 7.01 Overview of Benefits Policy
- 7.05 Employee Assistance Program
- 9.01 Mobile Communication Devices
- 14.02 Facility Access and Control

These revised policies clarify, organize and simplify the existing policies. Significant changes are listed below.

7.01 Overview of Benefits Policy – Several policies were combined into one (1) to provide an overview of the benefits offered by the City. Benefit administration guidelines were also added to the policy. These guidelines have been in practice, but never detailed in the policy.

7.05 Employee Assistance Program – A few words were change for clarification in this policy, but there are no significant changes.

9.01 Mobile Communication Devices – This policy was renumbered only. There are no significant changes.

14 02 Facility Access and Control – This is a brand new policy. This policy has been written to facilitate the implementation of the City's new badge access system.

FINANCIAL IMPLICATIONS:

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

RECOMMENDATION/ACTION DESIRED:

It is requested that City Council approve the new and 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

November 4, 2016

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

Via Email

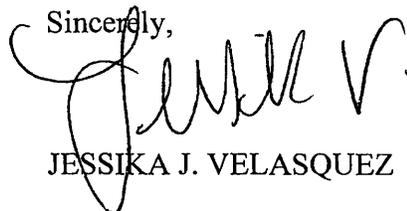
Re: Resolution amending the City of Watauga's Personnel, Administration and Financial Policies and Procedures Manual

Dear Ms. Reyna:

I have received and reviewed the proposed amendments to the City's Personnel, Administration and Financial Policies and Procedures Manual. Please find enclosed a Resolution prepared by my office approving amendments to Section 7.01 ("Overview of Benefits Policy"); Section 7.05 ("Employee Assistance Program"); and Section 9.01 ("Mobile Communication Devices"). The Resolution also includes the addition of Section 14.02 ("Facility Access and Control") to the Policy Manual to accommodate the City's new badge access system. 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 J. 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 7.01 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING AN OVERVIEW OF THE BENEFITS PROGRAM; AMENDING SECTION 7.05 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING THE EMPLOYEE ASSISTANCE PROGRAM; AMENDING SECTION 9.01 OF THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL REGARDING MOBILE COMMUNICATION DEVICES; ADDING SECTION 14.02 TO THE PERSONNEL, ADMINISTRATION AND FINANCIAL POLICIES AND PROCEDURES MANUAL TO ADDRESS FACILITY ACCESS AND CONTROL; 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 7.01 ("Overview of Benefits Program") combine policies for the purpose of providing an unambiguous overview, and also codify customary practice through the inclusion of administrative guidelines; and

WHEREAS, the proposed amendments to Section 7.05 ("Employee Assistance Program") include minor language amendments in order to provide clarity to the policy; and

WHEREAS, the proposed amendments to Section 9.01 ("Mobile Communication Devices") include the renumbering of clauses in order to provide clarity to the policy; and

WHEREAS, the proposed addition of Section 14.02 ("Facility Access and Control") properly accommodates the City's recently implemented badge access system to City facilities; and

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 clarify, organize and simplify the existing policies. Moreover, the addition of Section 14.02 to the Personnel, Administration and Financial Policies and Procedures Manual is necessary in order to accommodate the City's recently implemented badge access system.

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 _____, 2016.

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	Overview of Benefits Program
INITIAL EFFECTIVE DATE	November 14, 2016
LAST REVISION DATE	Replaces <i>Section 16.1, 20.1, 20.3, 20.4, 20.5, 20.6, and 20.8</i> of the Personnel, Administration and Financial Policies and Procedures Manual approved on February 24, 2014.
POLICY NUMBER	7.01

OBJECTIVE This policy provides an overview of the City's Benefit Program.

SCOPE This policy applies to eligible employees. Benefit eligibility is dependent upon a variety of factors, including employee classification and length of service.

POLICY

A comprehensive benefits plan, which may include health and dental benefits, provided through the City is available for all regular full-time employees, retired employees, dependents of such active and retired employees, and people covered by the Consolidated Omnibus Budget Reconciliation Act (COBRA). Regular part-time employees are eligible for certain benefits on a pro-rata basis. Part-time and temporary employees are generally not eligible for City benefits. Contact Human Resources Department to obtain information regarding the benefits for which you may be eligible. The provision of health, dental, vision, or wellness programs to any City employee, retiree, dependents of a City employee or retiree, or any COBRA participant will comply with all applicable federal, state and local laws including, but not limited to, the Consolidated Omnibus Budget Reconciliation Act, Health Insurance Portability and Accountability Act, and the Genetic Information Nondiscrimination Act of 2008.

A. Types of Benefits

- | | |
|-------------------------------|-----------------------------------|
| Paid Holidays | Family Medical Leave |
| Paid Jury Duty Leave | Paid Bereavement Leave |
| Paid Witness Duty Leave | Paid Sick Leave |
| Military Leave | Paid Vacation Leave |
| Workers' Compensation Benefit | Time Off to Vote |
| Longevity Pay | Life and Accident Insurance |
| Medical Insurance | Dental Insurance |
| Vision Insurance | Health Savings Account |
| Long Term Disability | Texas Municipal Retirement System |

This list is subject to change as new benefits are offered, changed or removed.

While the City pays the full cost of many of these benefits, some of the benefit programs require contributions from participating employees or are offered on a voluntary basis to employees who then must pay the full or part of the premiums for the benefit offered. Such voluntary benefits include Health Savings Accounts, Supplemental Life Insurance, and Deferred Compensation Accounts.

B. Benefits Administration Guidelines

1. Health insurance benefits are effective the first of the month, following the 30th day of hire.
2. Deductions will be taken on the first paycheck the employee receives in their first month of coverage. Annual amounts are divided into 26 pay periods.
3. Health insurance benefits will terminate on the last day of the month of the event of separation, retirement, unpaid absence or exhaustion of covered leave (i.e. FMLA) unless payment arrangements are made.
4. When terminating, the employee must work at least one full scheduled day in the month to get coverage for that month.
5. COBRA, if elected, will be effective the first of the month following date of termination.
6. All life event enrollment changes outside of open enrollment must be made within 30 days from the date of the event. Life events include birth, marriage, divorce and adoption.
7. In situations where an employee has lost coverage while being covered under a different plan, the employee and dependents will be allowed to enroll into a City plan. The applicable form must be completed and submitted to Human Resources within 30 days of the loss of coverage. Proof is required.
8. Under Section 125 of the IRS Code, employees may pay for dependent health, accident, and dental insurance deductions on a pre-taxed basis.

C. Service Awards

The City of Watauga recognizes the importance of rewarding and retaining a quality workforce. The City will recognize all employees for every five (5) year anniversary. Additionally, other awards and types of recognition will be used to reward employees. These awards and gifts may include gifts from a catalog, Citywide Employee of the Year recognition, Departmental Employee of the Year recognition, and others as deemed appropriate.



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

POLICY TITLE	Employee Assistance Program
INITIAL EFFECTIVE DATE	November 14, 2016
LAST REVISION DATE	Replaces <i>Section 20.12</i> of the Personnel, Administration and Financial Policies and Procedures Manual approved on February 24, 2014.
POLICY NUMBER	7.05

OBJECTIVE This policy provides an overview of the City's Employee Assistance Program.

SCOPE This policy applies to all employees.

POLICY

The City's Employee Assistance Program (EAP) is available to provide assistance to employees who may be experiencing personal or family problems with alcohol or drug abuse, financial burdens, marital or other family problems. All employees who feel they may have an alcohol or drug problem are encouraged to utilize the program's resources before the problem adversely affects their job performance or employment status.

Participation in this program is typically voluntary and confidential. However, a supervisor may make a mandatory referral when some aspect of an employee's personal life negatively affects his or her performance on the job. It is the responsibility of the employee to comply with referrals for diagnosis and treatment and to cooperate with the helping agency. Continued unacceptable job performance may result in disciplinary action up to and including termination.

All records and discussions of personal problems shall be handled in a confidential manner. All State and Federal laws regarding confidentiality must be complied with at all times.

In instances where referral appointments must be set during work hours, sick leave, accrued compensatory time, or vacation time may be granted. This action shall also be handled confidentially.



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

POLICY TITLE	Mobile Communication Devices
INITIAL EFFECTIVE DATE	November 18, 2016
LAST REVISION DATE	Replaces <i>Section 13.16</i> of the Personnel, Administration and Financial Policies and Procedures Manual approved on February 24, 2014.
POLICY NUMBER	9.01

OBJECTIVE This policy addresses allowances provided to City employees for using their personally-owned MCDs or City-issued MCDs for business purposes.

SCOPE This policy applies to employees who receive an allowance for their personal mobile communication device or have been provided with a City issued mobile communication device.

POLICY

This policy will address issues surrounding personal mobile communication devices (MCDs) and city-issued MCDs. While at work, employees are expected to exercise the same discretion in using personal mobile devices as is expected for the use of city-issued mobile devices. Excessive personal calls during the workday, regardless of the mobile device used, can interfere with employee productivity and may be distracting to others. Therefore, personal mobile calls, texting, and web browsing/social media websites should be limited to use during non-work time where possible, on breaks, lunch, or before/after work. Friends and family members should be asked to limit their calls to emergency use, or to leave a message for a return call when the employee is on break. Abuse of this policy may result in the loss of the use of a city-owned mobile phone and/or disciplinary action.

A. Definitions

1. **Mobile Communications Device (MCD):** Any device that is capable of using the services provided by the public/private cellular networks. These devices range from a simple cell phone to devices with capability to access the Internet (generally referred to as a Smart Phone).
2. **Conversation:** Communication exchange between two (2) or more individuals taking place in voice or data format.

B. Personally Owned Mobile Communication Devices

The City will continue providing City-owned MCDs for assignment to eligible individual employees, however, employees with access to a personal MCD are encouraged to utilize the stipend process. On-call and medic phones will remain City-owned devices and issued to departments for shared, temporary or infrequent use.

1. Eligibility

Justification for an MCD allowance should include an explanation of how the device will be used in conducting City business as well as an estimate on the frequency of usage. Justification must be submitted in writing by the Department Director to the City Manager for processing and approval. It should not be issued based solely on position or title. Eligibility must also fall under at least one (1) of the following categories:

- a. **Public/Personal Safety:** The employee requires immediate direct communication with local police, fire and/or emergency medical units or agencies in order to provide for the safety of citizens or employees.
- b. **Accessibility:** The employee requires immediate direct communication to conduct City business and there is typically no access to a conventional telephone, or computer, or it is deemed more cost effective than the employee seeking alternative methods of completing the task.
- c. **Responsiveness:** The employee requires immediate direct communication to conduct urgent City business to ensure responsiveness to operational and/or support functions.

Interns, contract employees, part-time employees, temporary employees, or consultants will not be eligible to receive MCD allowances unless extenuating circumstances require such an arrangement. These requests would be reviewed and approved by the City Manager.

2. Allowance

The MCD allowance is not intended to pay the full costs of the employee's monthly usage costs with their provider. It is intended to only cover the reasonable costs that the employee incurs while using the device/service as part of their City job duties and responsibilities. The MCD Allowance guidelines are as follows:

- a. The employee is responsible for procuring and paying for all services and equipment.
- b. MCD allowances are based upon careful analysis of type of service required, employees' business usage trends, as well as cost comparisons of current market offerings.
- c. All MCD allowances are taxable income. The allowance does not constitute an increase to base pay and will not be included in the calculation of pay increases or overtime.

Taxes incurred as a result of the MCD allowance are the responsibility of the employee and will not be reimbursed to the employee.

- d. All employees receiving an allowance will be paid through payroll and will be subject to withholdings such as Federal Income Tax, TMRS, etc. The allowance provided will be calculated on a monthly payment. This monthly payment will be then multiplied by twelve months, for a total annual cost to the City. The total annual cost will then be divided by the number of pay periods in a year and distributed to the employee as part of their payroll check every two weeks.
- e. The employee must retain an active MCD service contract as long as the allowance is in place. The employee owns the device and may use the device for both personal and business purposes, as needed. Additional features or services may be added at the employees' own expense.
- f. There are two (2) Tier Levels for Mobile Communication Device allowances.

Tier I: Employee meets requirements under this policy. Employee must possess cellular MCD with capability of making/receiving phone calls, text messaging, capability of receiving/sending email, contacts, calendar events with City's Microsoft Exchange. The employee will receive a monthly stipend of \$75. Each October the employee will receive an annual hardware stipend of \$75. In compliance with the IRS regulations, the stipends will be reported as income on the employee's W2.

Tier II: Employee meets requirements under this policy. Employee must possess cellular MCD with capability of making/receiving phone calls and text messaging. The employee will receive a monthly stipend of \$40. Each October the employee will receive an annual hardware stipend of \$40. In compliance with the IRS regulations, the stipends will be reported as income on the employee's W2.

3. Employee Responsibilities

- a. Select a device and service provider whose service and coverage meets the requirements of the job responsibilities. If an employee is repeatedly unable to be contacted via their MCD due to problems with the selected mobile service provider, the City may request that the employee change providers.
- b. Provide Department Director and Human Resources with current contact information or address of the communication device within three (3) days of activation. MCD Allowance Authorization Form (**See Form A**) must be completed by HR and approved by the Employee, Department Director and City Manager before implementation.
- c. Acknowledge that Department Director periodically request that the employee provide a copy of the first page of the phone bill in order to verify that they have an active mobile communications device. **Department Directors may also**

periodically request documentation of business use to determine the appropriateness of eligibility and level of the allowance amount.

- d. Assure availability for communication, be in possession of the MCD, and have it charged and turned on during the days/times as specified by Department Director.
- e. Notify supervisor immediately of damaged, lost, or stolen MCD, and service cancellations. Employee must secure device/service replacement within three (3) days or a timeframe set by Department Director. Any associated costs for replacement will be the responsibility of the employee. Employees utilizing MCDs that store electronic files, data, e-mail messages or other potentially sensitive City data are required to notify the Information Technology Department immediately of the loss or theft. If possible, Information Technology will take appropriate action to ensure the confidentiality of City data, including, but not limited to, remote deactivation of City-sponsored applications loaded on the missing device. If theft is suspected, employees must file a police report and cooperate with law enforcement.
- f. Acknowledge responsibility for complying with any contracts the employee enters into with service providers, including payment of all charges incurred. In the event an employee ceases to be employed with the City or becomes ineligible for the allowance, the employee continues to be responsible for the contractual obligations of the service plan.
- g. Comply with various policies or laws (i.e.; City policies related to safety while using MCDs, state and municipal laws regarding the use of MCDs while driving, City's Social Media Policy, etc.) currently in effect which pertain to MCDs. Employees whose MCDs are capable of accessing the City of Watauga's email or other information system are reminded that these systems are intended for official City business only.
- h. Acknowledge that MCD transmissions are not secure and employees should use discretion in relaying confidential City business-related information over a MCD. Conversations (i.e.; voice and data) over an MCD can be monitored legally or illegally.
- i. **Acknowledge that MCD records may be subject to the Public Information Act. Information generated on, processed by, or stored on an MCD used for City-related business, as well as all related billing records, is considered as public information and may be subject to requests made by members of the public including the Press. Examples of types of information requested may include, but are not limited to, phone calls, voicemails, emails, all types of messaging, photographs, internet usage, and application usage. Information related to phone conversations typically obtained through the Public Information Act include phone numbers called/received, length of calls, and date/time of calls, except in narrowly defined circumstances.**
- j. Ensure that MCDs audible/vibrate notification settings are appropriate for current working environment and should not interfere with customers or other employees.

- k. Make the personal MCD phone number available for inclusion in the City's telephone and department directories as deemed appropriate by supervisor.
- l. Reimburse City for allowances received by employee for periods of inactive service exceeding seven (7) days. In some instances, a prorated amount may apply.
- m. Assure that MCDs used to access any City information system or which may contain any City data is locked and password protected when not in use.

4. Departmental Responsibilities

- a. The Department Director must periodically review the need for MCDs used by employees for business purposes.
- b. The Department Director has the option of revoking the allowance approval.
- c. If an employee transfers, changes positions or for any reason is no longer eligible for a mobile communications device allowance, the supervisor will submit a Payroll Authorization Form showing the service end date to terminate the allowance and will notify Human Resources immediately.
- d. Supervisors are responsible for ensuring that personal conversations on MCDs are kept to a minimum during official working hours.
- e. Departments will budget the monthly allowance and annual device allowance for all approved devices within their annual budgets.

5. Information Technology Responsibilities

- 1. The Information Technology Department will provide recommendation for contracted service providers and MCDs in the event that employees may desire that City-licensed applications be loaded onto their personal device. Contracted discounts may be available and may vary from vendor to vendor.
- 2. When necessary, Information Technology will load City-licensed or City-required applications onto employee-owned MCDs.
- 3. Information Technology will not provide any troubleshooting services for employees who elect to purchase devices other than those recommended by Information Technology. Limited support may be provided for employees purchasing recommended devices.
- 4. Information Technology will not assume liability for any operating issues or data loss/corruption which may result from a City application/service or from troubleshooting employee-owned MCDs.

C. City-Issued Mobile Communication Device

The City will own and retain a certain number of mobile communications devices (MCDs) as departmental pool phones and for emergency use, or disaster response/recovery purposes. The intent of these MCDs is to improve and better facilitate communication with employees serving on a shift rotation basis or to employees in temporary situations.

City-owned MCDs issued to employees will improve efficiency, enable employees to respond promptly in emergency situations, and/or provide safety for Watauga citizens and employees when more conventional and cost effective means of communications are not available.

1. Eligibility

Justification for a City-owned MCD should include an explanation of how the device will be used in conducting City business as well as an estimate on the frequency of usage. Requests for new City-owned MCD's should be submitted in writing to City Manager (**See Form B**) for processing and approval. It should not be issued based solely on position or title. Eligibility must also fall under at least one of the following categories:

- a. **Public/Personal Safety:** The employee requires immediate direct communication with local police, fire and/or emergency medical units or agencies in order to provide for the safety of citizens or employees.
- b. **Accessibility:** The employee requires immediate direct communication to conduct urgent city business and there is typically no access to a conventional telephone, or computer, or it is deemed more cost effective than the employee seeking alternative methods of completing the task.
- c. **Responsiveness:** The employee requires immediate direct communication to conduct urgent city business to ensure responsiveness to operational and/or support functions.

2. General Guidelines for Use

After justification for a City-owned MCD has been approved, a device will be assigned to the department. City-owned MCD guidelines are as follows:

- a. Departments should only "check-out" the MCD to employees serving in positions which meet the Eligibility criteria defined above, serve on a shift rotation basis, or to employees who need to communicate while in temporary situations. It may not be assigned to an individual employee on a long-term basis.
- b. The device must be used for City-related business **ONLY**.
- c. The IRS may require that specific information be documented for each communication a City-owned MCD. Each department may be consulted to provide that information periodically.

- d. The device may not be utilized for personal use by any employee.

3. Employee Responsibilities

- a. For departments that have MCDs for “check-out”, the employee must “check-out” the City-owned MCD on a temporary basis or on an as needed basis (on-call, project, etc). “Check-outs” must be approved by the Department Director.
- b. Personal use of a City-owned MCD is strictly prohibited and will not be tolerated. Employee will be responsible for reimbursing the City for any personal usage. If personal usage continues, the employee may be reprimanded and suspended from usage of City-owned MCDs.
- c. Employees using City-issued MCDs shall have no expectation of privacy in mobile phone calls, pictures, or text messages on these phones.
- d. Comply with various policies or laws (i.e.; City policies related to safety while using MCDs, state and municipal laws regarding the use of MCDs while driving, City’s Social Media Policy, etc.) currently in effect which pertain to MCDs. Employees whose job responsibilities include driving and who are issued a MCD for business use are expected to refrain from using their phone (includes web browsing, texting, taking pictures, etc.) while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before using the MCD. Special care should be taken in situations where there is traffic, inclement weather, or unfamiliar area.
- e. Employees whose MCDs are capable of accessing the City of Watauga’s email or other information systems are reminded that these systems are intended for official City business only.
- f. Ensure that MCDs audible/vibrate notification settings are appropriate for current working environment and should not interfere with customers or other employees.
- g. Employees in possession of a City-owned MCD are expected to protect the equipment from loss, damage, or theft. Upon separation of employment or at any time upon request, the employee will be asked to produce the phone for return and inspection. Employees unable to present the phone in good working condition within 24-hours may be expected to bear the cost of a replacement. Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will have such charges deducted from their final check.

4. Departmental Responsibilities

- a. Once eligibility is established, the Department Director must submit a detailed written justification/request to the City Manager for approval. The approved request will be forwarded to the Finance Department to be fulfilled.

- b. Finance will maintain logs which shows date and time MCD was “checked-out” including which employee used the MCD. Should the MCD need repair or replacement, the department will provide this request to the Finance Department.
- c. The Department Director must periodically review the need for MCDs used by employees for business purposes.
- d. Supervisors are responsible for ensuring that employees do not conduct personal conversations on City-owned MCDs. Department Director and/or supervisor have the discretion to suspend usage of City-owned MCDs to employees who exhibit continued personal usage as well as conducting employee reprimand.
- e. As with any policy, management staff is expected to serve as role models for proper compliance and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

5. Information Technology Responsibilities

- a. Information Technology will provide recommendation for contracted service providers and MCDs.
- b. When necessary, Information Technology will load City-licensed or City-required applications onto City-owned MCDs. Limited support may be provided.

6. Public Information Act

Employees are advised that records related to calls, text messages, and/or pictures made and received on City-owned MCDs are public information. Information related to telephone numbers called, length of call, and time and date of call as well as the text message itself may be obtainable through the Texas Public Information Act except in narrowly defined circumstances.

7. Monitoring of Mobile Phone Calls

Employees should be aware that mobile phone calls are not secure and can be monitored. It is a crime for a third party to intentionally monitor mobile phone conversations without the consent of one of the parties to the conversation.

Although it is technically difficult, inadvertent monitoring of private mobile conversations is possible. Caution should be used whenever confidential or sensitive information must be discussed on a City-provided mobile phone.



FORM A

MOBILE COMMUNICATIONS DEVICE ALLOWANCE AUTHORIZATION FORM

Employee Name _____ Employee No. _____
Job Title _____ Department _____

Start Date _____ End Date _____
Voice Service – Monthly Allowance _____ \$40 Plan
Voice +Data Service – Monthly Allowance _____ \$75 Plan
Equipment Replacement _____ \$75 (available Oct 1)
_____ \$40 (available Oct 1)

The City of Watauga will pay an amount up to the amount an employee would normally incur for a plan sufficient to meet the employee’s business needs.

Employee:

I certify that I have read the Mobile Communications Device Allowance Policy and agree to the employee responsibilities. I understand the amounts received under this plan are taxable income and not part of my base salary. I understand I am responsible for all costs and contract terms associated with my service plan.

Employee’s Signature _____

Date _____

Department Director:

I certify this allowance is necessary to cover work related expenses for mobile communication usage. Business justification/explanation:

[Empty box for business justification/explanation]

Mobile Device Number: _____

Department Director Signature _____

Date _____

City Manager Signature _____

Date _____



FORM B

MOBILE COMMUNICATIONS DEVICE

CITY OWNED

Employee Name _____	Employee No. _____
Job Title _____	Department _____

Check- out _____	Check-In _____
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Employee:

I certify that I have read the Mobile Communications Device Allowance Policy and agree to the employee responsibilities.

Employee's Signature Date

Department Director:

I certify this MCD is necessary to facilitate communication with employees serving on a shift rotation basis or on-call situations.

Business justification/explanation:

Mobile Device Number:

Department Director Signature Date

City Manager Signature Date



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

POLICY TITLE	Facility Access and Control
INITIAL EFFECTIVE DATE	November 14, 2016
LAST REVISION DATE	This is a new policy.
POLICY NUMBER	14.02

OBJECTIVE This policy sets forth measures to effectively control access to City facilities which have electronic identification systems in place for security.

SCOPE This policy applies to all employees.

POLICY

A. Employee Identification Cards and Passcodes

1. For security purposes, all employees shall be issued an Employee Identification (EID) Card by the I.T. Department. Identification cards shall be used for accessing City facilities and work areas as appropriate and shall be worn at all times during scheduled work hours for the purpose of identification to both other employees and citizens. Exceptions apply when wearing the EID presents a hazard or for field employees wearing City issued uniforms. However, the EID must be carried on their person.
2. Employee access will be granted on a schedule set up via a position based matrix. Additional access will only be granted based on the approval of the employee's Department Director and the facility's Director.
3. Access to some secured areas may require additional compliance with various state and federal security standards. Access to these areas will not be provided until all requirements have been met. Access to these areas may be revoked if any requirement ceases to be met at any time.
4. EID cards or passcodes used to access secure areas shall not be shared with any other person other than the intended user.
5. Employees entering a secure facility must use their EID when entering and exiting the facility.

6. City EID cards are issued for “official use only” and are not to be used for obtaining privileges, or for any personal reasons, without the approval of the employee’s Department Director. Misuse of the City of Watauga identification cards will be grounds for employee disciplinary action.
7. The City shall provide each employee with one (1) EID card free of charge. Employees are responsible for maintaining the security of their card and immediately notifying the I.T. Department if the card is lost or stolen. Excessive loss of an EID card may result in disciplinary action.
8. Any employee having a name change or change of position within the City shall surrender their current EID and obtain a new EID card within 30 days of the change from the I.T. Department. There will be no associated replacement cost for the employee under this specific scenario.
9. Upon separation from City employment, employees will surrender their EID cards to the Human Resources Department. Failure to return EID cards will result in a \$50.00 fee which the City will recover from an employee’s final pay check. The Human Resources Department will notify the I.T. Department to de-activate the card and will also destroy the card.

B. Visitors in the Workplace

To provide for the safety and security of City employees and property, only authorized visitors are allowed in the workplace. The City’s prohibition against unauthorized visitors helps to maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

10. All visitors will be required to provide proper identification. Visitors will be issued a visitor ID (VID) before accessing secured areas and will sign in. Access to secured areas will require an authorized escort and may also require additional compliance with various state and federal security standards. Visitors which do not meet these requirements must be escorted in these areas at all times.
11. All visitors shall return the issued VID before leaving and/or must sign out to indicate that they have left.
12. In some cases, a visitor may be issued a long-term VID at the discretion of the Department Director or the City Manager. Visitors must meet any additional compliance requirements and must sign and agree to the provisions of this policy. It is the responsibility of the Department Director or City Manager to collect the VID when no longer needed and to notify I.T. Department to terminate access.



AGENDA MEMORANDUM

DATE: November 7, 2016

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: Amendment to Fiscal Year 2016-17 Classification Plan for General Government Employees

BACKGROUND/INFORMATION:

Policy 6.06 of Personnel, Administration and Financial, Policies and Procedures Manual requires that the Human Resources Department maintain the City's classification plan. The Human Resources Department is also tasked with conducting external surveys of whole departments or occupational groups located in various departments, and auditing individual positions, as needed.

The City of Watauga's Home Rule Charter Section 3.07(m) Specific Powers of the Council also states that the Council shall "fix the salaries and compensation of the City officers and employees."

On September 7, 2016, City Council adopted a new classification plan for General Government Employees which became effective on October 1, 2016. An amendment to this plan is respectfully requested for reasons are explained below.

Information Technology Department Restructure

The Information Technology Department has requested to restructure its department after evaluation of City operational needs. There are currently two (2) budgeted Systems Administrator (IT 02-102) positions, one of which is vacant. In order to continue to provide excellent service, it has been determined that it would be best to create an IT Support Specialist position which would focus on providing Help Desk and front line services to employees allowing the Chief Information Officer and Systems Administrator to focus on current and upcoming projects. The IT Support Specialist would work an alternate schedule, such as Monday - Friday 11:00 a.m. to 8:00 p.m. This alternate schedule would improve customer service by providing after hours IT support to our Library, Police and Fire personnel. This position would also be readily

available to record public meetings in the Council Chambers. It is respectfully requested that the City reclassify the vacant Systems Administrator position to the IT Support Specialist position.

A salary survey was conducted using the twelve (12) comparator cities established by Council. Results indicate that this position should be placed in Grade 23 and be classified as non-exempt. This reclassification may result in savings of up to \$10,000 per year.

The proposed amendment to the Classification Plan for General Government Employees is attached and includes the IT Support Specialist position.

Compliance with Fair Labor Standards Act Changes

In May 2016, the Fair Labor Standards Act (FLSA), which governs federal minimum wage and overtime pay requirements, was amended. These changes are effective December 1, 2016. The Department of Labor's Wage and Hour Division states that in order to be classified as exempt, an employee's minimum salary must be \$913 per week or \$47,476 per year. An exempt employee is one who is not covered by the overtime provisions under the FLSA therefore not eligible for compensation for hours worked in excess of 40 in the work week.

These mandated changes require that employers increase employees' salaries to above \$47,476 per year to keep employees exempt from overtime or reclassify positions that pay between \$23,660 and \$47,476 from exempt to non-exempt, and pay employees in those positions overtime when they work more than 40 hours a week.

The City has carefully evaluated its exempt positions. Due to the significant cost to adjust salaries to the new minimum, City Administration has elected to reclassify the positions listed below from exempt to non-exempt. Department Directors will need to manage overtime in accordance with the budgeted funds. This has been communicated with Department Department Directors and is manageable. If an employee's salary is more than the threshold of \$47,476, usually due to tenure, they will remain exempt.

Animal Services Supervisor
Human Resources Generalist
Police Records Supervisor
Librarian – Adult Services
Librarian – Youth Services

The attached proposed amendment to the Classification Plan for General Government Employees includes these changes.

FINANCIAL IMPLICATIONS:

Identified in the FY 2016-17 budget.

RECOMMENDATION/ACTION DESIRED:

City Administration respectfully requests that the City Council adopt the FY 2016-17 Classification Plan for Full Time, Part Time, Seasonal (General Government) employees as presented effective November 14, 2016.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Approval Letter from Mark Daniel, City Attorney
- 2) Resolution
- 3) 2016-17 Classification Plan amended effective November 14, 2016

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

November 4, 2016

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

Via Email

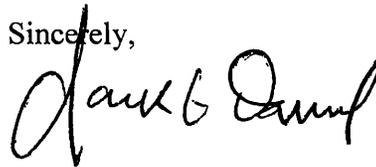
Re: Resolution amending the 2016-2017 Classification Plan for General Government Employees and Civil Service Employees

Dear Ms. Reyna:

I have received and reviewed the proposed amendments to the Classification Plan for the 2016-17 fiscal year. The proposed amendments include the creation of an IT Support Specialist position within the Information Technology Department, as well as the reclassification of specified positions from exempt to non-exempt. Please find enclosed a Resolution prepared by my office approving these amendments. 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,



MARK G. DANIEL
City Attorney
City of Watauga

Encl.

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

Attachment 2

CITY OF WATAUGA, TEXAS
RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING THE CLASSIFICATION PLAN FOR GENERAL GOVERNMENT EMPLOYEES AND CIVIL SERVICE EMPLOYEES FOR THE 2016 - 2017 FISCAL YEAR; PROVIDING FOR THE CREATION OF AN IT SUPPORT SPECIALIST POSITION WITHIN THE INFORMATION TECHNOLOGY DEPARTMENT; PROVIDING FOR THE RECLASSIFICATION OF SPECIFIED POSITIONS FROM EXEMPT TO NON-EXEMPT IN ORDER TO ENSURE SUCH EMPLOYEES ARE COVERED BY THE OVERTIME PROVISIONS OF THE FAIR LABOR STANDARDS ACT; 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, Policy 6.06 of the City of Watauga Personnel, Administration, and Financial Policies and Procedures Manual provides that the Classification Plan shall be approved by the City Council and amended as necessary; and

WHEREAS, the Classification Plan provides for the pay schedule and salary ranges for full-time, part-time, and seasonal employees; and

WHEREAS, the Classification Plan provides for the Step Plan for civil service employees; and

WHEREAS, the amendment to the Classification Plan for fiscal year 2016-2017 that establishes the position for an IT Support Specialist addresses the Information Technology Department's desire to provide more efficient help desk and front line services to employees; and

WHEREAS, the City recognizes that due to recent amendments to the Fair Labor Standards Act (hereinafter "FLSA"), the amendment to the Classification Plan for fiscal year 2016-2017 to reclassify specified positions from exempt to non-exempt is necessary in order for these employees to be covered under the overtime provisions of the FLSA; and

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

I.

The City of Watauga Classification Plan for the 2016-2017 fiscal year, as set forth in Exhibit "A" attached hereto and incorporated by reference, is hereby amended. The amendment of the Classification Plan provides for an IT Support Specialist position within the Information Technology Department. The amendment of the Classification Plan further provides for the reclassification of specified positions from exempt to non-exempt in order to ensure these employees are covered by the overtime provision of the FLSA.

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 _____, 2016.

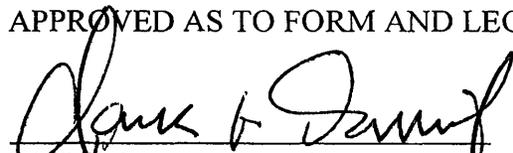
APPROVED:

Hector F. Garcia, Mayor

ATTEST:

ZOLAINA R. PARKER, City Secretary

APPROVED AS TO FORM AND LEGALITY:



MARK G. DANIEL, City Attorney

Attachment 3



**CITY OF WATAUGA, TEXAS
CLASSIFICATION PLAN FISCAL YEAR 2016-17
GENERAL GOVERNMENT EMPLOYEES (Full Time, Part Time and Seasonal)**

Job Code	Position Title	FLSA	Salary Range	Pay Basis	Minimum	Midpoint	Maximum
ADM 00-101	City Manager	E	45	Annual	\$129,042	\$161,302	\$193,563
				Monthly	\$10,753.49	\$13,441.86	\$16,130.23
				Hourly	\$62.04	\$77.55	\$93.06
PF 05-101	Chief of Police	E	39	Annual	\$96,293	\$120,366	\$144,439
FD 06-101	Fire Chief	E		Monthly	\$8,024.42	\$10,030.52	\$12,036.62
PW 13-101	Director of Public Works	E		Hourly	\$46.29	\$57.87	\$69.44
FIN 01-101	Director of Finance	E					
IT 02-101	Chief Information Officer	E	36	Annual	\$83,182	\$103,977	\$124,772
HR 00-101	Director of Human Resources and Civil Service	E		Monthly	\$6,931.79	\$8,664.74	\$10,397.69
PCS 04-101	Director of Parks and Community Services	E		Hourly	\$39.99	\$49.99	\$59.99
PD 05-124	Assistant Chief of Police	E	33	Annual	\$71,855	\$89,819	\$107,783
ADM 00-103	City Secretary			Monthly	\$5,987.94	\$7,484.93	\$8,981.91
PW 13-114	Director of Planning and Economic Development			Hourly	\$34.55	\$43.18	\$51.82
LIB 03-101	Director of Library Services						
FIN 01-102	Assistant Director of Finance	E	32	Annual	\$68,434	\$85,542	\$102,650
				Monthly	\$5,702.80	\$7,128.50	\$8,554.20
				Hourly	\$32.90	\$41.13	\$49.35
PW 13-111	Building Official	E	30	Annual	\$62,071	\$77,589	\$93,107
FBM 08-101	Fleet and Facilities Superintendent	E		Monthly	\$5,172.61	\$6,465.76	\$7,758.92
PW 07-101	Streets and Drainage Superintendent	E		Hourly	\$29.84	\$37.30	\$44.76
PW 13-102	Utilities Superintendent	E					
LIB 03-104	Assistant Library Director	E	27	Annual	\$53,620	\$67,024	\$80,429
PCS 09-101	Parks Superintendent	E		Monthly	\$4,468.30	\$5,585.37	\$6,702.44
PCS 04-102	Recreation Superintendent	E		Hourly	\$25.78	\$32.22	\$38.67
FIN 01-106	Municipal Court Administrator	E	26	Annual	\$51,066	\$63,833	\$76,599
IT 02-102	Systems Administrator	E		Monthly	\$4,255.52	\$5,319.40	\$6,383.28
FIN 11-101	Utility Billing Administrator	E		Hourly	\$24.55	\$30.69	\$36.83
FIN 01-104	Senior Accountant	E	25	Annual	\$48,635	\$60,793	\$72,952
PW 10-101	Storm Drain Supervisor	NE		Monthly	\$4,052.88	\$5,066.09	\$6,079.31
PW 07-102	Streets Supervisor	NE		Hourly	\$23.38	\$29.23	\$35.07
PW 13-103	Utilities Supervisor	NE					
PD 05-117	Animal Services Supervisor	NE	23	Annual	\$44,113	\$55,141	\$66,169
FIN 11-108	City Marshal	NE		Monthly	\$3,676.08	\$4,595.10	\$5,514.12
HR 00-102	Human Resources Generalist	NE		Hourly	\$21.21	\$26.51	\$31.81
IT 02-103	IT Support Specialist	NE					
PD 05-110	Police Records Supervisor	NE					
PW 07-105	Combination Building Inspector	NE	22	Annual	\$42,012	\$52,515	\$63,018
PW 07-110	Construction Inspector	NE		Monthly	\$3,501.03	\$4,376.28	\$5,251.54
LIB 03-102	Librarian - Adult Services	NE		Hourly	\$20.20	\$25.25	\$30.30
LIB 03-105	Librarian - Youth Services	NE					
PD 05-106	Police Officer - Part Time	NE					



**CLASSIFICATION PLAN FISCAL YEAR 2016-17
GENERAL GOVERNMENT EMPLOYEES (Full Time, Part Time and Seasonal)**

Job Code	Position Title	FLSA	Salary Range	Pay Basis	Minimum	Midpoint	Maximum
FBM 08-105	Mechanic II	NE	21	Annual	\$40,012	\$50,015	\$60,018
PCS 04-103	Recreation Programmer	NE		Monthly	\$3,334.31	\$4,167.89	\$5,001.47
PW 07-112	Senior Code Compliance Officer	NE		Hourly	\$19.24	\$24.05	\$28.85
FIN 11-107	Deputy City Marshal	NE	20	Annual	\$38,106	\$47,633	\$57,160
PW 13-113	Economic Development Specialist	NE		Monthly	\$3,175.53	\$3,969.42	\$4,763.30
FIN 01-105	Payroll Specialist	NE		Hourly	\$18.32	\$22.90	\$27.48
PW 13-115	Planning and Zoning Specialist	NE					
PW 07-104	Equipment Operator (Public Works)	NE	19	Annual	\$36,292	\$45,365	\$54,438
PW 10-103	Equipment Operator (Street Sweeper)	NE		Monthly	\$3,024.32	\$3,780.40	\$4,536.48
PW 10-102	Equipment Operator (Storm Drainage Utility)	NE		Hourly	\$17.45	\$21.81	\$26.17
PW 13-112	Equipment Operator (Jet Vac)	NE					
PW 13-105	Equipment Operator (Utilities)	NE					
PW 13-110	Water Quality Technician	NE					
PW 07-106	Code Compliance Officer	NE	18	Annual	\$34,564	\$43,205	\$51,845
PCS 09-104	Landscape Gardener	NE		Monthly	\$2,880.30	\$3,600.38	\$4,320.45
FBM 08-106	Mechanic I	NE		Hourly	\$16.62	\$20.77	\$24.93
FIN 11-106	Purchasing Specialist	NE					
PW 07-111	Signs and Signals Technician	NE					
FIN 01-109	Accounts Payable Clerk	NE	17	Annual	\$32,918	\$41,147	\$49,377
LIB 03-109	Administrative Assistant (Library)	NE		Monthly	\$2,743.15	\$3,428.93	\$4,114.72
PD 05-112	Administrative Assistant (Police)	NE		Hourly	\$15.83	\$19.78	\$23.74
PD 05-116	Administrative Assistant (Animal Services)	NE					
ADM 00-106	Administrative Assistant (Administration)	NE					
PD 05-118	Animal Control Officer	NE					
FBM 08-108	Building Maintenance Technician II	NE					
LIB 03-106	Circulation Supervisor	NE					
FIN 01-108	Deputy Court Clerk	NE					
PW 07-109	Permit Technician	NE					
FIN 11-103	Utility Billing Representative	NE					
PCS 04-107	Summer Recreation Coordinator	NE					
PCS 09-105	Chemical Applicator/Irrigation Technician	NE	16	Annual	\$31,350	\$39,188	\$47,025
PD 05-121	Property Room Technician	NE		Monthly	\$2,612.52	\$3,265.65	\$3,918.78
				Hourly	\$15.07	\$18.84	\$22.61
FBM 08-103	Building Maintenance Technician I	NE	15	Annual	\$29,857	\$37,322	\$44,786
PCS 09-102	Parks Maintenance Worker II	NE		Monthly	\$2,488.11	\$3,110.14	\$3,732.17
PW 10-104	Storm Drain Maintenance Worker II	NE		Hourly	\$14.35	\$17.94	\$21.53
PW 07-107	Streets Maintenance Worker II	NE					
PW 13-106	Utilities Maintenance Worker II (Water)	NE					
PW 13-108	Utilities Maintenance Worker II (Sewer)	NE					
FIN 11-105	Water Service Field Representative	NE					
PD 05-114	Police Records Clerk	NE					
PD 05-115	Police Records Clerk - Part Time	NE					
PCS 09-103	Parks Maintenance Worker I	NE	13	Annual	\$27,082	\$33,852	\$40,622
PW 10-105	Storm Drain Maintenance Worker I	NE		Monthly	\$2,256.79	\$2,820.99	\$3,385.19
PW 07-108	Streets Maintenance Worker I	NE		Hourly	\$13.02	\$16.27	\$19.53
PW 13-107	Utilities Maintenance Worker I (Water)	NE					



**CLASSIFICATION PLAN FISCAL YEAR 2016-17
GENERAL GOVERNMENT EMPLOYEES (Full Time, Part Time and Seasonal)**

Job Code	Position Title	FLSA	Salary Range	Pay Basis	Minimum	Midpoint	Maximum
PW 13-109	Utilities Maintenance Worker I (Sewer)	NE					
FBM 08-107	Fleet Services Technician	NE	12	Annual	\$25,792	\$32,240	\$38,688
FIN 11-104	Water Meter Reader	NE		Monthly	\$2,149.33	\$2,686.66	\$3,223.99
LIB 03-111	Library Assistant (Youth Services)	NE		Hourly	\$12.40	\$15.50	\$18.60
LIB 03-114	Library Assistant (Youth Services) - Part Time	NE					
LIB 03-107	Library Assistant (Circulation) - Part Time	NE					
LIB 03-110	Library Assistant (Technical Services) - Part Time	NE					
LIB 03-108	Library Assistant (Reference) - Part Time	NE					
LIB 03-116	Summer Library Assistant - Part Time	NE					
PCS 04-110	Preschool Instructor - Part Time	NE					
FBM 08-104	Janitorial Service Technician	NE	11	Annual	\$24,564	\$30,705	\$36,846
				Monthly	\$2,046.98	\$2,558.72	\$3,070.47
				Hourly	\$11.81	\$14.76	\$17.71
PD 05-119	Kennel Technician - Part Time	NE	10	Annual	\$23,394	\$29,243	\$35,091
FIN 01-111	Summer Finance Intern - Part Time	NE		Monthly	\$1,949.50	\$2,436.92	\$2,924.25
PW 10-106	Summer Storm Drain Maintenance Worker	NE		Hourly	\$11.25	\$14.06	\$16.87
PCS 09-106	Summer Parks Maintenance Worker	NE					
LIB 03-112	Library Aide - Part Time	NE	9	Annual	\$22,280	\$27,850	\$33,420
LIB 03-113	Library School Intern - Part Time	NE		Monthly	\$1,856.67	\$2,320.83	\$2,785.00
PCS 04-106	Recreation Attendant - Part Time	NE		Hourly	\$10.71	\$13.39	\$16.07
PCS 04-111	PM Play Time Attendant - Part Time	NE					
LIB 03-115	Summer Library Aide - Part Time	NE					
PD 05-120	School Crossing Guard - Part Time	NE	8	Annual	\$21,219	\$26,524	\$31,829
				Monthly	\$1,768.25	\$2,210.33	\$2,652.42
				Hourly	\$10.20	\$12.75	\$15.30
PCS 04-108	Summer Recreation Instructor - Part Time	NE	6	Annual	\$19,246	\$24,058	\$28,869
				Monthly	\$1,603.83	\$2,004.83	\$2,405.75
				Hourly	\$9.25	\$11.57	\$13.88
PCS 04-109	Summer Recreation Assistant - Part Time	NE	4	Annual	\$17,457	\$21,821	\$26,185
				Monthly	\$1,454.75	\$1,818.42	\$2,182.08
				Hourly	\$8.39	\$10.49	\$12.59



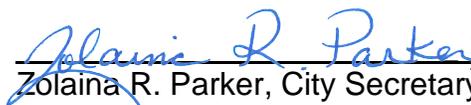
NOTICE OF PUBLIC HEARING

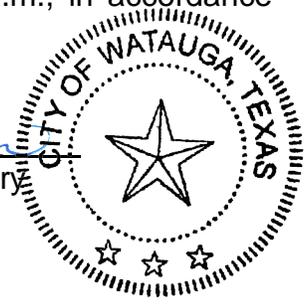
Notice is hereby given of a public hearing of the City Council of the City of Watauga to be held in the City of Watauga Council Chamber located at 7105 Whitley Road, on Monday, November 14, 2016 at 6:30 p.m. for the purpose of hearing the following planning and zoning case.

Planning and Zoning Case 16-08: Consider amendments to the City of Watauga Code of Ordinances, Chapter 40, Section 40-4 of the Code of Ordinances for the City of Watauga, Texas addressing visibility triangles; amending Chapter 115, Section 63(8) for addressing visibility triangles, amending Chapter 115, Section 115-117 due to the relocation of subsections to Chapter 26; amending Chapter 26, Section 26-97 to add subsections relocated from Chapter 115. City of Watauga, applicant. Contact – 817-514-5838 for information.

Published on Friday, October 21, 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, October 19, 2016 before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.


Zolaina R. Parker, City Secretary



AGENDA MEMORANDUM

DATE: November 14, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Paul Hackleman, Director of Public Works and 
Jacquelyn Reyff, AICP, Director Planning & Economic
Development 

THROUGH: Greg Vick, City Manager 

SUBJECT: Request for approval of P&Z Case 16-08 for amendments to the City of Watauga Code of Ordinances, Chapter 40, Section 40-4 of the Code of Ordinances for the City of Watauga, Texas addressing visibility triangles; amending Chapter 115, Section 63(8) for addressing visibility triangles, amending Chapter 115, Section 115-117 due to the relocation of subsections to Chapter 26; amending Chapter 26, Section 26-97 to add subsections relocated from Chapter 115.

BACKGROUND/INFORMATION: This is a city initiated zoning ordinance amendment to consider allowing tree and shrub plantings in the right-of-way by residential property owners. Staff was charged with presenting this proposed amendment to the Planning and Zoning Commission at a public hearing during a special called meeting on July 11, 2016. Action taken by the commission was (1) direction to Staff to research the ordinance(s) and; (2) present at the next meeting options for the Commission to consider and formulate a recommendation to the City Council.

The following options were considered at the discussion during a P&Z meeting on September 6, 2016:

Option 1: No changes to landscaping ordinance, no new trees and shrubs in ROW;

Option 2: Allow trees and shrubs in ROW in residentially zoned properties, modify tree and shrub list, update language for visibility triangles, move landscaping maintenance to property maintenance section of Code of Ordinances;

Option 3: No new trees and shrubs within ROW, update visibility triangle in the right-of-way language, move landscaping maintenance to property maintenance section of Code of Ordinances, and attention to dead/dying plantings;

Option 4: Revert landscaping ordinance back to 2001 ordinance with additional staff and Planning and Zoning Commission review.

After discussion and voting on each of the options, the Commission directed Staff to prepare a proposed ordinance amendment for Option 3. Staff and the City Attorney prepared a draft ordinance. The Planning and Zoning Commission then held a public hearing specific to Option 3 and voted to recommend it to Council. The draft ordinance and a redlined exhibit Option 3 are included in your exhibit.

The exhibit details the existing section of the ordinance and; proposed amendment(s) as discussed by the Commission, are in red.

FINANCIAL IMPLICATIONS:

None.

RECOMMENDATION/ACTION DESIRED:

Approval of P&Z Case 16-08 for amendments to the City of Watauga Code of Ordinances, Chapter 40, Section 40-4 of the Code of Ordinances for the City of Watauga, Texas addressing visibility triangles; amending Chapter 115, Section 63(8) for addressing visibility triangles, amending Chapter 115, Section 115-117 due to the relocation of subsections to Chapter 26; amending Chapter 26, Section 26-97 to add subsections relocated from Chapter 115. Planning and Zoning Commission recommended approval during their October 4, 2016, meeting by a vote of (3) three to (1) abstention.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

- 1) Notice of Public Hearing
- 2) Redlined exhibit
- 3) City Attorney Letter of Approval and Ordinance
- 4) Planning and Zoning Commission Recommendation to Council

Attachment 1



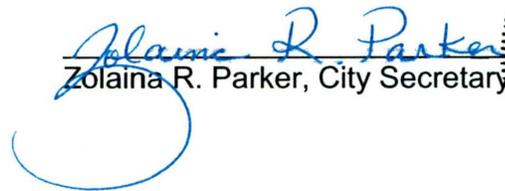
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Planning and Zoning Case 16-08: Consider amendments to the City of Watauga Code of Ordinances, Chapter 40, Section 40-4 of the Code of Ordinances for the City of Watauga, Texas addressing visibility triangles; amending Chapter 115, Section 63(8) for addressing visibility triangles, amending Chapter 115, Section 115-117 due to the relocation of subsections to Chapter 26; amending Chapter 26, Section 26-97 to add subsections relocated from Chapter 115. City of Watauga, applicant. Contact – 817-514-5838 for information.

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Zolaina R. Parker, City Secretary



Attachment 2

Redlined Exhibit

Option 3 - Visibility Triangle Language Updated and Relocation of Landscaping Maintenance to Property Maintenance Chapter Code of Ordinances

Chapter 40 - TRAFFIC AND VEHICLES^[1]

ARTICLE I. - IN GENERAL

Sec. 40-1. - Uniform act adopted.

All provisions of the Uniform Act Regulating Traffic on Highways, being V.T.C.A., Transportation Code title 7, subtitle C (V.T.C.A., Transportation Code ch. 541 et seq.), are hereby adopted and are supplemented by the regulations set forth in this chapter.

(Code 2001, art. 12.300; Code 2010, § 12.01.001)

Sec. 40-4. - Visibility Triangles NEW and Moved (a&b)

(a) The term "intersection visibility triangle" means a triangle sight area, at all intersections, which shall include that portion of public right-of-way and any corner lot within a triangle formed by a diagonal line extending through points on the two property lines 25 feet from the street corner intersection of the property lines (or that point of intersection of the property lines extended) and intersection of the curblines. The term "driveway visibility triangle" means an area measuring seven feet by 60 feet for all driveways along street right-of-way shall be maintained (see diagrams A & B).

(b) Nothing shall be erected, placed, **parked**, planted, or allowed to grow in such a manner as materially to impede vision between a height of 2½ and ten feet above the centerline grades of the intersecting streets or driveways within the visibility triangle for intersections or driveways.

(c) Landowners are prohibited from obstructing the vision in the visibility **triangles**. This prohibition shall also not apply to permanent structures authorized by the

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Comment [JR1]: Deleted has been moved to Section 40-4

Deleted: from planting shrubbery, trees, or ornamental trees in publicly owned right-of-way areas. This prohibition shall not apply to shrubbery, trees and ornamental trees already in place in the public right-of-way prior to the passage of this article

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zoning ordinance, mailboxes, traffic-control signs and signals, street signs, or utility poles placed within the right-of-way area by duly authorized personnel.

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(d) In connection with shrubbery, trees, or ornamental trees already in place on private property or in the public right-of-way areas prior to the passage of this article, it shall be unlawful to maintain, or permit or cause to be maintained, any tree, shrub, or plant within any right-of-way area, including within the intersection visibility triangle, which would interfere with the vehicular traffic on any adjacent or any intersecting street, obscure the view of persons lawfully operating motor vehicles on any adjacent or intersecting streets or interfere with or obstruct the accessibility or passage by pedestrians on public sidewalks. Tree limbs or branches on trees or ornamental trees (regardless of whether such existed prior to the passage of this article) shall be no less than 10 feet in height within the visibility triangle, 14 feet in height if overhanging into the street section above, and 8 feet in height above any portion of a sidewalk. The street as measured from the nearest top of pavement surface or natural ground whichever is higher so as not to interfere with the free passage of vehicles, obscure the view of motor vehicle operators, interfere with or obstruct the ability to view any traffic-control device or street sign, cause or create a traffic hazard, or interfere with or obstruct the accessibility or passage of pedestrians on public sidewalks.

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(Code 2001, art. 12.1200; Code 2010, § 12.01.004)

Secs. 40-5—40-26. - Reserved.

Sec. 115-63. - Supplemental regulations.

The following supplemental regulations are established for each designated zoning district listed herein. District specific regulations are located within the zoning district sections for each zoning district.

(8) *Visibility at intersections.* Nothing shall be erected, placed, parked, planted, or allowed to grow in such a manner as materially to impede vision within the visibility triangle (see Visibility Triangles Chapter 40 Code of Ordinances).

Comment [JR2]: Deleted below and conformed to Section 40-4

Deleted: between a height of 2½ and ten feet above the centerline grades of the intersecting streets in the area bounded by the street lines of each corner lot and a line joining points along said street right-of-way lines 25 feet from the point of intersection. A visibility triangle area measuring seven feet by 60 feet for all driveways along street right-of-way shall be maintained.

Sec. 115-117. - Landscape regulations.

(a) Purpose. The purpose and intent of this section is as follows:

- (1) Stabilizing ecological balance. To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and stormwater runoff retardation, while at the same time aiding in noise, glare and heat abatement.
- (2) Retention of native vegetation. To ensure that the local stock of native trees and vegetation is retained and replenished.
- (3) Adequate light and air. To assist in providing adequate light and air and in preventing overcrowding of land
- (4) Visual buffering. To provide visual buffering and enhance the beautification of the city.

(b) Landscaping standards for one- and two-family dwellings.

(1) All one- and two-family dwellings shall have installed not less than 14 locally adapted shrubs and two two-inch caliper locally adaptable large trees to be located within the front yard. All lawns shall be hydromulched or block sodded covering 100 percent of the front and side yards. Such required landscaping shall be in a thriving condition at the time of final inspection of the main structure.

(2) Right-of-way.

- a. Landowners are encouraged to install and maintain turf grass native to the North Texas region in non-paved publicly owned street right-of-ways abutting their land; provided, however:
 - 1. Removal of landscaping. The city may at any time remove or require the landowner to remove any landscaping located within any right-of-way or public easement for the purpose of public safety, access to utilities and to perform any public improvements within said right-of-way or public easement.
 - 2. Landowners are prohibited from planting shrubbery, trees, or ornamental trees in publicly owned right-of-way areas. This prohibition shall not apply to shrubbery, trees and ornamental trees already in place in the public right-of-way prior to the passage of this chapter. This prohibition shall also not apply to permanent structures authorized by the zoning ordinance or to traffic-control, signs and signals, street signs, or utility poles placed within the right-of-way area by duly authorized personnel.
 - 3. In connection with shrubbery, trees, or ornamental trees already in place in the public right-of-way areas prior to the passage of this chapter, it shall be unlawful to maintain, or permit or cause to be maintained any tree, shrub, or

plant within any right-of-way area, including within the intersection visibility triangle, which would interfere with the vehicular traffic on any adjacent or any intersecting street, obscure the view of persons lawfully operating motor vehicles on any adjacent or intersecting streets or interfere with or obstruct the accessibility or passage by pedestrians on public sidewalks.

- (c) Landscaping standards for buildings and structures other than one- or two-family dwellings.
- (1) Area required. On all lots, not less than 15 percent of the area of the front and side yards visible from an adjacent street shall be landscaped area. All of the required landscaped areas shall be located in the front and side yards visible from an adjacent street and parking lots.
 - (2) Trees required. At least one large tree of at least three inches in diameter and 12 feet in initial height shall be provided as follows:
 - a. Street yards less than 10,000 square feet. In front and side yards visible from the adjacent street totaling less than 10,000 square feet, one tree per 1,000 square feet, or fraction thereof, of the street yard.
 - b. Street yards more than 10,000 square feet. In front and side yards visible from adjacent street totaling more than 10,000 square feet, ten trees plus one per 2,000 square feet, or fraction thereof, of the street yard.
 - c. Credit for existing trees. An existing or planted tree of at least six inches in diameter and at least 15 feet in height shall be considered as two trees for purposes of satisfying this requirement. All newly planted trees shall be planted in permeable areas of not less than three feet in diameter.
 - d. Ornamental trees. In lieu of one large tree, two small or ornamental trees (as listed on the plant list contained herein) may be used. Said small trees shall be a minimum of six feet in height at the time of planting. Not more than 50 percent of the required large trees may be substituted by installing ornamental trees at a rate of two ornamental trees to one large tree.
 - e. Right-of-way. No trees shall be planted in the right-of-way.
 - (3) Shrubbery required. Not less than one shrub shall be required for every 50 square feet of the area required to be landscaped. Placement of such shrubbery shall be taken into consideration as to the plant at full maturity, and be located in the right-of-way or so as not to conflict with vehicular or pedestrian traffic visibility.
 - (4) Groundcover required. Not less than ten percent or more than 40 percent of the landscape shall be maintained in groundcover. The remaining landscaped area shall be maintained in lawn grasses and mulch used around bedding plants, shrubs and trees. All groundcover areas shall be kept clear of weeds and undergrowth.

Comment [JR3]: Deleted and conformed to Section 40-4

Deleted: Tree limbs or branches on trees or ornamental trees (regardless of whether such existed in the public right-of-way prior to the passage of this chapter) shall be no less than 14 feet in height above any portion of a street, or eight feet in height above any portion of a sidewalk so as not to interfere with the free passage of vehicles, obscure the view of motor vehicle operators, interfere with or obstruct the ability to view any traffic-control device or street sign, cause or create a traffic hazard, interfere with or obstruct the accessibility or passage of pedestrians on public sidewalks. ¶ 4. For purposes of this section, the term "intersection visibility triangle" means a triangle sight area, at all intersections, which shall include that portion of public right-of-way and any corner lot within a triangle formed by a diagonal line extending through points on the two property lines 25 feet from the street corner intersection of the property lines (or that point of intersection of the property lines extended) and intersection of the curblines.

- (5) Parking lots and vehicular use areas. A minimum amount of the total area of all vehicular use areas shall be devoted to landscaped islands, peninsulas, or medians.
 - a. Street and yard area. The minimum total area in such islands, peninsulas, and medians in the street yard shall be 90 square feet for each 12 parking spaces. Landscape islands, peninsulas, and medians located in the street yard may be included in calculating the minimum required landscape in the street yard.
 - b. Non-street yard area. The minimum total area in such islands, peninsulas, and medians in the non-street yard shall be 60 square feet for each 12 parking spaces.
 - c. Distribution of islands, medians and peninsulas. The number, size, and shape of islands, peninsulas, and medians, in both street and non-street yards shall be at the discretion of the applicant. All required islands, peninsulas, and medians shall be more or less evenly distributed throughout such parking areas, respectively. However, the distribution and location of landscaped islands, peninsulas, and medians may be adjusted to accommodate existing trees or other natural features so long as the total area requirements for landscaped islands, peninsulas and medians for the respective parking areas above is satisfied.
 - d. Construction and landscaping of islands, medians, and peninsulas. Whenever the design and construction of islands, medians, and peninsulas permits, the same shall be landscaped with grass, shrubbery, or groundcover, and construction of the same in solid concrete or blacktop should be avoided whenever possible.
- (6) Indiscriminate clearing prohibited. The existing natural landscape character (especially native oak, elm, and pecan trees) shall be preserved to the extent reasonable and feasible. In an area of the street yard containing a stand of trees, the applicant shall use his best good faith efforts to preserve such trees. In determining compliance with this subsection, the director of public works shall consider topographical constraints on design, drainage, access and egress, utilities, and other factors reasonably related to the health, safety, and welfare of the public which necessitated disturbance of the existing natural character, the nature and quality of the landscaping installed to replace it, and such other factors as may be relevant and proper. Indiscriminate clearing or stripping of the natural vegetation is prohibited.
- (7) Irrigation. All required landscaping shall be irrigated by an underground irrigation system approved by the administrator.
- (8) Erosion control. All impervious areas shall be maintained with groundcover and shrubbery in a manner to control erosion.
- (9) Protection. All required landscaped areas which are adjacent to the pavement shall be protected with concrete curbs or equivalent barriers (such as railroad ties, continuous border plants, or hedgerows).
- (10) Obstruction prohibited. It shall be unlawful to set out, maintain, or permit or cause to be set out or maintained any shrubbery, flowers, or plants within any right-of-way**

area or public easement area or the intersection visibility triangle, which exceeds two feet in height above curb level.

Comment [JR4]: Move to Ordinance Section 26-97. Exterior Property area.

(11) Maintenance. Refer to Chapter 26. ARTICLE II. – PROPTERY MAINTENANCE. Section 26. DIVISION 3. STANDARDS. Sec. 26- 97. (h)- All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping. Landscaping areas shall be kept free of trash, litter, weeds, and other such materials or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant material which dies shall be replaced with plant material of similar variety and size.

Comment [JR5]: Move this to Ordinance Section 26-97 Exterior Property area.

(12) Right-of-way. Landowners are permitted to landscape non-paved publicly owned street right-of-way abutting their land; provided, however:

a. Removal of landscaping. The city may remove or require the landowner to remove any landscaping located within any right-of-way or public easement for the purpose of public safety, access to utilities and to perform any public improvements within said right-of-way or public easement. Costs of replacement of landscaping, other than turf grass, removed or relocated by the city from or within the right-of-way or public easement, shall be borne by the property owner.

Comment [JR6]: Move to Ordinance Section 26-97 Exterior Property area.

~~b. Limbs or branches on trees or ornamental trees, regardless of whether such existed in the public right of way prior to the passage of this chapter, which encroach into or over a street or right-of-way shall be permitted in the following configuration on residential streets:~~

Comment [JR7]: Removed due to clarification
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	Minimum Height Above Street
At curbline	8 feet
One foot out from curb	9.5 feet
Two feet out from curb	11 feet
Three feet out from curb	12.5 feet
Four feet out from curb	14 feet
Five feet out from curb	15.5 feet

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Six feet out from curb	17 feet
Seven feet out from curb	18.5 feet
Eight feet out from curb	20 feet

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~~b. Limbs or branches on trees or ornamental trees, regardless of whether such existed in the public right-of-way prior to the passage of this chapter, which encroach into or over a collector or arterial street or right-of-way shall be maintained at a minimum height of 14 feet above the street.~~

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~~c. Notwithstanding the above, no tree or ornamental tree shall be permitted to extend over a street or public right-of-way in a manner that obstructs or interferes with the passage of vehicles used in rendition of law enforcement, emergency, medical, emergency fire or refuse services. It shall be the responsibility of the property owner to adhere to and comply with the above standards.~~

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~~d. Species of trees permitted in right-of-way or public easement. The following species of trees will be permitted to be planted, grown or maintained in the public right-of-way or public easement:~~

Comment [JR8]: Removed for clarification

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Grape Myrtle	Texas Ash	Sweetgum
Golden Rain Tree	Bur Oak	Lace Bark Elm
Yaupon	Shumard Oak	Durand Oak
Redbud	Live Oak	Chinese Pistache
Texas Red Oak	Cedar Elm	Mexican Plum

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~~e. Species of trees not permitted in right of way or public easement. The following species of trees cannot be planted in the public right-of-way or public easement:~~

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Hackberry	Sycamore	Silver Maple
Mulberry	Siberian Elm	Mimosa
Arizona Ash	Cottonwood	Willow

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~~Other species of trees shall be subject to variance application and approval of the city council.~~

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(13) Parking lot lighting. Landscaping provided in vehicular and pedestrian use areas shall be designed so that the maturing of the landscaping will not conflict with the lighting scheme.

(14) Recommended plants. All plants used to satisfy this chapter shall be a species common or adaptable to this area of Texas. The following is a list of recommended plant material type. The applicant may propose plants other than those listed if the plant is appropriate for the intended use.

RECOMMENDED PLANTS

Large Trees

Common Name	Botanical Name	Comments	Evergreen	Height	Growth	Water
Afghan Pine	Pinus elderica	Fast growing, drought tolerant	No	25-50'	Rapid	Mod
Bald Cypress	Taxodium distichum	Likes wet feet, fall color	No	50+	Mod	Moist
Bradford Pear	Pyrus calleryan "Bradford"	Shiny foliage, disease resistant	No	25-50'	Mod	Mod
Bur Oak	Quercus macrocarpa	Nice branching shade tree	No	50+	Rapid	Mod

Cedar Elm	<i>Ulmus crassifolia</i>	Nice for shade	No	25-50'	Mod	Mod
Lacebark Elm	<i>Ulmus pavifolia</i>	Fast growth, disease resistant	No	25-50'	Rapid	Mod
Live Oak	<i>Quercus virginiana</i>	Long lived	Yes	25-50'	Slow	Dry
Pecan	<i>Carya illinoensis</i>	Texas state tree, great for shade	No	70'	Mod	Moist
Pistache	<i>Pistachia chinensis</i>	Fall color, rapid growth	No	25'	Rapid	Mod
Red Oak	<i>Quercus shumardii</i>	Red fall color, excellent shade	No	50+	Rapid	Mod
Southern Magnolia	<i>Magnolia grandiflora</i>	Large evergreen	Yes	60-70'	Mod	Moist

Small Trees

Common Name	Botanical Name	Comments	Evergreen	Height	Growth	Water
Crepe Myrtle	<i>Lagerstroemia indica</i>	Summer blooms in many colors	No	<25'	Rapid	Mod
Japanese Black Pine	<i>Pinus thunbergi</i>	Evergreen ornamental	Yes	<25'	Mod	Mod
Mexican Plum	<i>Plumus mexicana</i>	Bright white flowers	No	<25'	Mod	Mod

Purpleleaf Plum	<i>Prunus cerasifera</i>	Purple foliage, flowers in spring	No	<25'	Rapid	Mod-dry
Redbud	<i>Cercis canadensis</i>	Pink flowers in spring	No	<25'	Mod	Mod
Yaupon Holly	<i>Ilex vomitoria</i>	Very hardy, great in small area	Yes	<25'	Rapid	Mod-dry

Shrubs

Common Name	Botanical Name	Comments	Evergreen	Height	Growth	Water
Dwarf Burford Holly	<i>Ilex cornuta</i> "Burfordii nana"	Shiny green leaf	Yes	5'	Mod	Mod
Dwarf Chinese Holly	<i>Ilex cornuta</i> "Rotunda"	Low rounded growth, tough	Yes	3'	Slow	Mod
Dwarf Yaupon	<i>Ilex vomitoria</i> "Nana"	Dense rounded growth	Yes	3'	Slow	Mod
Flowering Quince	<i>Chanomeles</i> "Texas Scarlet"	Red flower, early spring	No	6'	Mod	Mod
Forsythia	<i>Forsythia intermedia</i>	Yellow flower in early spring	No	6'	Mod	Mod
Japanese Barberry	<i>Berberis thunbergi</i>	Thorns, red foliage	Yes	2-5'	Slow	Mod
Nandina	<i>Nandina domestica</i>	Red winter foliage	Yes	6'	Rapid	Mod

Pampas Grass	<i>Cordateria selloana</i>	Fall flower	Yes	6'	Rapid	Mod
Photinia	<i>Photinia fraseri</i>	Tall, red foliage spring/fall	Yes	15'	Rapid	Mod
Sea Green Juniper	<i>Juniperus chinensis</i> "Sea Green"	Arching growth	Yes	6'	Mod	Mod
Spiraca	<i>Spiraca prunifolia</i>	White flower, April- May	No	6'	Mod	Mod
Tam Juniper	<i>Juniperus sabina</i> "Tam"	Low growth, tolerates heat	Yes	5'	Mod	Dry
Texas Sage	<i>Leucophyllum</i> <i>frutescens</i> "Nana"	Gray foliage, blooms after rain	Yes	6'	Slow	Mod- dry

Groundcovers

Common Name	Botanical Name	Comments	Evergreen	Height	Growth	Water
Asian Jasmine	<i>Trachelospermum</i>	Rapid spread	Yes	1.5'	Rapid	Mod
Euonymus coloratus	<i>Euonymus fortunei</i> "Coloratus"	Winter color	Yes	1.5'	Mod	Mod
Juniper species	<i>Jun. horizontalis,</i> <i>procumbens</i>	Tolerates heat/drought	Yes	1.5'	Slow	Mod
Mondo grass	<i>Ophiopogon japonicus</i>	Small dark leaves	Yes	8"	Rapid	Mod

Monkey grass	Liriope muscari	Hardy, blue flower	Yes	1.5'	Rapid	Mod
Vinca/periwinkle	Vinca minor	Shade, blue flowers	No	1.5'	Rapid	Mod

(d) Approval procedures.

- (1) Landscape plan required. A landscape plan shall be required containing the following information:
 - a. Date, graphic scale, north arrow, title and name of applicant/owner.
 - b. Location of existing boundary lines and dimensions of the tract.
 - c. Approximate centerline of existing watercourses; location of significant drainage features; and the location and size of existing and proposed streets, alleys, utility and emergency access easements and sidewalks.
 - d. Location, size, and type (tree, shrub, groundcover, or grass) of landscaping in proposed areas and location and size of proposed landscaped areas.
 - e. Location and species of existing trees having trunks of six inches or larger in diameter and the approximate size of their crowns.
 - f. Information necessary for verifying the required minimum amount of landscaped area.
 - g. Plans for protecting retained existing trees from damage during construction.
 - h. Location and size of the proposed irrigation system.
- (2) Professional requirement. Landscape plans for projects which incorporate more than two acres of lot area shall be prepared and signed by a licensed professional landscape architect. All irrigation plans shall be prepared and signed by a licensed irrigator or other professional authorized by the state to design such system.
- (3) Plan approval. Landscaping and irrigation shall be installed in accordance with plans upon review and approval by the director of public works. Should the director of public works deny a landscaping scheme for noncompliance with the requirements, the applicant may, within seven days of the decision, appeal that decision to the board of adjustment. The board of adjustment shall be the final judge as to whether the proposed landscape plan complies with the intent of this chapter.
- (4) Fee required. An inspection fee in an amount set by city council resolution shall be collected by the director of public works at the time of application for a building permit.

- (5) Fiscal arrangements. If, at the time of an application for a certificate of occupancy, required landscaping is not yet in place for seasonal consideration, the applicant shall make fiscal arrangements (by bond, certificate of deposit or letter of credit) satisfactory to the city in the amount of \$2.00 per square foot of required landscaping not yet in place to ensure that such shall be installed. Any applicant making such fiscal arrangements shall also grant to the city a license to enter upon the land for the purpose of installing the required landscaping in the event that such landscaping is not installed by the applicant within nine months. Such fiscal arrangements shall be for a period of not less than 12 months.

(e) Screening requirements.

- (1) Applicability. These regulations shall apply to all land within the city. Such screening regulations shall become applicable upon any change of use, ownership, occupancy or at such time as a building permit is applied for, except as otherwise specified by this chapter.
- (2) Types of screening (in general). Where required, screening fences and walls shall be erected to a height not less than six feet and provide a visual barrier from adjacent properties and streets. Such screening shall be permanently and adequately maintained by the owner of the property on which the screening is required. Except for the landscape buffer, no screening fence or wall shall have more than 40 square inches of openings over any one square foot of fence or wall surface. Only the following types of screening shall qualify as meeting the requirements of this chapter:
- a. Landscaped buffer. This type of screening shall consist of a landscaped strip of not less than five feet in width and shall include hedge-like shrubbery of evergreen planting materials capable of obtaining a minimum height of six feet within the first three years of initial planting. Such evergreen planting materials shall be planted at a minimum spacing of four feet on centers and be a minimum height of 2½ feet at initial planting. An automatic underground drip irrigation or sprinkler system shall be provided for all required landscaped buffer screens. Any landscaped buffer required by this chapter shall be maintained in a healthy thriving condition.
 - b. Fencing regulations
 - 1. Fencing shall consist of wood panel, brick, rock, stone, wrought iron, fiberglass, vinyl, galvanized chain link, and wood composite material. The public works director may approve other materials provided the material is expressly designed for fence installation and is resistant to sunlight and moisture.
 - 2. Fences shall not exceed eight feet in height.
 - 3. Newly constructed fences, or existing fences being repaired or replaced, shall be constructed with minimum 13 gauge metal posts for vertical supports. Hollow metal posts shall be capped. Wrought iron posts that are three inches square by 12 gauge, 2½ inches square by 14 gauge, or 2½ inches square by 13 gauge may also be used. Posts shall be set in concrete at least two feet in the ground. Metal posts shall be filled with concrete two feet above ground for fences that are eight feet in height.
 - 4. Wood fences may be stained or have a clear sealer applied. Fiberglass, wrought iron, wood composite or vinyl fencing shall be a color compatible with the adjoining structures and shall be a subdued color to blend with surrounding neighborhood previously approved by the director of public works. When erected on residential

property, painted wooden fences, fiberglass fences, or vinyl fences shall require the prior written approval of the director of public works to ensure compliance with city codes

- 5 Fencing shall have the finished side facing out, with the posts placed inside, when facing public property, when facing a public thoroughfare, or when accessible to public view
 - 6 When a screen fence is required by ordinance in an LB Local Business District, GB General Business District, or C Commercial District, a masonry wall may be used. Where required, screening fences and walls shall be erected to a height of not less than six feet and shall provide a visual barrier from adjacent properties and streets
 - 7 No fence or enclosure shall extend closer to any street right-of-way than the building line in front, building line definition, being the front of the building or structure. On corner lots, the fence may not extend closer than 15 feet from the back of the curb
 - 8 No fence or gate shall be allowed to open, or front a channel, from an entrance from or to a side or back yard
 - 9 Fence gates shall not be constructed for access to a yard from a street without an approved drive approach
 - 10 Where side or rear lot lines of newly constructed residential or commercial property coincide with an adjacent street, a minimum six-foot masonry fence or wall is required as described below
 - 11 Masonry fences or walls shall be
 - (i) Compatible in color with the adjoining structures and subdued in color to blend with the surrounding neighborhood,
 - (ii) Designed by an engineer licensed by the state, and
 - (iii) Properly engineered to withstand wind load, special load conditions and site drainage
 - 12 All fences shall be maintained in a good condition by the property owner including compliance with the following standards
 - (i) The fence must be free of damage, breaks or missing components or parts,
 - (ii) Fence posts and rails with evidence of significant rot or deterioration must be replaced to keep the fence safe and prevent catastrophic failure,
 - (iii) Fences, retaining walls, and decorative walls that lean more than 15 degrees from vertical, buckling, sagging or deteriorating must be repaired or replaced with materials and color similar to its original construction, and
 - (iv) Loose brick, stone, rock, mortar or similar materials on masonry walls and barriers shall be rebonded or similarly repaired
- c Prohibited fencing Prohibited fencing includes, but is not limited to, plywood, corrugated metal, chicken wire, cardboard, barbed wire, or electrical fences
- d Swimming pool, spa, and hot tub fences A six-foot permanent fence, wall, or bolted screen enclosure must be erected and maintained so as to completely enclose each swimming pool, spa, or hot tub. The fence, wall, or bolted screen enclosure must be constructed and equipped with a self-closing and latching gate, and equipped to accommodate a locking device that shall be located on the pool side of the gate, which must be locked when the swimming pool, spa, or hot tub is not in use. It shall be an affirmative defense to this section that a residential swimming pool has a power safety cover or that a spa or hot tub has a safety cover complying with ASTM F1346

- e Fence permits It is unlawful for any person to construct, replace, or cause to be constructed or replaced, a fence that is over 30 inches in height without first obtaining a fence permit from the public works department It is an affirmative defense to this section that the person is repairing or partially replacing a residential fence due to deterioration or damage and it is determined by the public works department that a permit is not required Fence permit fees will be based on the cost of construction per table 1-A in section 12-103
 - f Fence maintenance So as not to be detrimental to public health and safety, all fences shall be maintained by the property owner or lessee and shall be kept clean and free from all hazards including, but not limited to, faulty and loose fastenings, nails, missing panels, missing boards, fiberglass panels, or missing/damaged sections The director of public works shall be vested with authority to extend the time necessary for fence repairs not to exceed a period of 90 days from the time that the need for repair occurs
 - g Ribbed metal panel frame A ribbed metal panel fence shall be suitably finished to blend with the primary structure and shall be erected on a structurally sound metal frame set in concrete When a ribbed metal panel fence is required, a masonry wall described below may be used
 - h Masonry wall A masonry fence or wall shall be constructed with the finish side out and of any of the following materials native stone, brick, precast concrete panels with decorative finish, or decorative masonry unit In no case shall more than 25 percent of the area of the wall be erected with common smooth-faced masonry units
- (3) Screening required between uses and similar districts Screening between an incoming use and a less intensive zoning district shall be provided prior to occupancy of the incoming use Uses not specifically listed shall comply with the screening requirements for the listed use it most closely resembles Said screening shall comply with the following table

**MINIMUM SCREENING
BETWEEN USES AND DISTRICTS INCOMING USE**

	Single-Family Detached	Single-Family Attached	Duplex	Townhouse	Multifamily	Office Retail	Warehouse/Storage	Manufacturing Assembly
	SFD	SFA	DUP	TH	MF	COMM	WH	MFG
R-1	None	b	b	a & b	a & b	a & b	a & b	a & d
R-1A	None	None	b	b	a & b	a & b	a & b	a & d
R-2	None	None	None	b	a & b	a & b	a & b	a & d
R-	None	None	None	None	b	a & b	a & b	a & d

3								
C-1	None	None	None	None	None	None	c	c
C-2	None	None	None	None	None	None	c	c
C-3	None	None	None	None	None	None	c	c
M-1	None	c						
M-2	None							

(4) Trash collection areas other than single-family or two-family uses No trash collection areas shall be located within the required front or street side yard or within ten feet of any property zoned for residential purposes Trash collection areas shall be screened from adjacent properties and streets on a minimum of three sides with a screening fence meeting the standards of section 115-117(e), Screening fence If the trash receptacle is to be a dumpster, it shall have wheel stops or bollards on all four sides to contain the dumpster and be located a minimum of 2½ feet inside the screening fence or wall Said wheel stops shall be securely affixed to the pavement and shall be spaced to allow for drainage A concrete pad shall be contained within the screened area and extend not less than 12 feet in front of the screen Said concrete pad shall be not less than six inches thick and made of 3,000 psi concrete with number three rebar placed at 18 inches on center Additionally, each screened area shall have constructed adjacent thereto a concrete approach ramp not less than six inches thick and made of 3,000 psi concrete with number three rebar placed at 12 inches on center

(f) Open storage and use areas

- (1) Applicability This landscape section shall apply to all land within the city upon the effective date Planned development, specific use permits, or other plans approved by city council specifically authorizing outside sales, storage, or display shall be permitted in accordance with the provisions established at approval
- (2) Residential uses In all residential districts, no open outside accessory storage or display of materials, commodities, or machinery shall be permitted, other than that which is incidental to the primary use of the property as a residence Incidental storage is permitted behind the main structure provided the area devoted to storage is not more than 60 percent of the required rear yard Said area shall be kept neat and clean and free of all tall grass and weeds, and must be screened from all adjacent properties and streets with a landscape buffer or screening fence as set forth in the preceding subsection No materials shall be stacked to a height greater than the visual screen Materials shall not be stored in a manner which would attract or harbor vermin

- (3) **Nonresidential uses** Except as otherwise specifically authorized by this chapter, all outdoor sales, storage, and display areas shall be located behind building lines and shall be screened with a screening fence as set forth in the preceding subsection. Any outside storage or outside use area established after the effective date of this ordinance shall be screened by a fence as set forth in the previous section unless the screen is visible from a public street, in which case that portion of the screen visible to the street, shall be masonry. Openings for access to the outside storage or outside use area shall be equipped with gates capable of screening the activities and user from view when closed. Such gates shall not be designed to swing outward towards the street. In no case may any materials be stored above the highest point of the screening provided.

(Code 2001, § 14.504; Code 2010, § 14.05.004; Ord. No. 1534, § I, 11-18-2013; Ord. No. 1548, § I(Exh. A), 3-24-2014)

Attachment 3

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
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OF COUNSEL

TIM EVANS
TIM MOORE
LANCE T EVANS
WILLIAM R. BIGGS

October 31, 2016

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

VIA EMAIL

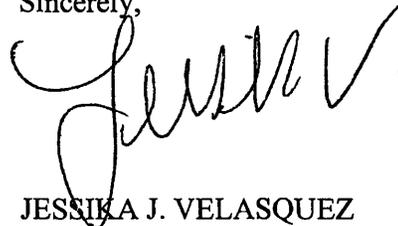
Re: Ordinance regarding visibility triangles and the relocation of property maintenance subsections, amending Sections 40-4, 115-63(8), 115-117 and 26-97

Dear Ms. Reyff:

Please find attached an Ordinance prepared by my office amending Sections 40-4, 115-63(8), 115-117, and 26-97 of the Code of Ordinances for the City of Watauga. Sections 40-4 and 115-63(8) of the Code have been amended to provide clarification regarding visibility triangles in the City. Sections 115-117 and 26-97 have been amended to provide clarification regarding property maintenance. This draft of the Ordinance includes the recommendations approved at the Planning and Zoning Commission meeting on September 6, 2016. Please submit this to the City Council for consideration and possible approval.

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
Zolaina Parker

CITY OF WATAUGA, TEXAS
ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA AMENDING CHAPTER 40, SECTION 40-4 OF THE CODE OF ORDINANCES FOR THE CITY OF WATAUGA, TEXAS ADDRESSING VISIBILITY TRIANGLES; AMENDING CHAPTER 115, SECTION 115-63(8) FOR ADDRESSING VISIBILITY TRIANGLES; AMENDING CHAPTER 115, SECTION 115-117 DUE TO THE RELOCATION OF SUBSECTIONS TO CHAPTER 26; AMENDING CHAPTER 26, SECTION 26-97 TO ADD SUBSECTIONS RELOCATED FROM CHAPTER 115; 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 recognizes the need to amend Sections 40-4 and 115-63(8) of the Code of Ordinances for the City of Watauga to provide clarification regarding visibility triangles in the City, and to amend Sections 115-117 and 26-97 of the Code of Ordinances for the City of Watauga to provide clarification regarding property maintenance to the City and its citizens.

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

I.

Chapter 40, Section 40-4 of the Code of Ordinances for the City of Watauga is hereby amended to read as follows:

Sec. 40-4. - Visibility triangles.

- (a) The term “intersection visibility triangle” means a triangle sight area, at all intersections, which shall include that portion of public right-of-way and any corner lot within a triangle formed by a diagonal line extending through points on the two property lines 25' (twenty five feet) from the street corner intersection of the property lines (or that point of intersection of the property lines extended) and intersection of the curblines. The term “driveway visibility triangle” means an area measuring 7' (seven feet) by 60' (sixty feet) for all driveways along street right-of-way shall be maintained (see diagrams A & B).
- (b) Nothing shall be erected, placed, parked, planted, or allowed to grow in a manner as materially to impede vision between a height of 2½ (two and one half) and 10 (ten) feet above the centerline grades of the intersecting streets or driveways within the visibility triangle for intersections or driveways.
- (c) Landowners are prohibited from obstructing the vision in the visibility triangles. This prohibition shall not apply to permanent structures authorized by the zoning ordinance, mailboxes, traffic-control signs and signals, street signs, or utility poles placed within the right-of-way area by duly authorized personnel.
- (d) In connection with shrubbery, trees, or ornamental trees already in place on private property or in the public right-of-way areas prior to the passage of this Article, it shall be unlawful to maintain, or permit or cause to be maintained, any tree, shrub, or plant within any right-of-way area, including within the intersection visibility triangle, which would interfere with the vehicular traffic on any adjacent or any intersecting street,

obscure the view of persons lawfully operating motor vehicles on any adjacent or intersecting streets or interfere with or obstruct the accessibility or passage by pedestrians on public sidewalks. Tree limbs or branches on trees or ornamental trees (regardless of whether such existed prior to the passage of this Article) shall be no less than 10' (ten feet) in height within the visibility triangle and 14' (fourteen feet) in height if overhanging into the street area above the street as measured from the nearest top of pavement surface or natural ground whichever is higher so as not to interfere with the free passage of vehicles, obscure the view of motor vehicle operators, interfere with or obstruct the ability to view any traffic-control device or street sign, cause or create a traffic hazard, or interfere with or obstruct the accessibility or passage of pedestrians on public sidewalks. Tree limbs or branches on trees or ornamental trees shall also be no less than 8' (eight feet) in height above any portion of a sidewalk.

II.

Chapter 115, Section 115-63(8) of the Code of Ordinances for the City of Watauga is hereby amended to read as follows:

- (8) *Visibility at intersections.* Nothing shall be erected, placed, parked, planted, or allowed to grow in such a manner as materially to impede vision within the visibility triangle (see Visibility triangles, Chapter 40, Section 40-4, Code of Ordinances).

III.

Chapter 115, Section 115-117 of the Code of Ordinances for the City of Watauga is hereby amended to read as follows:

Sec. 115-117. - Landscape regulations.

(a) *Purpose.* The purpose and intent of this section is as follows:

(1) *Stabilizing ecological balance.* To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and stormwater runoff retardation, while at the same time aiding in noise, glare and heat abatement.

(2) *Retention of native vegetation.* To ensure that the local stock of native trees and vegetation is retained and replenished.

(3) *Adequate light and air.* To assist in providing adequate light and air and in preventing overcrowding of land.

(4) *Visual buffering.* To provide visual buffering and enhance the beautification of the city.

(b) *Landscaping standards for one- and two-family dwellings.*

(1) All one- and two-family dwellings shall have installed not less than 14 (fourteen) locally adapted shrubs and two 2" (two-inch) caliper locally adaptable large trees to be located within the front yard. All lawns shall be hydromulched or block sodded covering 100% (one hundred percent) of the front and side yards. Such required landscaping shall be in a thriving condition at the time of final inspection of the main structure.

(2) *Right-of-way.*

- a. Landowners are encouraged to install and maintain turf grass native to the North Texas region in non-paved publicly owned street right-of-ways abutting their land; provided, however:
 1. Removal of landscaping. The City may at any time remove or require the landowner to remove any landscaping located within any right-of-way or public easement for the purpose of public safety, access to utilities and to perform any public improvements within said right-of-way or public easement.
 2. Landowners are prohibited from planting shrubbery, trees, or ornamental trees in publicly owned right-of-way areas. This prohibition shall not apply to shrubbery, trees and ornamental trees already in place in the public right-of-way prior to the enactment of this Section. This prohibition shall also not apply to permanent structures authorized by the zoning ordinance or to traffic-control, signs and signals, street signs, or utility poles placed within the right-of-way area by duly authorized personnel.
 3. In connection with shrubbery, trees, or ornamental trees already in place in the public right-of-way areas prior to the enactment of this Section, it shall be unlawful to maintain, or permit or cause to be maintained any tree, shrub, or plant within any right-of-way area, including within the intersection visibility triangle, which would interfere with the vehicular traffic on any adjacent or any intersecting street, obscure the view of persons lawfully operating motor vehicles on any adjacent or intersecting

streets or interfere with or obstruct the accessibility or passage by pedestrians on public sidewalks.

(c) *Landscaping standards for buildings and structures other than one- or two-family dwellings.*

(1) *Area required.* On all lots, not less than 15% (fifteen percent) of the area of the front and side yards visible from an adjacent street shall be landscaped area. All of the required landscaped areas shall be located in the front and side yards visible from an adjacent street and parking lots.

(2) *Trees required.* At least one large tree of at least 3" (three inches) in diameter and 12' (twelve feet) in initial height shall be provided as follows:

- a. *Street yards less than 10,000 square feet.* In front and side yards visible from the adjacent street totaling less than 10,000 (ten thousand) square feet, 1 (one) tree per 1,000 (one thousand) square feet, or fraction thereof, of the street yard.
- b. *Street yards more than 10,000 square feet.* In front and side yards visible from adjacent street totaling more than 10,000 (ten thousand) square feet, 10 (ten) trees plus 1 (one) per 2,000 (two thousand) square feet, or fraction thereof, of the street yard.
- c. *Credit for existing trees.* An existing or planted tree of at least 6" (six inches) in diameter and at least 15' (fifteen feet) in height shall be considered as 2 (two) trees for purposes of satisfying this requirement. All newly planted trees shall be planted in permeable areas of not less than 3' (three feet) in diameter.

- d. *Ornamental trees.* In lieu of 1 (one) large tree, 2 (two) small or ornamental trees (as listed on the plant list contained herein) may be used. Said small trees shall be a minimum of 6' (six feet) in height at the time of planting. Not more than 50% (fifty percent) of the required large trees may be substituted by installing ornamental trees at a rate of 2 (two) ornamental trees to 1 (one) large tree.
 - e. *Right-of-way.* No trees shall be planted in the right-of-way.
- (3) *Shrubbery required.* Not less than 1 (one) shrub shall be required for every 50 (fifty) square feet of the area required to be landscaped. Placement of such shrubbery shall be taken into consideration as to the plant at full maturity, and be located in the right-of-way or so as not to conflict with vehicular or pedestrian traffic visibility.
- (4) *Groundcover required.* Not less than 10% (ten percent) or more than 40% (forty percent) of the landscape shall be maintained in groundcover. The remaining landscaped area shall be maintained in lawn grasses and mulch used around bedding plants, shrubs and trees. All groundcover areas shall be kept clear of weeds and undergrowth.
- (5) *Parking lots and vehicular use areas.* A minimum amount of the total area of all vehicular use areas shall be devoted to landscaped islands, peninsulas, or medians.
- a. *Street and yard area.* The minimum total area in such islands, peninsulas, and medians in the street yard shall be 90 (ninety) square feet for each 12 (twelve) parking spaces. Landscape islands, peninsulas, and medians located in the

street yard may be included in calculating the minimum required landscape in the street yard.

- b. *Non-street yard area.* The minimum total area in such islands, peninsulas, and medians in the non-street yard shall be 60 (sixty) square feet for each 12 (twelve) parking spaces.
 - c. *Distribution of islands, medians and peninsulas.* The number, size, and shape of islands, peninsulas, and medians, in both street and non-street yards shall be at the discretion of the applicant. All required islands, peninsulas, and medians shall be more or less evenly distributed throughout such parking areas, respectively. However, the distribution and location of landscaped islands, peninsulas, and medians may be adjusted to accommodate existing trees or other natural features so long as the total area requirements for landscaped islands, peninsulas and medians for the respective parking areas above is satisfied.
 - d. *Construction and landscaping of islands, medians, and peninsulas.* Whenever the design and construction of islands, medians, and peninsulas permits, the same shall be landscaped with grass, shrubbery, or groundcover, and construction of the same in solid concrete or blacktop should be avoided whenever possible.
- (6) *Indiscriminate clearing prohibited.* The existing natural landscape character (especially native oak, elm, and pecan trees) shall be preserved to the extent reasonable and feasible. In an area of the street yard containing a stand of trees, the applicant shall use good faith efforts to preserve such trees. In determining

compliance with this Subsection, the Director of Public Works shall consider topographical constraints on design, drainage, access and egress, utilities, and other factors reasonably related to the health, safety, and welfare of the public which necessitated disturbance of the existing natural character, the nature and quality of the landscaping installed to replace it, and such other factors as may be relevant and proper. Indiscriminate clearing or stripping of the natural vegetation is prohibited.

- (7) *Irrigation.* All required landscaping shall be irrigated by an underground irrigation system approved by the administrator.
- (8) *Erosion control.* All impervious areas shall be maintained with groundcover and shrubbery in a manner to control erosion.
- (9) *Protection.* All required landscaped areas which are adjacent to the pavement shall be protected with concrete curbs or equivalent barriers (such as railroad ties, continuous border plants, or hedgerows).
- (10) *Parking lot lighting.* Landscaping provided in vehicular and pedestrian use areas shall be designed so that the maturing of the landscaping will not conflict with the lighting scheme.
- (11) *Recommended plants.* All plants used to satisfy this Chapter shall be a species common or adaptable to this area of Texas. The following is a list of recommended plant material type. The applicant may propose plants other than those listed if the plant is appropriate for the intended use.

RECOMMENDED PLANTS

Large Trees

Common Name	Botanical Name	Comments	Evergreen	Height	Growth	Water
Afghan Pine	<i>Pinus elderica</i>	Fast growing, drought tolerant	No	25-50'	Rapid	Mod
Bald Cypress	<i>Taxodium distichum</i>	Likes wet feet, fall color	No	50+	Mod	Moist
Bradford Pear	<i>Pyrus calleryan</i> "Bradford"	Shiny foliage, disease resistant	No	25-50'	Mod	Mod
Bur Oak	<i>Quercus macrocarpa</i>	Nice branching shade tree	No	50+	Rapid	Mod
Cedar Elm	<i>Ulmus crassifolia</i>	Nice for shade	No	25-50'	Mod	Mod
Lacebark Elm	<i>Ulmus pavifolia</i>	Fast growth, disease resistant	No	25-50'	Rapid	Mod
Live Oak	<i>Quercus virginiana</i>	Long lived	Yes	25-50'	Slow	Dry
Pecan	<i>Carya illinoensis</i>	Texas state tree, great for shade	No	70'	Mod	Moist
Pistache	<i>Pistachia chinensis</i>	Fall color, rapid growth	No	25'	Rapid	Mod
Red Oak	<i>Quercus shumardii</i>	Red fall color, excellent shade	No	50+	Rapid	Mod
Southern Magnolia	<i>Magnolia grandiflora</i>	Large evergreen	Yes	60-70'	Mod	Moist

Small Trees

Common Name	Botanical Name	Comments	Evergreen	Height	Growth	Water
Crepe Myrtle	Lagerstroema indica	Summer blooms in many colors	No	<25'	Rapid	Mod
Japanese Black Pine	Pinus thunbergi	Evergreen ornamental	Yes	<25'	Mod	Mod
Mexican Plum	Plumus mexicana	Bright white flowers	No	<25'	Mod	Mod
Purpleleaf Plum	Prunus cerasifera	Purple foliage, flowers in spring	No	<25'	Rapid	Mod-dry
Redbud	Cercis canadensis	Pink flowers in spring	No	<25'	Mod	Mod
Yaupon Holly	Ilex vomitoria	Very hardy, great in small area	Yes	<25'	Rapid	Mod-dry

Shrubs

Common Name	Botanical Name	Comments	Evergreen	Height	Growth	Water
Dwarf Burford Holly	Ilex cornuta "Burfordii nana"	Shiny green leaf	Yes	5'	Mod	Mod
Dwarf Chinese Holly	Ilex cornuta "Rotunda"	Low rounded growth, tough	Yes	3'	Slow	Mod
Dwarf Yaupon	Ilex vomitoria "Nana"	Dense rounded growth	Yes	3'	Slow	Mod

Flowering Quince	Chanomeles "Texas Scarlet"	Red flower, early spring	No	6'	Mod	Mod
Forsythia	Forsythia intermedia	Yellow flower in early spring	No	6'	Mod	Mod
Japanese Barberry	Berberis thunbergi	Thorns, red foliage	Yes	2-5'	Slow	Mod
Nandina	Nandina domestica	Red winter foliage	Yes	6'	Rapid	Mod
Pampas Grass	Cordateria selloana	Fall flower	Yes	6'	Rapid	Mod
Photinia	Photinia fraseri	Tall, red foliage spring/fall	Yes	15'	Rapid	Mod
Sea Green Juniper	Juniperus chinensis "Sea Green"	Arching growth	Yes	6'	Mod	Mod
Spiraca	Spiraca prunifolia	White flower, April-May	No	6'	Mod	Mod
Tam Juniper	Juniperus sabina "Tam"	Low growth, tolerates heat	Yes	5'	Mod	Dry
Texas Sage	Leucophyllum frutescens "Nana"	Gray foliage, blooms after rain	Yes	6'	Slow	Mod-dry

Groundcovers

Common Name	Botanical Name	Comments	Evergreen	Height	Growth	Water
Asian Jasmine	Trachelospermum	Rapid spread	Yes	1.5'	Rapid	Mod
Euonymus coloratus	Euonymus fortunei "Coloratus"	Winter color	Yes	1.5'	Mod	Mod

Juniper species	Jun. horizontalis, procumbens	Tolerates heat/drought	Yes	1.5'	Slow	Mod
Mondo grass	Ophiopogon japonicus	Small dark leaves	Yes	8"	Rapid	Mod
Monkey grass	Liriope muscari	Hardy, blue flower	Yes	1.5'	Rapid	Mod
Vinca/periwinkle	Vinca minor	Shade, blue flowers	No	1.5'	Rapid	Mod

(d) *Approval procedures.*

(1) *Landscape plan required.* A landscape plan shall be required containing the following information:

- a. Date, graphic scale, north arrow, title and name of Applicant/Owner.
- b. Location of existing boundary lines and dimensions of the tract.
- c. Approximate centerline of existing watercourses; location of significant drainage features; and the location and size of existing and proposed streets, alleys, utility and emergency access easements and sidewalks.
- d. Location, size, and type (tree, shrub, groundcover, or grass) of landscaping in proposed areas and location and size of proposed landscaped areas.
- e. Location and species of existing trees having trunks of 6" (six inches) or larger in diameter and the approximate size of their crowns.

- f. Information necessary for verifying the required minimum amount of landscaped area.
 - g. Plans for protecting retained existing trees from damage during construction.
 - h. Location and size of the proposed irrigation system.
- (2) *Professional requirement.* Landscape plans for projects which incorporate more than two acres of lot area shall be prepared and signed by a licensed professional landscape architect. All irrigation plans shall be prepared and signed by a licensed irrigator or other professional authorized to design such system.
- (3) *Plan approval.* Landscaping and irrigation shall be installed in accordance with plans upon review and approval by the Director of Public Works. Should the Director of Public Works deny a landscaping scheme for noncompliance with the requirements, the Applicant may, within seven days of the decision, appeal that decision to the Zoning Board of Adjustment.
- (4) *Fee required.* An inspection fee in an amount set by City Council resolution shall be collected by the Director of Public Works at the time of application for a building permit.
- (5) *Fiscal arrangements.* If, at the time of an application for a certificate of occupancy, required landscaping is not yet in place for seasonal consideration, the Applicant shall make fiscal arrangements (by bond, certificate of deposit or letter of credit) satisfactory to the City in the amount of \$2.00 (two dollars) per square foot of required landscaping not yet in place to ensure that such shall be installed. Any Applicant making such fiscal arrangements shall also grant to the City authority to

enter upon the land for the purpose of installing the required landscaping in the event that such landscaping is not installed by the Applicant within 9 (nine) months. Such fiscal arrangements shall be for a period of not less than 12 (twelve) months.

(e) *Screening requirements.*

(1) *Applicability.* These regulations shall apply to all land within the City. Such screening regulations shall become applicable upon any change of use, ownership, occupancy or at such time as a building permit is applied for, except as otherwise specified by this Chapter.

(2) *Types of screening (in general).* Where required, screening fences and walls shall be erected to a height not less than 6' (six feet) and provide a visual barrier from adjacent properties and streets. Such screening shall be permanently and adequately maintained by the owner of the property on which the screening is required. Except for the landscape buffer, no screening fence or wall shall have more than 40 (forty) square inches of openings over any one square foot of fence or wall surface. Only the following types of screening shall qualify as meeting the requirements of this Chapter:

a. *Landscaped buffer.* This type of screening shall consist of a landscaped strip of not less than 5' (five feet) in width and shall include hedge-like shrubbery of evergreen planting materials capable of obtaining a minimum height of 6' (six feet) within the first three years of initial planting. Such evergreen planting materials shall be planted at a minimum spacing of four feet on centers and be a minimum height of 2½ (two and one half) feet at initial planting. An

automatic underground drip irrigation or sprinkler system shall be provided for all required landscaped buffer screens. Any landscaped buffer required by this Chapter shall be maintained in a healthy thriving condition.

b. *Fencing regulations.*

1. Fencing shall consist of wood panel, brick, rock, stone, wrought iron, fiberglass, vinyl, galvanized chain link, and wood composite material. The Public Works Director may approve other materials provided the material is expressly designed for fence installation and is resistant to sunlight and moisture.
2. Fences shall not exceed 8' (eight feet) in height.
3. Newly constructed fences, or existing fences being repaired or replaced, shall be constructed with minimum 13 (thirteen) gauge metal posts for vertical supports. Hollow metal posts shall be capped. Wrought iron posts that are three inches square by 12 gauge, 2½ inches square by 14 gauge, or 2½ inches square by 13 gauge may also be used. Posts shall be set in concrete at least 2' (two feet) in the ground. Metal posts shall be filled with concrete 2' (two feet) above ground for fences that are 8' (eight feet) in height.
4. Wood fences may be stained or have a clear sealer applied. Fiberglass, wrought iron, wood composite or vinyl fencing shall be a color compatible with the adjoining structures and shall be a subdued color to blend with surrounding neighborhood previously approved by the Director of Public

Works. When erected on residential property, painted wooden fences, fiberglass fences, or vinyl fences shall require the prior written approval of the Director of Public Works to ensure compliance with City codes.

5. Fencing shall have the finished side facing out, with the posts placed inside, when facing public property, when facing a public thoroughfare, or when accessible to public view.
6. When a screen fence is required by ordinance in an LB Local Business District, GB General Business District, or C Commercial District, a masonry wall may be used. Where required, screening fences and walls shall be erected to a height of not less than 6' (six feet) and shall provide a visual barrier from adjacent properties and streets.
7. No fence or enclosure shall extend closer to any street right-of-way than the building line in front, building line definition, being the front of the building or structure. On corner lots, the fence may not extend closer than 15' (fifteen feet) from the back of the curb.
8. No fence or gate shall be allowed to open, or front a channel, from an entrance from or to a side or back yard.
9. Fence gates shall not be constructed for access to a yard from a street without an approved drive approach.
10. Where side or rear lot lines of newly constructed residential or commercial property coincide with an adjacent street, a minimum 6' (six-foot) masonry fence or wall is required as described below.

11. Masonry fences or walls shall be:

- (i) Compatible in color with the adjoining structures and subdued in color to blend with the surrounding neighborhood;
- (ii) Designed by an engineer licensed by the state; and
- (iii) Properly engineered to withstand wind load, special load conditions and site drainage.

12. All fences shall be maintained in a good condition by the property owner including compliance with the following standards:

- (i) The fence must be free of damage, breaks or missing components or parts;
- (ii) Fence posts and rails with evidence of significant rot or deterioration must be replaced to keep the fence safe and prevent catastrophic failure;
- (iii) Fences, retaining walls, and decorative walls that lean more than 15 (fifteen) degrees from vertical, buckling, sagging or deteriorating must be repaired or replaced with materials and color similar to its original construction; and
- (iv) Loose brick, stone, rock, mortar or similar materials on masonry walls and barriers shall be rebonded or similarly repaired.

- c. *Prohibited fencing.* Prohibited fencing includes, but is not limited to, plywood, corrugated metal, chicken wire, cardboard, barbed wire, or electrical fences.

- d. *Swimming pool, spa, and hot tub fences.* A 6' (six-foot) permanent fence, wall, or bolted screen enclosure must be erected and maintained so as to completely enclose each swimming pool, spa, or hot tub. The fence, wall, or bolted screen enclosure must be constructed and equipped with a self-closing and latching gate, and equipped to accommodate a locking device that shall be located on the pool side of the gate, which must be locked when the swimming pool, spa, or hot tub is not in use. It shall be an affirmative defense to this section that a residential swimming pool has a power safety cover or that a spa or hot tub has a safety cover complying with ASTM F1346.
- e. *Fence permits.* It is unlawful for any person to construct, replace, or cause to be constructed or replaced, a fence that is over 30" (thirty inches) in height without first obtaining a fence permit from the public works department. It is an affirmative defense to this section that the person is repairing or partially replacing a residential fence due to deterioration or damage and it is determined by the public works department that a permit is not required. Fence permit fees will be based on the cost of construction per table 1-A in section 12-103.
- f. *Fence maintenance.* So as not to be detrimental to public health and safety, all fences shall be maintained by the property owner or lessee and shall be kept clean and free from all hazards including, but not limited to, faulty and loose fastenings, nails, missing panels, missing boards, fiberglass panels, or missing/damaged sections. The Director of Public Works shall be vested with

authority to extend the time necessary for fence repairs not to exceed a period of 90 (ninety) days from the time that the need for repair occurs.

g. *Ribbed metal panel frame.* A ribbed metal panel fence shall be suitably finished to blend with the primary structure and shall be erected on a structurally sound metal frame set in concrete. When a ribbed metal panel fence is required, a masonry wall described below may be used.

h. *Masonry wall.* A masonry fence or wall shall be constructed with the finish side out and of any of the following materials: native stone, brick, precast concrete panels with decorative finish, or decorative masonry unit. In no case shall more than 25% (twenty-five percent) of the area of the wall be erected with common smooth-faced masonry units.

(3) *Screening required between uses and similar districts.* Screening between an incoming use and a less intensive zoning district shall be provided prior to occupancy of the incoming use. Uses not specifically listed shall comply with the screening requirements for the listed use it most closely resembles. Said screening shall comply with the following table:

**MINIMUM SCREENING
BETWEEN USES AND DISTRICTS INCOMING USE**

	Single-Family Detached	Single-Family Attached	Duplicate	Townhouse	Multifamily	Office Retail	Warehouse/Storage	Manufacturing Assembly
	SFD	SFA	DUP	TH	MF	COM	WH	MFG

						M		
R-1	None	b	b	a & b	a & b	a & b	a & b	a & d
R-1 A	None	None	b	b	a & b	a & b	a & b	a & d
R-2	None	None	None	b	a & b	a & b	a & b	a & d
R-3	None	None	None	None	b	a & b	a & b	a & d
C-1	None	None	None	None	None	None	c	c
C-2	None	None	None	None	None	None	c	c
C-3	None	None	None	None	None	None	c	c
M-1	None	None	None	None	None	None	None	c
M-2	None	None	None	None	None	None	None	None

(4) *Trash collection areas other than single-family or two-family uses.* No trash collection areas shall be located within the required front or street side yard or within 10' (ten feet) of any property zoned for residential purposes. Trash collection areas shall be screened from adjacent properties and streets on a minimum of three sides with a screening fence meeting the standards of Section 115-117(e), Screening fence.

If the trash receptacle is to be a dumpster, it shall have wheel stops or bollards on all four sides to contain the dumpster and be located a minimum of 2½ (two and one-half) feet inside the screening fence or wall. Said wheel stops shall be securely affixed to the pavement and shall be spaced to allow for drainage. A concrete pad shall be contained within the screened area and extend not less than 12' (twelve feet) in front of the screen. Said concrete pad shall be not less than 6" (six inches) thick and made of 3,000 (three thousand) psi concrete with number three rebar placed at 18" (eighteen inches) on center. Additionally, each screened area shall have constructed adjacent thereto a concrete approach ramp not less than 6" (six inches) thick and made of 3,000 (three thousand) psi concrete with number three rebar placed at 12" (twelve inches) on center.

(f) *Open storage and use areas.*

- (1) *Applicability.* This landscape section shall apply to all land within the City upon the effective date. Planned development, specific use permits, or other plans approved by City Council specifically authorizing outside sales, storage, or display shall be permitted in accordance with the provisions established at approval.
- (2) *Residential uses.* In all residential districts, no open outside accessory storage or display of materials, commodities, or machinery shall be permitted, other than that which is incidental to the primary use of the property as a residence. Incidental storage is permitted behind the main structure provided the area devoted to storage is not more than 60% (sixty percent) of the required rear yard. Said area shall be kept neat and clean and free of all tall grass and weeds, and must be screened from all adjacent properties and streets with a landscape buffer or screening fence as set forth

in the preceding Subsection. No materials shall be stacked to a height greater than the visual screen. Materials shall not be stored in a manner which would attract or harbor vermin.

- (3) *Nonresidential uses.* Except as otherwise specifically authorized by this Chapter, all outdoor sales, storage, and display areas shall be located behind building lines and shall be screened with a screening fence as set forth in the preceding subsection. Any outside storage or outside use area established after the effective date of this Ordinance shall be screened by a fence as set forth in the previous Section unless the screen is visible from a public street, in which case that portion of the screen visible to the street, shall be masonry. Openings for access to the outside storage or outside use area shall be equipped with gates capable of screening the activities and user from view when closed. Such gates shall not be designed to swing outward towards the street. In no case may any materials be stored above the highest point of the screening provided.

IV.

Chapter 26, Section 26-97 of the Code of Ordinances for the City of Watauga is hereby amended to add the following:

- (h) *Obstruction prohibited.* It shall be unlawful to set out, maintain, or permit or cause to be set out or maintained any shrubbery, flowers, or plants within any right-of-way area or public easement area or the intersection visibility triangle, which exceeds 2' (two feet) in height above curb level.
- (i) *Maintenance.* All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding,

and other such activities common to the maintenance of landscaping. Landscaping areas shall be kept free of trash, litter, weeds, and other such materials or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant material which dies shall be replaced with plant material of similar variety and size.

- (j) *Right-of-way.* Landowners are permitted to landscape non-paved publicly owned street right-of-way abutting their land; provided, however:
 - (1) Removal of landscaping. The City may remove or require the landowner to remove any landscaping located within any right-of-way or public easement for the purpose of public safety, access to utilities and to perform any public improvements within said right-of-way or public easement. Costs of replacement of landscaping, other than turf grass, removed or relocated by the City from or within the right-of-way or public easement, shall be borne by the property owner.
 - (2) Limbs or branches on trees or ornamental trees, regardless of whether such existed in the public right-of-way prior to the passage of this Chapter, which encroach into or over a collector or arterial street or right-of-way shall be maintained at a minimum height of 14' (fourteen feet) above the street.
 - (3) Notwithstanding the above, no tree or ornamental tree shall be permitted to extend over a street or public right-of-way in a manner that obstructs or interferes with the passage of vehicles used in rendition of law enforcement, emergency, medical, emergency fire or refuse services. It shall be the responsibility of the property owner to adhere to and comply with the above standards.

V.

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.

VI.

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.

VII.

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 _____, 2016.

APPROVED:

HECTOR F. GARCIA, Mayor

ATTEST:

ZOLAINA R. PARKER, City Secretary

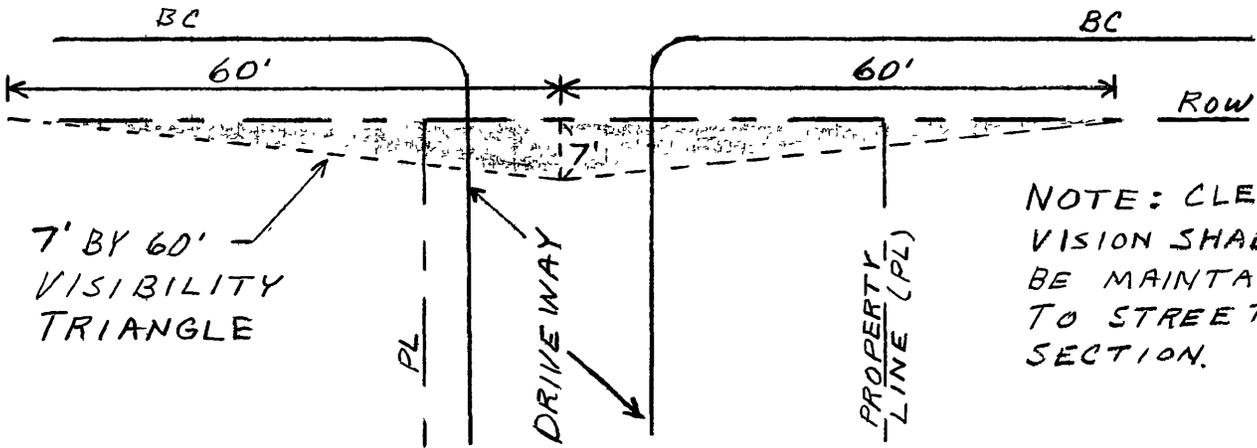
APPROVED AS TO FORM AND LEGALITY:

MARK G. DANIEL, City Attorney

RIGHT OF WAY (ROW)

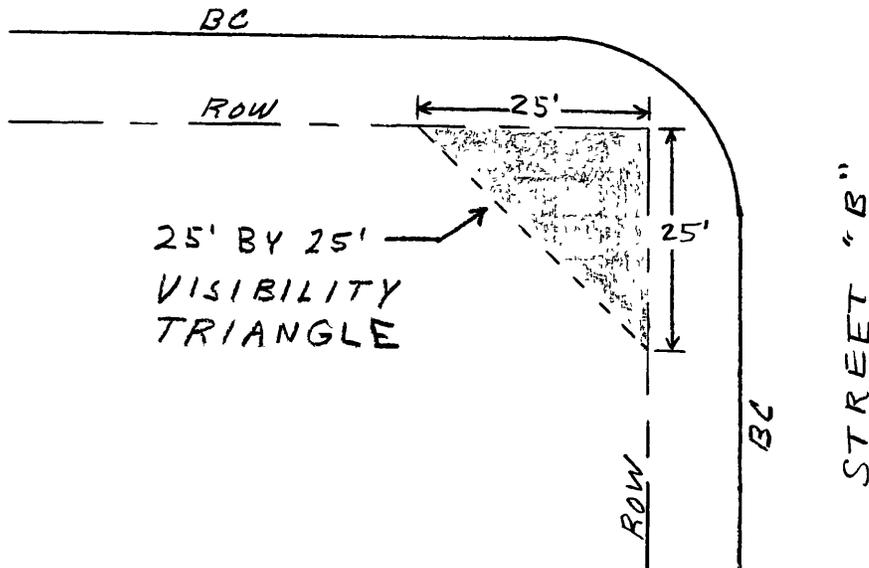
BACK OF CURB (BC) OR EDGE OF STREET

CENTERLINE OF STREET (CL)



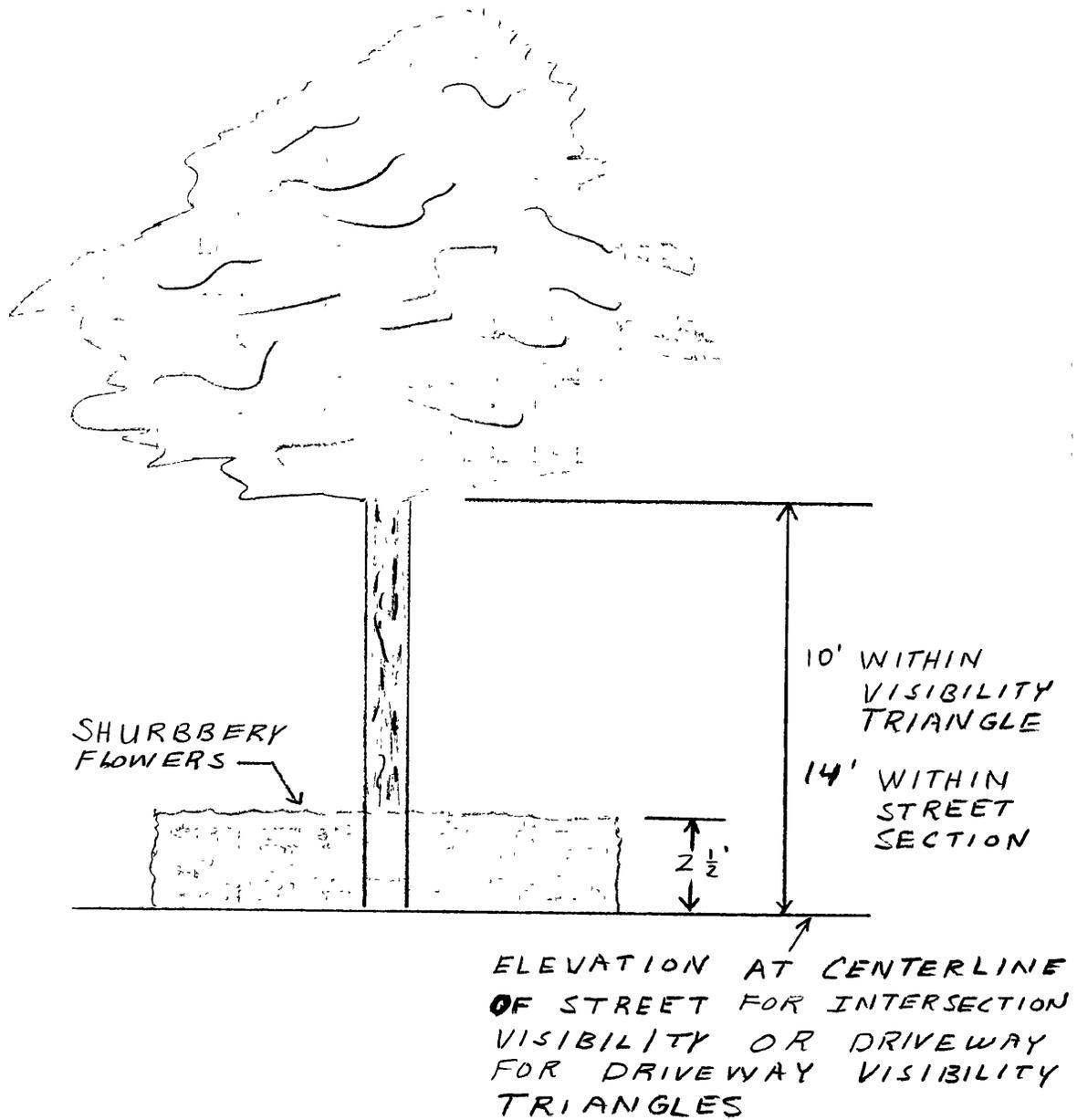
DRIVEWAY VISIBILITY TRIANGLE

STREET "A"



INTERSECTION VISIBILITY TRIANGLE

SEC. 40-4 DIAGRAM "A"



VISION HEIGHT
SEC. 40-4 DIAGRAM "B"

Attachment 4



PLANNING AND ZONING COMMISSION
RECOMMENDATION TO COUNCIL

PLANNING AND ZONING MEETING: September 6, 2016

PLANNING AND ZONING CASE NO: 16-08

DISCUSSION: ACTION ITEM FOR LATER APPROVAL.

APPROVE: YES NO

→ VOTE TO BE DURING OCT MEET.

COMMENTS:

(REQUIRED FOR DISAPPROVALS)

- OPTIONS 1 & 4 WERE ELIMINATED BY ALL COMMISSION MEMBERS VOTING FOR REMOVAL*
- OPTION 3 WHICH ALLOWS FOR NO NEW TREES WITHIN THE RIGHT-OF-WAY WAS SELECTED.*

AYES: HEARNE, EWEY, MCCAULBY

NAYS: MOLINA, BOESE.

OPTION 3 WAS REFERRED TO THE STAFF FOR ADDITIONAL WORKING IN PREPARATION FOR RESOLUTION. TO BE VOTED ON DURING THE OCT. MEETING

Larry R. Clark
Larry Clark, Chairperson

