

**City Council
Staff Agenda Report**

Agenda Item: 8a.

Agenda Subject: Presentation and acknowledgment of budget adjustments.		
Meeting Date: August 18, 2022	Financial Considerations: Various attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Strategic Vision Pillar: <input checked="" type="checkbox"/> Financial Stability <input type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence

Background Information: Presentation of budget adjustments is not required under the city’s Comprehensive Financial Policy. However, in the interest of transparency, staff will continue to present these each month.

Recommended Action/Motion: No action necessary.

Attachments: Budget adjustments



DALWORTHINGTON GARDENS

2600 Roosevelt Drive DWG, Texas 76016

BUDGET ADJUSTMENT FORM

Date: 07/20/2022

Incode Budget# 271

REQUESTING TO MOVE:

\$ 5,479.00

DEPARTMENT Enterprise Fund

FROM ACCOUNT # 120-40-6910 *Sub* ACCT DESC: Maintenance:Water Distributio

TO ACCOUNT # 120-40-6925 ACCT DESC: Maintenance:Sewer Collection

EXPLANATION:

Move money within Enterprise Fund from account 120-40-6910 Maintenance: Water Distribution to account 120-40-6925 Maintenance: Sewer Collection to cover the cost of emergency repair of a sewer manhole hit by Tarrant County @ Roosevelt-Harder. Received invoice 1018 in the amount of \$5,479.00 from Rangeline Utilities for the repair.

- Department Approval: _____ *[Signature]*
- City Administrator Approval, *if applicable*: _____ *[Signature]*
- DPS Director Approval, *if applicable*: _____

Per Purchase Policy VI. Funds can be moved between accounts within the same department by using a Budget Adjustment Form

PACKET: 00256-Ba
BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

120 40.6910	7/20/2022	Swr Manhole emerg r Maintenance:Water Distribution	5,479.00-	105,000.00	28,871.00-	70,650.00	10,407.47
120 40.6925	7/20/2022	Swr Manhole emerg r Maintenance:Sewer Collection	5,479.00	0.00	36,971.00	42,450.00	14,379.00
PACKET NOTES: Move funds between 120-40-6910 and 120-40-6925 to cover cost of emergency repair of a sewer manhole hit by Tarrant County @Roosevelt-Harder. Received Inv 1018 in the amount of 5479 from Rangeline Utilities for the repair.							
TOTAL IN PACKET--						<u>0.00</u>	

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***



DALWORTHINGTON GARDENS

2600 Roosevelt Drive DWG, Texas 76016

BUDGET ADJUSTMENT FORM

Date: 07/31/2022

Incode Budget# 272

REQUESTING TO MOVE:

\$ 66,000.00

DEPARTMENT

Enterprise Fund

FROM ACCOUNT #

120-40-8005

ACCT DESC: W/S ROW Cost Recovery Fee

TO ACCOUNT #

120-40-9701

ACCT DESC: Transfer Out:W/S Cost OH

EXPLANATION:

Reclass monthly entry to record subsidy of the W/S ROW Cost Recovery and Overhead to Transfer In/Out accounts. Should not be recorded as a revenue or expense. This is a Nonreciprocal Interfund Transfer. This was confirmed with our auditor.

Department Approval:

City Administrator Approval, *if applicable*:

_____ 

DPS Director Approval, *if applicable*:

Per Purchase Policy VI. Funds can be moved between accounts within the same department by using a Budget Adjustment Form

PACKET: 00257-Ba

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
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Budget Adj. # 000272

120 40.8005	7/31/2022	Reclass W/S Cost OH W/S ROW Cost Recovery Fee	66,000.00-	66,000.00	0.00	0.00	0.00
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120 40.9701	7/31/2022	Reclass W/S Cost OH Transfer Out:W/S Cost OH	66,000.00	0.00	0.00	66,000.00	11,000.00
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PACKET NOTES:
 Reclass monthly entry to record subsidy of the W/S ROW Cost Recovery and Overhead to Transfer In/Out accounts. Should not be recorded as a revenue or expense. This is a Nonreciprocal Interfund Transfer. This was confirmed with our auditor

TOTAL IN PACKET-- 0.00

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***



DALWORTHINGTON GARDENS

2600 Roosevelt Drive DWG, Texas 76016

BUDGET ADJUSTMENT FORM

Date: 07/31/2022

Incode Budget# 273

REQUESTING TO MOVE:

\$ 66,000.00

DEPARTMENT

FROM ACCOUNT #

110-00-4450

ACCT DESC: Fees:ROW Cost Recovery

TO ACCOUNT #

110-00-4901

ACCT DESC: Transfer In:W/S Cost OH

EXPLANATION:

Reclass monthly entry to record subsidy of the W/S ROW Cost Recovery and Overhead to Transfer In/Out accounts. Should not be recorded as a revenue or expense. This is a Nonreciprocal Interfund Transfer. This was confirmed with our auditor.

Department Approval:

City Administrator Approval, *if applicable*:

_____ 

DPS Director Approval, *if applicable*:

Per Purchase Policy VI. Funds can be moved between accounts within the same department by using a Budget Adjustment Form

PACKET: 00258-Ba
BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

110 00.4450	7/31/2022	Reclass Fee: W/S Co Fees:ROW Cost Recovery - W/S	66,000.00-	66,000.00-	0.00	0.00	0.00
110 00.4901	7/31/2022	Reclass Fee: W/S Co Transfer In: W/S Cost Recovery	66,000.00	0.00	0.00	66,000.00-	11,000.00-
PACKET NOTES: Reclass monthly entry to record subsidy of the W/S ROW Cost Recovery and Overhead to Transfer In/Out accounts. Should not be recorded as a revenue or expense. This is a Nonreciprocal Interfund Transfer. This was confirmed with our auditor							
TOTAL IN PACKET--						<u>0.00</u>	

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***

ORDINANCE NO. 2022-18

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF DALWORTHINGTON GARDENS, TEXAS, FOR THE FISCAL YEAR OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022

WHEREAS, an annual operating budget for the fiscal year October 1, 2021 through September 30, 2022, was approved and adopted by the City Council of the City of Dalworthington Gardens, Texas, on September 16, 2021, and

WHEREAS, amendments to said budget have been deemed necessary as itemized in "Exhibit A" attached hereto and made a part hereof; and

WHEREAS, said full and final consideration of said budget amendments have been held in a legally posted public meeting of the Dalworthington Gardens City Council, and it is the consensus of opinion that the budget amendments as submitted, should be approved and adopted.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALWORTHINGTON GARDENS, THAT:

Section 1. The City Council for the City of Dalworthington Gardens, Texas, does hereby ratify, adopt, and approve the budget amendments as itemized in "Exhibit A" for the fiscal year beginning October 1, 2021 through September 30, 2022.

PASSED AND APPROVED on this August 18, 2022.

Laurie Bianco, Mayor

ATTEST:

Lola Hazel, City Administrator



DALWORTHINGTON GARDENS

2600 Roosevelt Drive DWG, Texas 76016

BUDGET AMENDMENT FORM

Date: 07/08/2022

Incode Budget# 270

Check all appropriate boxes.

- Transfer between departments or funds. Requires department head approval and City Administrator or DPS Director, whichever is applicable and requires council approval.
- Less than \$5,000 and delay **would** cause a business interruption. NO IMPACT TO FUND BALANCE. Council to ratify at the next regular scheduled council meeting.
- Purchase request. THIS WILL IMPACT FUND BALANCE AND SHALL WAIT UNTIL COUNCIL APPROVAL IS OBTAINED.
- Purchase **required** as delay would cause a business interruption. THIS WILL IMPACT FUND BALANCE AND IS DEEMED EMERGENCY BY MAYOR. Council to ratify at the next regular scheduled council meeting.
- Other: _____

AMENDMENT AMOUNT \$ 8,100.00

FROM DEPARTMENT Enterprise Fund *Jul*

TO DEPARTMENT Enterprise Fund

FROM ACCOUNT # _____

TO ACCOUNT# 120-40-6910

FROM DESC: Fund Balance

TO DESC: Maintenance:Water Distribution

EXPLANATION:

Move money from Enterprise Fund Balance to account 120-40-6910 Maintenance: Water Distribution to cover the cost of emergency repairs to water line @ Clover Lane due to a water main break.

Received invoice 1015 from Rangeline Utilities in the amount of \$26,523.00 for the repairs. Not enough money left in this account to cover these emergency repairs so shortage balance to be moved from fund balance.

- From Department Approval: _____ *[Signature]*
- To Department Approval: _____ *[Signature]*
- City Administrator Approval: _____ *[Signature]*
- DPS Director Approval: _____
- MAYOR APPROVAL, if required: _____

Attach copy of minutes ratifying approval.

PACKET: 00255-BA

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

Budget Adj. # 000270							
120 40.6910	7/08/2022	Clover Lane Emerg W	8,100.00	105,000.00	36,971.00-	76,129.00	15,886.47
		Maintenance:Water Distribution					
		PACKET NOTES:					
		Use fund balance to cover cost for emergency repairs to water line @ Clover Lane due to a water main break.					
		Received inv# 1015 from Rangeline Utilities in the amount of \$26,523 for the repairs. This reflects the balance needed to increase the budget for this expense item.					
		TOTAL NO. ADJUSTMENTS--EXPENSE:			1	8,100.00	
		TOTAL IN PACKET--				<u>8,100.00</u>	

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***



DALWORTHINGTON GARDENS

2600 Roosevelt Drive DWG, Texas 76016

BUDGET AMENDMENT FORM

Date: 07/31/2022

Incode Budget# 274

Check all appropriate boxes.

- Transfer between departments or funds. Requires department head approval and City Administrator or DPS Director, whichever is applicable and requires council approval.
- Less than \$5,000 and delay **would** cause a business interruption. NO IMPACT TO FUND BALANCE. Council to ratify at the next regular scheduled council meeting.
- Purchase request. THIS WILL IMPACT FUND BALANCE AND SHALL WAIT UNTIL COUNCIL APPROVAL IS OBTAINED.
- Purchase **required** as delay would cause a business interruption. THIS WILL IMPACT FUND BALANCE AND IS DEEMED EMERGENCY BY MAYOR. Council to ratify at the next regular scheduled council meeting.
- Other: _____

AMENDMENT AMOUNT \$ 10,000.00

FROM DEPARTMENT Volunteer Fire Fund *sel*

TO DEPARTMENT Administrative

FROM ACCOUNT # 207-40-9700

TO ACCOUNT# 110-00-4900

FROM DESC: Transfer Out

TO DESC: Transfer In

EXPLANATION:

Transfer funds from Volunteer Fire Fund to partially pay for (8) Lifepak CR2 Defibrillators which was paid and capitalized in the General Fund

From Department Approval: _____

To Department Approval: _____

City Administrator Approval:  _____

DPS Director Approval: _____

City approved via email - see attached.

MAYOR APPROVAL, if required: _____

Attach copy of minutes ratifying approval.

PACKET : 04533 Journal Entry Packet
APPROVED: NO

8267

JE NO#	ACCOUNT	DESC: TRNF ro fund partial AED Devic	POSTING DATE: 7/31/2022	REVERSING DATE:	AMOUNT
ACCOUNT	ACCOUNT NAME	REFERENCE	DESCRIPTION		
207 40.9700	Transfer Out	AED Devices	TRNF ro fund partial AED Dev		10,000.00
110 00.4900	Transfer In	AED Devices	TRNF ro fund partial AED Dev		10,000.00CR
207 00.1001	Claim on Cash	AED Devices	TRNF ro fund partial AED Dev		10,000.00CR
110 00.1001	Claim on Cash	AED Devices	TRNF ro fund partial AED Dev		10,000.00
TOTAL CREDITS:	\$	20,000.00CR			
DEBITS:	\$	20,000.00			

Partial funding from the 207-Volunteer Fire Fund for (8) Lifepak CR2 Defibrillators paid Ck# 63455 4/14/22 and capitalized in the General Fund Fire Dept. Full Cost was \$14,700.

PACKET : 04533 Journal Entry Packet

APPROVED: NO

*** ACCOUNT TOTALS ***

ACCOUNT	ACCOUNT NAME	DEPARTMENT	AMOUNT
110 00.1001	Claim on Cash	N/A	10,000.00
110 00.4900	Transfer In	N/A	10,000.00CR
207 00.1001	Claim on Cash	N/A	10,000.00CR
207 40.9700	Transfer Out	** INVALID DEPARTMENT **	10,000.00

JOURNAL ENTRIES: 1
ENTRIES: 4

O/B JOURNAL ENTRIES: 0
ERRORS: 0
WARNING: 0

TOTAL CREDITS: \$ 20,000.00CR
DEBITS: \$ 20,000.00

** END OF REPORT **

PACKET: 00259-BA
BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE

Budget Adj. # 000274							

207 40.9700	7/31/2022	Partial funding of	10,000.00	0.00	0.00	10,000.00	0.00
Transfer Out							

110 00.4900	7/31/2022	Partial funding of	10,000.00	0.00	0.00	10,000.00-	0.00
Transfer In							

PACKET NOTES:
Transfer funds from Volunteer Fire Fund to partially pay for (8) Lifepak CR2 Defibrillators which was paid and capitalized in the General Fund.

TOTAL NO. ADJUSTMENTS--REVENUE:	1	10,000.00
TOTAL NO. ADJUSTMENTS--EXPENSE:	1	10,000.00
TOTAL IN PACKET--		<u>20,000.00</u>

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***

**City Council
Staff Agenda Report**

Agenda Item: 8c.

Agenda Subject: Approval of Resolution No. 2022-13 approving various changes to the City Fee Schedule.		
Meeting Date: August 18, 2022	Financial Considerations: None Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Strategic Vision Pillar: <input checked="" type="checkbox"/> Financial Stability <input type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence

Background Information: Various changes are being made to the City Fee Schedule to include the following for the following reasons:

1. Sec. A2.002 Public safety costs and fees (b) Fingerprinting
 - a. Reason: City was not collecting adequate fees to cover staff time for this service.
 - i. Other cities surveyed charge a similar method to the proposed change.
2. Sec. A3.002 Building permits and inspections (g)
 - a. Reason: Internal review found this fee should be higher
3. Sec. A3.002 Building permits and inspections (h) through (o)
 - a. Reason: Fixes numbering/lettering discrepancy for ease of viewing
4. Sec. A3.005 Fire permits and inspections
 - a. Reason: Errors were found during the audit where staff didn't all agree on interpretation of which fees to charge. So, various fees were removed to clear up interpretations.
 - i. Note: more will come to council next month to further clarify, but staff is removing what we have as of this meeting.
5. ARTICLE A5.000 DEVELOPMENT RELATED FEES (f) Plats
 - a. Reason: Fees increased to cover engineering review fees.
6. ARTICLE A5.000 DEVELOPMENT RELATED FEES (f) Plats (4)
 - a. Reason: This language was changed as the advertisement comes very last in the process. The city would lose money on engineering review fees if reimbursement was allowed at that very late stage.
7. ARTICLE A7.000 SOLID WASTE COLLECTION, RECYCLING, AND HOUSEHOLD HAZARDOUS WASTE (4)
 - a. Reason: This officially adds the commercial hand collect fee to the schedule that council approved at the July meeting.

Recommended Action/Motion: Motion to approve Resolution No. 2022-13 approving various changes to the City Fee Schedule.

Attachments:

RESOLUTION NO. 2022-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS APPROVING THE CITY FEE SCHEDULE

WHEREAS, the City Council of the City of Dalworthington Gardens, Texas ("City") seeks to provide for reasonable fees and charges for services provided by City departments, use of City property, and purchase of certain goods provided by the City in order to recoup the cost of conducting municipal business on the public's behalf without unduly relying on taxes; and

WHEREAS, from time to time the City Fee Schedule shall be amended as deemed necessary by the city council by resolution.

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

SECTION 1. The City Fee schedule is hereby adopted and attached hereto as Exhibit "A".

SECTION 2. EFFECTIVE DATE. This resolution and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect on the date of passage and upon execution by the mayor and city secretary as set forth below.

SECTION 3. PROPER NOTICE AND MEETING. It is hereby found and determined that the meeting at which this resolution was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED this 18th day of August, 2022.

Laurie Bianco, Mayor
City of Dalworthington Gardens, Texas

ATTEST:

Lola Hazel, City Secretary
City of Dalworthington Gardens, Texas

**CITY OF DALWORTHINGTON GARDENS
FEE SCHEDULE**

ARTICLE A1.000 GENERAL PROVISIONS

Sec. A1.001 Adoption of Fee Schedule

The city council shall adopt the official fee schedule of the city from time-to-time by resolution and the fee schedule shall be maintained in the office of the city secretary. The city council may review the fee schedule at any time and may, by resolution, increase or decrease said fees within the schedule, or add or eliminate fees within the schedule, upon a determination that said change is warranted. An updated fee schedule shall be publicly available and maintained at all times by the city secretary.

Sec. A1.002 Payment Required

All persons, firms or corporations applying for licenses, permits or other city services that by their nature require the applicant to pay a fee incident to such application shall pay the fees as prescribed in the official fee schedule of the city.

Sec. A1.003 Collection and use of fees

It shall be unlawful for any person, firm or corporation to conduct any activity or commence any use for which payment of a fee is required until such fee has been paid. A violation of this section shall be punishable by a fine not to exceed five hundred dollars (\$500.00) for each offense.

ARTICLE A2.000 ADMINISTRATIVE SERVICES

Sec. A2.001 Public records/public information

- (a) Paper copy - 8-1/2 x 11, per page: \$0.10.
- (b) Paper copy - 8-1/2 x 14, per page: \$0.50.
- (c) Paper copy - 11 x 17, per page: \$0.50.
- (d) Specialty paper copy (e.g.: Mylar, blueprint, blueline, map, photographic): Actual cost.
- (e) DVD*: \$3.00.
- (f) CD-R or CD-RW: \$1.00.
- (g) Other electronic media: Actual cost.
- (h) Labor charge (over 50 pages): \$15.00/hour.
 - (1) A labor charge shall not be billed in connection with complying with requests that are for 50 or fewer pages of paper records, unless the documents to be copied are located in:
 - (A) Two or more separate buildings that are not physically connected with each other;
 - (B) A remote storage facility; or
 - (C) Two buildings connected by a covered or open sidewalk, an elevated or underground passageway, or a similar facility, are not considered to be separate buildings.
- (i) Programming labor: \$28.50/hour.
- (j) Remote document retrieval: Actual cost.
- (k) Computer resource charge: \$2.50/hour.
- (l) Overhead (over 50 pages): 20% of labor cost.
- (m) Miscellaneous supplies (such as labels, boxes, and other supplies used to produce the requested

information): Actual cost.

(n) Postage and shipping charge: Actual cost.

Sec. A2.002 Public safety costs and fees

(a) Accident report:

- (1) \$6.00 for regular copy.
- (2) \$8.00 for certified copy.

(b) **Fingerprinting: \$10.00 for the first two (2) cards and \$10.00 for each additional card.**

(c) Personnel costs (incurred in hazardous materials or utility break cases):

- (1) Police, fire or EMT: \$50.00/hour.
- (2) Hazardous materials technician: \$70.00/hour.
- (3) Incident commander/safety officer: \$75.00/hour.
- (4) Fire marshal/fire inspector: \$50.00/hour.
- (5) Public works inspector: \$45.00/hour.

(d) Equipment costs (incurred in hazardous materials or utility break cases):

- (1) Patrol unit: \$75.00/hour.
- (2) Police motorcycle: \$50.00/hour.

(e) Records copies: As in [section A2.001](#).

Sec. A2.003 Other administrative costs

(a) Returned checks: \$30.00.

(b) Newsletter advertising:

- (1) Half page - 12 months: \$1,500.00.
- (2) Half page - 6 months: \$1,000.00.
- (3) Half page - 1 month: \$250.00.
- (4) Quarter page - 12 months: \$1,000.00.
- (5) Quarter page - 6 months: \$600.00.
- (6) Business card - 12 months: \$350.00.
- (7) Business card - 6 months: \$200.00.
- (8) Business card - 1 month: \$75.00.

(c) Confidentiality maintenance of utility records: One-time \$3.00 fee.

ARTICLE A3.000 CONSTRUCTION SERVICES

Sec. A3.001 Contractor registration and licensing

(a) Contractor registration: Registration is required pursuant to Section 3.10.002 of the Dalworthington Gardens Code of Ordinances but no registration fee is required.

Sec. A3.002 Building permits and inspections

(a) New residential construction.

Square Footage (S.F.)	Fee
0–1,500 S.F.	\$942.00
1,501–10,000 S.F.	\$942.00 for the first 1,500 S.F. plus \$0.45 for each additional S.F. to and including 10,000 S.F.
Over 10,000 S.F.	\$4,767.00 for the first 10,000 S.F. plus \$0.20 for each additional S.F. over 10,000 S.F.

(b) Alteration/addition for residential construction.

Trade Permits	Fee
Building, mechanical, electrical, plumbing, fuel gas and similar	\$120.00 per trade
Shut off valve installation not accompanied by other work	\$25 per valve
Other projects not listed above	\$200.00 per trade

(c) Commercial and multifamily construction permit fees.

Valuation	Fee
\$1.00 to \$10,000.00	\$100.00
\$10,001.00 to \$25,000.00	\$125.00 for the first \$10,000.00 plus \$7.00 additional \$1,000.00
\$25,001.00 to \$50,000.00	\$191.00 for the first \$25,000.00 plus \$6.00 additional \$1,000.00
\$50,001.00 to \$100,000.00	\$314.00 for the first \$50,000.00 plus \$5.00 additional \$1,000.00
\$100,001.00 to \$500,000.00	\$485.00 for the first \$100,000.00 plus \$4.00 additional \$1,000.00
\$500,001.00 to \$1,000,000.00	\$1,580.00 for the first \$500,000.00 plus \$3.00 additional \$1,000.00
\$1,000,001.00 and up	\$2,736.00 for the first \$1,000,000.00 plus \$2.00 additional \$1,000.00

(d) Commercial and multifamily construction inspections.

Valuation	Fee
\$1.00 to \$10,000.00	\$100.00
\$10,001.00 to \$25,000.00	\$135.00 for the first \$10,000.00 plus \$11.00 additional \$1,000.00
\$25,001.00 to \$50,000.00	\$294.00 for the first \$25,000.00 plus \$8.00 additional \$1,000.00
\$50,001.00 to \$100,000.00	\$483.00 for the first \$50,000.00 plus \$6.00 additional \$1,000.00
\$100,001.00 to \$500,000.00	\$746.00 for the first \$100,000.00 plus \$5.00 additional \$1,000.00
\$500,001.00 to \$1,000,000.00	\$2,426.00 for the first \$500,000.00 plus \$4.00 additional \$1,000.00
\$1,000,001.00 and up	\$4,207.00 for the first \$1,000,000.00 plus \$3.00 additional \$1,000.00

(e) Reinspection: \$100.00.

(f) House mover's permit: \$250.00.

(g) ~~Miscellaneous construction:~~

~~(1)~~—Any permit required item not otherwise specified: ~~\$100.00~~ \$200.00.

~~(2)~~—~~(h)~~ Fence: \$75.00.

~~(3)~~—~~(i)~~ Roof: \$200.00.

~~(4)~~ ~~(j)~~ Structural repair to building foundation: \$200.00.

~~(5)~~ ~~(k)~~ Underground storage tank: \$100.00.

~~(6)~~ ~~(l)~~ Retaining wall: \$100.00.

~~(7)~~—~~(m)~~ Commercial only:

~~(A)~~ ~~(1)~~ Canopy: Based on value as set forth in subsection (c) and (d) above.

(B) ~~(2)~~ Tent: Based on value as set forth in subsection (c) and (d) above.

~~(8)~~—~~(n)~~ Residential only:

~~(A)~~ ~~(1)~~ Garage, carport, patio cover, accessory structure, storage building, etc., accessory use only: Based on square footage as set forth in subsection (a) above.

~~(B)~~ ~~(2)~~ Swimming pool or outdoor spa:

(i) In ground: \$200.00.

(ii) Above ground: \$50.00.

(iii) If engineering review is necessary, actual invoice cost is added to appropriate permit fee amounts as noted in subsection (a) and (b) above.

~~(9)~~ (o) Lay, construct, build, repair or rebuild any sidewalk, curb, gutter, drive approach, or driveway: \$200.00.

Sec. A3.003 Sign permits and inspections

- (a) Advertising (billboards): \$500.00.
- (b) Temporary advertising signs (unless specifically exempted from permit requirements): Based on value as set forth in [section A3.002\(c\)](#)
- (c) All other signs: Based on value as set forth in [section A3.002\(c\)](#).
- (d) Real estate signs smaller than 20 square feet shall not require a permit.
- (e) Change in copy or in sign face shall constitute a new sign for fee purposes.

Sec. A3.004 Certificate of occupancy

- (a) New construction: \$100.00.
- (b) Change of occupancy: \$100.00.
- (c) Temporary, for cleaning and showing premises without other use: \$100.00.

Sec. A3.005 Fire permits and inspections

Both permit fees and inspections fees are applicable for each project.

~~(1) Fire alarm permit for installation.~~

- ~~(A) 1-10 devices: \$150.00.~~
- ~~(B) 11-25 devices: \$175.00.~~
- ~~(C) 26-100 devices: \$250.00.~~
- ~~(D) 101-200 devices: \$425.00.~~
- ~~(E) 201-500 devices: \$500.00.~~
- ~~(F) Per device over 500: \$1.00.~~

~~(2) Fire sprinkler permit for installation.~~

- ~~(A) 1-19 heads: \$125.00.~~
- ~~(B) 20-100 heads: \$225.00.~~
- ~~(C) 101-300 heads: \$350.00.~~
- ~~(D) 301-1,000 heads: \$450.00.~~
- ~~(E) Per head over 1,000: \$1.00.~~

(3) Single-family residential fire plan review services.

- (A) Fire code plan review services: \$210.00.
- (B) Fire code inspection services: \$480.00.

(4) Fire code plan review services - commercial and multifamily construction (each fire alarm system and fire sprinkler system). Fee is for each system. Fire alarm system and fire sprinkler system assessed separately.

- (A) Less than \$6,250.00: \$240.00.
- (B) \$6,250.00-\$250,000.00: \$360.00.
- (C) \$251,000.00-\$500,000.00: \$510.00.
- (D) \$501,000.00-\$1,000,000.00: \$660.00.
- (E) \$1,001,000.00-\$3,000,000.00: \$960.00.

- (F) \$3,001,000.00–\$6,000,000.00: \$1,440.00.
- (G) \$6,000,000.00 and up: \$1,440.00 plus \$0.46 for each additional \$1,000.00.

(5) Fire code inspection services - commercial and multifamily construction (each fire alarm system and fire sprinkler system).

- (A) Less than \$6,250.00: \$360.00.
- (B) \$6,250.00–\$250,000.00: \$510.00.
- (C) \$251,000.00–\$500,000.00: \$630.00.
- (D) \$501,000.00–\$1,000,000.00: \$810.00.
- (E) \$1,001,000.00–\$3,000,000.00: \$1,140.00.
- (F) \$3,001,000.00–\$6,000,000.00: \$1,710.00.
- (G) \$6,000,000.00 and up: \$1,710.00 plus \$0.46 for each additional \$1,000.00. Valuation is based on construction valuation for project.

(6) Fire underground.

- (A) Fire code plan review (1 hour minimum): \$120.00 per hour.
- (B) Fire code plan inspection (1 hour minimum): \$120.00 per hour.

(7) Fire extinguisher suppression system.

- (A) Per permit, one inspection: \$420.00.
- (B) Each reinspection: \$120.00.

(8) Fire certificate of occupancy inspections. Minimum one hour per inspection: \$180.00 per hour.

(9) Annual commercial fire safety inspections and reinspections. \$130.00.

(10) Underground/aboveground fuel storage tanks.

- (A) Fire code plan review: \$420.00.
- (B) Fire code inspection: \$540.00.

~~(11) Site plan.~~

- ~~(A) Fire code plan review (2 hour minimum): \$150.00 per hour.~~
- ~~(B) Fire code plan inspection (2 hour minimum): \$150.00 per hour.~~

(12) Fire pump - additional. \$250.00.

~~(13) Residential automatic sprinkler system. \$150.00.~~

~~(14) Installation of underground piping and private fire hydrants.~~

- ~~(A) First 200 feet or portion thereof, including any fire hydrants: \$100.00.~~
- ~~(B) For every additional 400 feet or portion thereof, including fire hydrants: \$200.00.~~

(15) Resubmittal fee for fire permit plans that have been resubmitted more than two times: \$85.00.

~~(16) Removal of underground flammable/combustible liquid storage tanks: \$55.00 per tank.~~

~~(17) Installation of special locking systems: \$200.00.~~

~~(18) Installation of flammable/combustible container smaller than 120 gallons water capacity: \$75.00 per container.~~

~~(19) Installation of flammable/combustible container larger than 120 gallons water capacity: \$150.00 per container.~~

(20) Operational business permits. Operational permit fees of \$55.00 are required annually for any business with operations set forth in IFC 105.6. sections 105.6.1 through 105.6.48.

ARTICLE A4.000 WATER AND SEWER SERVICE

- (a) Sewer connection fee: \$130.00.
- (b) Tap and access fees:
 - (1) Tap fees:
 - (A) Meter charge: Labor cost of \$50.00 per hour plus actual cost of meter.
 - (B) City tap fees: Actual cost of third-party invoice cost plus \$25.00 administrative fee.
 - (C) The following sized meters are used in the city: 3/4", 5/8", 1", 1-1/2", and 2".
 - (2) Street cut requires city council approval.
 - (3) Access fees: Fort Worth system access fees for water shall be as set and assessed by the City of Fort Worth pursuant to the wholesale water contracts between Fort Worth and Dalworthington Gardens. This is an additional cost to the city’s tap fees.

- (c) Water service rates:
 - (1) The following rates per month shall be the rates charged for water service furnished to the customer within the corporate limits of the city:
 - (A) Residential and commercial rates:

Gallons of Water	Residential Rate	Commercial Rate
First 2,000 gallons (minimum)	\$30.00	\$55.00
Over 2,000 gallons (per 1,000 gallons)	\$4.25	\$4.25

(B) Bulk rates: To purchasers of water from the city in bulk quantities per contract \$9.75 per 1,000 gallons, and a \$350.00 minimum charge regardless of usage.

(2) The schedule in subsection (1) of this section is based upon the amount of water used, as measured by a single meter, in increments of one thousand (1,000) gallons.

- (d) Sewer service rates:
 - (1) The following rates per month, based upon water consumption, shall be the rates charged for sewer service furnished to the customers within the corporate limits of the city:

Gallons of Water	Residential Rate	Commercial Rate
First 2,000 gallons (minimum)	\$25.00	\$55.00
Over 2,000 gallons (per 1,000 gallons)	\$4.00	\$4.00

For residential only, a maximum of 15,000 gallons will be billed.

- (e) Water and sewer fees - miscellaneous:
 - (1) Meter upgrades: Cost of meter.
 - (2) Portable meter equipment deposit: \$1,500.00 refundable deposit to the account, less any equipment damage costs.
 - (3) Portable meter water bill deposit: \$500.00 refundable deposit to the account.
 - (4) New meter box: \$100.00.
 - (5) New meter box cover: \$20.00.
 - (6) Water account deposit (refundable): \$125.00.

- (7) Connection and reconnection: \$20.00.
- (8) Disconnect for nonpayment: \$40.00.
- (9) After-hours callout fee: \$50.00 for first hour, then real time staff billable hours thereafter.
- (10) Meter re-read at customer request (if first reading correct): \$25.00.
- (11) Pressure test: \$45.00.
- (12) Negotiated payment plans: \$20.00 per arrangement. Cannot extend beyond twelve months from the payment plan date.
- (13) Payment extensions: \$20.00 per extension. Cannot extend beyond next month's due date.
- (14) Backflow permit: \$35.00.

ARTICLE A5.000 DEVELOPMENT RELATED FEES

- (a) Development inspection fee: \$200.00 plus any third-party costs in excess of this amount.
- (b) Abandonment of right-of-way: \$250.00.
- (c) Structure moving permit: \$250.00.
- (d) Development review: \$750.00 plus any third-party review costs in excess of this amount.
- (e) Demolition permit: \$50.00.
- (f) Plats (the sum of all applicable fees included within the below section plus any third-party costs in excess of this amount.)

- (1) Preliminary: ~~\$750.00~~ \$1,500.00 plus \$75.00 per lot for all lots over two.
- (2) Final: ~~\$750.00~~ \$1,500.00 plus \$75.00 per lot for all lots over two.
- (3) Revision, replat or vacation: ~~\$750.00~~ \$1,500.00 plus \$75.00 per lot for all lots over two.
- (4) Refund on withdrawal of plat:
 - (A) Prior to ~~advertising hearing~~ engineering review: 75% of fee.
 - ~~(B) After advertising hearing: 25% of fee.~~

- (g) Zoning:
 - (1) Change of zoning classification: \$1,500.00 plus \$50.00/acre if not SF zoned.
 - (2) Appeal to zoning board of adjustments: \$500.00.
 - (3) Refund on withdrawal:
 - (A) Prior to advertising hearing: 75% of fee.
 - (B) After advertising hearing: 25% of fee.
 - (4) Zoning verification letter: \$50.00.
- (h) Grading and excavating permit:
 - (1) Less than one acre: \$125.00.
 - (2) One to five acres: \$200.00.
 - (3) Over five acres: \$250.00.
- (i) Street opening permit: \$50.00 per 100 feet of street opening or portion thereof.
- (j) Mobile food unit permit required by section 14.02.223: \$25.00 per permit. One permit may authorize the operation of a mobile food unit at multiple locations.

ARTICLE A6.000 ANIMAL CONTROL SERVICES

- (a) Dogs and cats (per day) (3-day hold): Actual cost in accordance with the fee assessed by the third party city uses for said service.

- (b) Reclaimed animals: \$100.00 per incident plus applicable fees (vaccines, etc. charged by third party).
- (c) Euthanization/disposal fee: Actual cost in accordance with fee assessed by the third party city uses for said service.
- (d) Animal head shipment/rabies testing: Actual cost in accordance with fee assessed by third party city uses for said service.
- (e) Confined animal facility operations permit: The greater of either \$500.00 or the actual cost incurred by the city for engineering services by the city engineer in reviewing any application for the permit or renewal of the permit.
- (f) Any appeal to the board of adjustments of any matter pursuant to [section 2.03.032](#)(e) of this code: \$500.00.
- (g) Issuance of confined animal permit and inspection annually: \$100.00.

ARTICLE A7.000 SOLID WASTE COLLECTION, RECYCLING, AND HOUSEHOLD HAZARDOUS WASTE

- (a) Solid waste with recycling:
 - 1. Residential rates with recycling: \$16.94
 - 2. Additional recycling cart: \$2.24
 - 3. Commercial curbside pickup: \$22.08
 - 3.4. Commercial hand collect recycling cart: \$6.28
- (b) Household hazardous waste collection fee: \$1.00 per month.

ARTICLE A8.000 HEALTH PERMITS

- (a) Food service and retail food establishment engaged in food preparation (annual fee): \$250.00.
- (b) Retail food establishment not engaged in food preparation (annual fee): \$150.00.
- (c) Temporary food establishment (per permit): \$50.00.
- (d) Public swimming pool or spa (annual fee): \$150.00.
- (e) (2005 Code, sec. 3.3.05(F)(2))
- (f) Mobile food unit or mobile food establishment engaged in food preparation (annual fee): \$100.00.
- (g) Mobile food unit or mobile food establishment not engaged in food preparation (annual fee): \$100.00.

Permit fee collection authority delegated to county. (2005 Code, sec. 3.3.05(F)(2))

ARTICLE A9.000 MISCELLANEOUS FEES

- (a) Pull charge (per vehicle, per pull): \$45.00.
- (b) Door-to-door sales registration under [article 4.03](#): \$2,000.00.
- (c) Alarm fees:
 - (1) Non-city home security alarm permit: \$10.00 annually.
 - (2) Alarm notification service fee:
 - (A) Per false alarm notification under 5 in a 12-month period: No charge.
 - (B) Per false alarm notification 5 to 8 in a 12-month period: \$60.00.
 - (C) Per false alarm notification over 8 in a 12-month period: \$90.00.
- (d) Alcoholic beverage fees: A fee is hereby levied of one-half of the state fee for each permit and license issued by the state alcoholic beverage commission for premises located within the city, pursuant to the authority of section 11.38 and section 61.36 of the Texas Alcoholic Beverage Code.
- (e) Municipal setting designation fees: A fee of \$500.00 is hereby levied for each application for a municipal setting designation for a specific location or specific business operation pursuant to regulations or

requirements of the state commission on environmental quality.

- (f) Collection fee: A fee in the amount of thirty percent (30%) on each item for which such fee is permitted to be assessed by Texas Code of Criminal Procedure section 103.0031, such collection fee to be calculated as provided in such section, and subject to the limitations stated in such section and in any other applicable law, state or federal.
- (g) Private water well permit application fee: \$1,500.00.

ARTICLE A10.000 FIRE AND RESCUE FEES

- (a) Mitigation rates based on per hour: The mitigation rates below are average “billing levels,” and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.
- (b) Motor vehicle incidents:
 - (1) Level 1 - \$435.00. Provide hazardous materials assessment and scene stabilization. This will be the most common “billing level.” This occurs almost every time the fire department responds to an accident/incident.
 - (2) Level 2 - \$495.00. Includes level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.
 - (3) Level 3 - car fire - \$605.00. Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.
- (c) Add-on services:
 - (1) Extrication - \$1,305.00. Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.
 - (2) Creating a landing zone - \$400.00. Includes air care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).
 - (3) Itemized response. The city has the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.
 - (4) Additional time on-scene.
 - (A) Engine billed at \$400.00 per hour.
 - (B) Truck billed at \$500.00 per hour.
 - (C) Miscellaneous equipment billed at \$300.00.
- (d) Hazmat:
 - (1) Basic response: level 1 - \$700.00. Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.
 - (2) Intermediate response: level 2 - \$2,500.00. Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.
 - (3) Advanced response: level 3 - \$5,900.00. Claim will include engine response, first responder

assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - each additional hour at \$300.00 per hazmat team.

(4) Additional time on-scene (for all levels of service).

(A) Engine billed at \$400.00 per hour.

(8) Truck billed at \$500.00 per hour.

(C) Miscellaneous equipment billed at \$300.00.

(e) False alarm billing rates:

(1) The first three (3) false alarms within twelve (12) months in a calendar year are free of charge.

(2) The fourth (4) false alarm and beyond in a twelve (12) month calendar year is billed at \$100.00 but will not exceed \$500.00.

(f) Fire investigation:

(1) Fire investigation team - \$275.00 per hour. Includes:

(A) Scene safety.

(B) Investigation.

(C) Source identification.

(D) K-9/arson dog unit.

(E) Identification equipment.

(F) Mobile detection unit.

(G) Fire report.

(2) The claim begins when the fire investigator responds to the incident and is billed for logged time only.

(g) Fires:

(1) Assignment - \$400.00 per hour, per engine I \$500.00 per hour, per truck. Includes:

(A) Scene safety.

(8) Investigation.

(C) Fire I hazard control.

(2) This will be the most common "billing level." This occurs almost every time the fire department responds to an incident.

(3) Optional: A fire department has the option to bill each fire as an independent event with custom mitigation rates. Itemized, per person, at various pay levels and for itemized products use.

(h) Illegal fires:

(1) Assignment - \$400.00 per hour, per engine; \$500.00 per hour, per truck.

(2) When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department.

The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response.

(i) Water incidents:

(1) Basic response: level 1. Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common “billing level.” This occurs almost every time the fire department responds to a water incident. Billed at \$400.00 plus \$50.00 per hour, per rescue person.

(2) Intermediate response: level 2. Includes level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident. Billed at \$800.00 plus \$50.00 per hour, per rescue person.

(3) Advanced response: level 3. Includes level 1 and level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Billed at \$2,000.00 plus \$50.00 per hour per rescue person, plus \$100.00 per hour per hazmat team member.

(4) Itemized response: level 4. The city has the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

(j) Back country or special rescue:

(1) Itemized response. Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used. Minimum billed \$400.00 for the first response vehicle plus \$50.00 per rescue person. Additional rates of \$400.00 per hour per response vehicle and \$50.00 per hour per rescue person.

(k) Chief response: This includes the set-up of command, and providing direction of the incident. This could include operations, safety, and administration of the incident. Billed at \$250.00 per hour.

(l) Miscellaneous/additional time on-scene: Engine billed at \$400.00 per hour. Truck billed at \$500.00 per hour. Miscellaneous equipment billed at \$300.00.

(m) Mitigation rate notes:

(1) The mitigation rates above are average “billing levels,” and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

(2) These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department’s “actual personnel expense” and not just a firefighter’s basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

(n) Late fees: If the invoice is not paid within 90 days, a late charge of 10% of the invoice, as well as 1.5% per month, as well as the actual cost of the collections, will be accessed to the responsible party.

ARTICLE A11.000 PARKS AND RECREATION FEES

Sec. A11.001 Park usage fees

(a) Park pavilion rental.

- (1) Resident: \$15.00 per 2 hour block.
- (2) Nonresident: \$30.00 per 2 hour block.
- (b) Baseball field rental.
 - (1) Resident: \$15.00 per 2 hour block.
 - (2) Nonresident: \$30.00 per 2 hour block.
- (c) Practice fields rental.
 - (1) Resident: \$15.00 per 2 hour block.
 - (2) Nonresident: \$30.00 per 2 hour block.
- (d) No individual or group may reserve any park facility more frequently than twice per calendar week.
- (e) Deck rental.
 - (1) Resident: \$15.00 per 2 hour block.
 - (2) Nonresident: \$30.00 per 2 hour block.

**City Council
Staff Agenda Report**

Agenda Item: 8d.

Agenda Subject: Consider Resolution No. 2022-14 to approve appointments to various city boards.		
Meeting Date: August 18, 2022	Financial Considerations: Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Strategic Vision Pillar: <input type="checkbox"/> Financial Stability <input type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence

Background Information: This item reappoints the following persons to the following boards.

- Crime Control and Prevention District: Laurie Bianco, John King, and Steve Lafferty for a two year term to expire August 31, 2024; and Mark McGuire for the unexpired term set to expire August 31, 2023.
- Park and Recreation Facilities Development Corporation: Laurie Bianco, John King, Steve Lafferty, and Ken Kiser for a two year term to expire June 30, 2024.
- Park Board: Iashia Bergamini, Shelly Finnin, and Pam Bookout for a two year term to expire June 30, 2024.
- Zoning Board of Adjustment: Michael Henderson, Meredith Ivey, and Sherry Baker for a two year term to expire June 30, 2024.
- Planning and Zoning Commission: Todd Batiste, Maurice Clark, Paul Sweitzer, and Anthony Parker for a three year term to expire June 30, 2025.

Recommended Action/Motion: Approval of Resolution No. 2022-14 to approve appointments to various city boards.

Attachments: Resolution 2022-14

RESOLUTION NO. 2022-14

A RESOLUTION OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, APPOINTING MEMBERS TO VARIOUS CITY BOARDS AND COMMISSION

WHEREAS, board appointments are needed to various boards and commissions; and

WHEREAS, the Dalworthington Gardens Crime Control and Prevention District ("District"), organized and existing under Chapter 363, Texas Local Government Code, is governed by a board of directors appointed by the City Council for terms of two years; and in accordance with said chapter, the District's board of directors are comprised of members of the Dalworthington Gardens governing body; and

WHEREAS, the Dalworthington Gardens Parks and Recreation Facilities Development Corporation (PRFDC) is a type B economic development corporation created pursuant to Chapters 501 and 505 of the Texas Local Government Code; and in accordance with the Articles of Incorporation, Article Eight, the PRFDC shall be managed by a board of directors which shall be composed of seven (7) persons comprised of four (4) City Council members and three (3) shall be of the Citizen Member Class; and

WHEREAS, the remaining city boards and commissions follow the City's Code of Ordinance membership requirements for vacancies and reappointments.

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

That the following persons are reappointed to the following boards and commissions.

- Crime Control and Prevention District: Laurie Bianco, John King, and Steve Lafferty for a two year term to expire August 31, 2024; and Mark McGuire for the unexpired term set to expire August 31, 2023.
- Park and Recreation Facilities Development Corporation: Laurie Bianco, John King, Steve Lafferty, and Ken Kiser for a two year term to expire June 30, 2024.
- Park Board: Iashia Bergamini, Shelly Finnin, and Pam Bookout for a two year term to expire June 30, 2024.
- Zoning Board of Adjustment: Michael Henderson, Meredith Ivey, and Sherry Baker for a two year term to expire June 30, 2024.
- Planning and Zoning Commission: Todd Batiste, Maurice Clark, Paul Sweitzer, and Anthony Parker for a three year term to expire June 30, 2025.

PASSED & APPROVED this 18th day of August, 2022.

CITY OF DALWORTHINGTON GARDENS

Laura Bianco, Mayor

ATTEST:

Lola Hazel, City Administrator

City Council

Staff Agenda Report

Agenda Item: 7e.

Agenda Subject: Consider approval of Resolution No. 2022-15 approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2021 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; and requiring the company to reimburse ACSC’s reasonable ratemaking expenses.

Meeting Date: August 18, 2022	Financial Considerations: Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Strategic Vision Pillar: <input type="checkbox"/> Financial Stability <input type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence
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Background Information: The City, along with 181 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC”). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute. Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about April 1, 2022, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2021, entitled it to additional system-wide revenues of \$141.3 million.

Application of the standards set forth in ACSC’s RRM Tariff reduces the Company’s request to \$115 million, \$83.26 million of which would be applicable to ACSC members. ACSC’s consultants concluded that the system-wide deficiency under the RRM regime should be \$95.8 million instead of the claimed \$141.3 million. The Executive Committee recommends a settlement at \$115 million. The Effective Date for new rates is October 1, 2022. ACSC members should take action approving the Resolution/Ordinance before September 30, 2022.

RATE TARIFFS

Atmos generated rate tariffs attached to the Resolution will generate \$115 million in additional revenues. Atmos also prepared a Proof of Revenues supporting the settlement figures. ACSC consultants have agreed that Atmos’ Proof of Revenues is accurate.

BILL IMPACT

The impact of the settlement on average residential rates is an increase of \$4.60 on a monthly basis, or 6.7 percent. The increase for average commercial usage will be \$14.34 or 4.3 percent. Atmos provided bill impact comparisons containing this figures.

SUMMARY OF ACSC’S OBJECTION TO THE UTILITIES CODE SECTION 104.301 GRIP PROCESS

ACSC strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues while rewarding the Company for increasing capital investment on an annual basis. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission’s review of annual GRIP filings or allow recovery of Cities’ rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In ACSC’s view, the GRIP process unfairly raises customers’ rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

RRM SAVINGS OVER GRIP

While residents outside municipal limits must pay rates governed by GRIP, there are some cities served by Atmos Mid-Tex that chose to remain under GRIP rather than adopt RRM. Additionally, the City of Dallas adopted a variation of RRM which is referred to as DARR. When new rates become effective on October 1, 2022, ACSC residents will maintain an economic monthly advantage over GRIP and DARR rates.

Comparison to Other Mid-Tex Rates (Residential)

	<u>Average Bill</u>	<u>Compared to RRM Cities</u>
RRM Cities:	\$73.22	-
DARR:	\$71.96	(\$1.26)
ATM Cities:	\$78.72	\$5.50
Environs:	\$78.53	\$5.31

Note: DARR rate is as-filed 1/22/22. Also note that DARR uses a test year ending in September rather than December.

Recommended Action/Motion: Motion to approve Resolution No. 2022-15 approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2021 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; and requiring the company to reimburse ACSC’s reasonable ratemaking expenses.

Attachments: Resolution

RESOLUTION NO. 2022-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

WHEREAS, the City of Dalworthington Gardens, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the

Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2022, Atmos Mid-Tex filed its 2022 RRM rate request with ACSC Cities based on a test year ending December 31, 2021; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2022 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$115 million on a system-wide basis with an Effective Date of October 1, 2022; and

WHEREAS, ACSC agrees that Atmos' plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

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

Section 1. That the findings set forth in this Resolution are hereby in all things approved.

Section 2. That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$115 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2022 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

Section 4. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$115 on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 5. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

Section 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2022 RRM filing.

Section 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

Section 8. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2022.

Section 11. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED THIS THE 18th DAY OF AUGUST, 2022.

Mayor

ATTEST:

City Secretary

City of Dalworthington Gardens

6/29/2022

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
6/29/2022	Bill	0426 damage	14,578.75	14,578.75		14,578.75
					Check Amount	14,578.75

Customer # 00111

Operating	invoice 0426 damage (Marios Utilities)	14,578.75
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GRA-TEX UTILITIES, INC.
 P.O. BOX 700
 ARLINGTON, TX 76004
 PHONE: (817) 846-8142



INVOICE #46109

Date: May 5, 2022

To: Kyle Sugg

RE: 2808 Oak Trail Ct

RECEIVED MAY 09 2022

120-40-6910

Bid Item	Unit	Description	Unit Price	Bid Value
1	LS	Emergency repair to 1" water service damaged by bore crew installing telephone conduit.	\$ 11,150.00	\$ 11,150.00
			Total	\$ 11,150.00



Accepted Signature: _____

Date: _____



Purchase Request Form

Vendor ID: _____
 Vendor Name: Gra-tex Utilities, Inc
 Address 1: P.O. Box 700
 Address 2: _____
 City, ST ZIP: Arlington, TX 76004
 Phone: 817.846.8142

Date: 5/6/22

ATTN Requestor:

After approval, submit 1 copy to Accounts Payable. Retain original to submit to Accounts Payable when goods and/or

If New Vendor - W9 Form Required - Please Attach

Item #	Qty	Description	ACCOUNT NO.			Unit Price	Line Total
			Fund	Dept	Acct#		
1	1	Emergency repair at 2808 Oak Trail Ct due to ATT subs boring through water line; pulled corp stop from AC water main	120	40	6910	\$11,150.00	\$11,150.00

REASON (Please attach necessary supporting data)	Total	\$11,150.00
Emergency response, couldn't fully close water line down; Digging underneath 16" petroleum line with high flow volume; Leak caused by ATT subs, Metro Pole; resulting in back charge to Metro Pole	BUDGETED: <input checked="" type="radio"/> YES <input type="radio"/> NO	

Requested By _____ Date _____

Kyle Lunn / 5/5/22
 Authorized By _____ Date _____
5.5.2022
 City Administrator Approval _____ Date _____

FOR REQUESTOR USE ONLY:

I CERTIFY THAT ALL GOODS AND/OR SERVICES HAVE BEEN RECEIVED AND/OR COMPLETED

Kyle Lunn _____ 5/5/22 _____
 Signature Date Received



GRA-TEX UTILITIES, INC.
 P.O. BOX 700
 ARLINGTON, TX 76004
 PHONE: (817) 846-8142



INVOICE #46109

Date: May 5, 2022
 To: Kyle Sugg
 RE: 2808 Oak Trail Ct

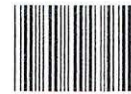
Bid Item	Unit	Description	Unit Price	Bid Value
1	LS	Emergency repair to 1" water service damaged by bore crew installing telephone conduit.	\$ 11,150.00	\$ 11,150.00
			Total	\$ 11,150.00


 Accepted Signature: _____

5/5/22
 Date: _____



Please make payment to:
City of Dalworthington Gardens
 2600 Roosevelt Drive
 DWG, TX 76016
 817-274-7368



ACCOUNT NUMBER	BILL DATE	DUE DATE
01-00111	5/06/2022	6/05/2022

INVOICE

INVOICE NUMBER	AMOUNT DUE	AMOUNT ENCLOSED
0426	\$14,578.75	

There will be a charge on all returned checks.

METRO POLE SETTING CO., INC
 3103 PLUTO ST.
 DALLAS TX 75212

----- Important: Please Return this portion -----

----- Customer Account Information - Retain for your records -----

INVOICE NUMBER
0426

City of Dalworthington Gardens
 2600 Roosevelt Drive
 DWG, TX 76016
 817-274-7368

ACCOUNT NUMBER	BILL DATE	DUE DATE
01-00111	5/06/2022	6/05/2022

ITEM DESCRIPTION	UNITS	TYPE	PRICE	AMOUNT
EMERGENCY WATER LINE REPAIR	N/A		N/A	14,578.75

REIMBURSEMENT CLAIM FOR EMERGENCY WATER LINE REPAIR NEEDED AT 2808 OAK TRAIL CT., DALWORTHINGTON GARDENS, TX 76013 DUE TO SERVICE LINE HIT BY METRO POLE SETTING CO., INC. ON APRIL 27, 2022.

IF YOU HAVE ANY QUESTIONS REGARDING THIS INVOICE PLEASE CALL THE CITY @ 817-274-7368

PAYMENT TERMS: NET 30 DAYS

*****THANK YOU*****



Invoice No. **0426**

Invoice

Customer

Name Metro Pole Setting Co. Inc
 Address 3103 Pluto St.
 City Dallas State TX ZIP 75212
 Phone 214-638-8586

Misc

Date 5/6/2022
 PO No. _____
 Rep _____
 FOB _____

Qty	Description	Unit	TOTAL
1	Subcontractors (Gra-Tex Utilities, Inc) - Emergency water line repair call due to water line hit by Metro Pole sub-contractors at 2808 Oak Trail.	\$11,150.00	\$11,150.00
			\$0.00
7.5	(1) DWG City Staff - maintenance worker + vehicle(2:30 PM to 10:00 PM)	\$50.00	\$375.00
8.5	(1)DWG City Staff - maintenance worker + vehicle(2:30 PM to 11:00 PM)	\$50.00	\$425.00
9.5	(1)DWG City Staff - PW Director + Vehicle (4:30 PM to 2:00 AM)	\$100.00	\$950.00
			\$0.00
			\$0.00
	Materials Used		\$0.00
	All materials supplied in repair by Gra-tex Utilities.		\$0.00
			\$0.00
			\$0.00
395	Charge per approximate 1,000 gallon of water loss - caused from 1" corp ripped out of water main; Water system unable to valve area off, required to flush fire hydrants to reduce water volume to a workable amount in order to complete repair.	\$4.25	\$1,678.75
			\$0.00
			\$0.00

SubTotal	\$ 14,578.75
Shipping	
Labor	\$12,900.00
Material	\$1,678.75
TOTAL	\$ 14,578.75

Payment

Comments 4/27/2022 water hit at 2808 Oak Trail Ct
 Signature: _____

Costs

Office _____

Remit to: City of Dalworthington Gardens | Attn: Public Works Department | 2600 Roosevelt Drive | Dalworthington Gardens, TX 76016

MINUTES OF THE SPECIAL MEETING OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CITY COUNCIL HELD ON JUNE 2, 2022 AT 6:00 P.M. IN THE COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS.

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 6:04 p.m. with the following present:

Members Present:

Laura Bianco, Mayor
John King, Alderman, Place 1
Steve Lafferty, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Ed Motley, Mayor Pro Tem; Alderman, Place 4
Joe Kohn, Alderman, Place 5

Staff Present:

Lola Hazel, City Administrator

2. CITIZEN COMMENTS

None.

3. EXECUTIVE SESSION

- i. Recess into Executive Session pursuant to Government Code Section 551.074, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: the Public Works Director position**

City Council recessed into Executive Session at 6:04 p.m.

- ii. Reconvene into Regular Session for discussion and possible action on the Public Works Director position.**

City Council reconvened into Regular Session at 7:26 p.m.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to direct staff to take the direction discussed in Executive Session.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

4. ADJOURN

The meeting was adjourned at 7:26 p.m.

MINUTES OF THE REGULAR MEETING OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CITY COUNCIL HELD ON JUNE 16, 2022 AT 6:00 P.M. IN THE COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS.

EXECUTIVE SESSION – 6:00 P.M.

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 6:00 p.m. with the following present:

Members Present:

Laura Bianco, Mayor
John King, Alderman, Place 1
Steve Lafferty, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Ed Motley, Mayor Pro Tem; Alderman, Place 4
Joe Kohn, Alderman, Place 5

Staff Present:

Lola Hazel, City Administrator
Greg Petty, DPS Director
Kay Day, Finance Director
Gary Harsley, Community Development Director

2. EXECUTIVE SESSION

- a. Recess into Executive Session pursuant to Government Code Section 551.071, Consultation with Attorney; and Section 551.074, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Administrator, Director of Public Safety, Public Works Director, and Finance Director; namely discussion of duties under City Ordinance, Chapter 9, for these positions.**

City Council recessed into Executive Session at 6:00 p.m.

- b. Reconvene into Regular Session for discussion and possible action regarding the City Administrator, Director of Public Safety, Public Works Director, and Finance Director; namely discussion of duties under City Ordinance, Chapter 9, for these positions.**

City Council reconvened into Regular Session at 6:25 p.m.

Action on this item was deferred until after 7:00 p.m. at which time Council made the following motion and vote.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to direct the Mayor and staff to take the action discussed in closed session.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley and Kohn

Nays: None

- c. Work Session on agenda items, if time permits.**

The following items were discussed in the Work Session:

1. Smoking ordinance
2. Pet waste stations
3. Orchid Court project
4. Janitorial Services bids

REGULAR SESSION – 7:00 P.M.

1. CALL TO ORDER

Mayor Bianco along with visiting Mayor of the Day, Arlington Classics Academy Student, Aaron Scott, called the meeting to order at 7:04 p.m. with the following present:

Members Present:

Laura Bianco, Mayor
John King, Alderman, Place 1
Steve Lafferty, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Ed Motley, Mayor Pro Tem; Alderman, Place 4
Joe Kohn, Alderman, Place 5

Staff Present:

Lola Hazel, City Administrator
Greg Petty, DPS Director
Kay Day, Finance Director
Gary Harsley, Community Development Director

2. INVOCATION, AND PLEDGES OF ALLEGIANCE

Mayor Bianco gave the invocation. Pledges were said.

3. ELECTION MATTERS

a. Administer Oath of Office and issue Certificates of Election to newly elected official, John King.

The Oath of Office was administered and Certificate of Election issued to newly elected official, John King.

4. ITEMS OF COMMUNITY INTEREST

The following items were presented.

- a. Concert in the Park, September 24, 2022**
- b. National Night Out, October 4, 2022**
- c. Movie in the Park, October 8, 2022**

5. CITIZEN COMMENTS

- Sandy Riney, 2702 Whisperwood Trail: Spoke to the effect of the Roosevelt Drive project on Burlwood Drive.

- Iashia Bergamini, 2812 Whisperwood Trail: Spoke to the Roosevelt Drive project and the current traffic control plan. Spoke in favor of the pet waste stations listed on the agenda. Spoke to the Park Board upcoming budget requests such as trash cans. Spoke in favor of the Eagle Scout project listed on the agenda. Spoke to the need for park volunteers.

6. MAYOR AND COUNCIL COMMENTS

Mayor Bianco: Thanked The Salvation Army for bringing donuts and coffee to staff on National Donut Day. This holiday was inaugurated by The Salvation Army in 1938. It honors the “Donut Lassies”- The Salvation Army ministers who, during WWI went to the front lines to support the troops serving fresh made donuts. Also thanked to The Salvation Army for recognizing the DWG CPSAAA at their June meeting for all of their efforts in supporting The Mayor’s Red Kettle Challenge held in December. Recognized two long-time citizens. The first is Mr. Al Goerdel who lived right next to City Hall. Al recently passed away on May 23, 2022. Mr. Goerdel served in the Korean War from 1952-1953 and received a Bronze Star. He moved to DWG in 1960 with his wife, Rose, and two daughters, Charlotte and Carol. Al was a jack of all trades whether it was working in the oil field or being a butcher, Mr. Goerdel did it all. Al truly loved living in DWG and was a big supporter of the city and employees. We love and miss you, Mr. Goerdel. The next citizen recognized was Velma Bogart. Velma recently celebrated her 90th birthday. Velma has lived in DWG since 1974, and has served the city in multiple capacities to include the Planning and Zoning Commission, City Council, and also the Historical Committee. She also was instrumental in organizing the 75th and 80th celebrations of our city.

John King: Congratulated the Mayor for the Day, Aaron Scott.

Steve Lafferty: None.

Cathy Stein: Thanked outgoing Council Member Joe Kohn for his service.

Ed Motley: None.

Joe Kohn: Read aloud his City Council resignation letter.

7. DEPARTMENTAL REPORTS

- DPS Report**
- Financial Reports**
- City Administrator Report**

Departmental Reports were presented.

8. CONSENT AGENDA

- Approval to designate concert in Gardens Park taking place on September 24, 2022 as a bring your own beverage event which allows possession and consumption of beer and wine at said events, in accordance with Section 1.09.079, City of Dalworthington Gardens Code of Ordinances.**
- Ratification of invoice from Gratex in the amount of \$9,000 for emergency sewer leak repair on Roosevelt Drive.**
- Approval of Resolution No. 2022-11 suspending the June 17, 2022 effective date of Oncor Electric Delivery Company’s requested rate change to permit the city time to study the request and to**

establish reasonable rates; approving cooperation with the Steering Committee of Cities served by Oncor to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals.

- d. Approval of April 21, 2022 regular meeting minutes.**
- e. Presentation and acknowledgment of budget adjustments.**
- f. Approval of Ordinance No. 2022-14 approving budget amendments for FY 2021-2022.**

A motion was made by Council Member Cathy Stein and seconded by Council Member John King to approve the Consent Agenda.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley and Kohn

Nays: None

9. REGULAR AGENDA

- a. Discussion and possible action to approve an Eagle Scout Project to replace a foot bridge in Gardens Park.**

Background information on this item: An Eagle Scout Project was presented for the replacement of a bridge across a drainage area near the chat trail in Gardens Park. An Eagle Scout was present to present this item to council, and photos were provided for reference. There was a city budget cost of \$1,062.22 for supplies. Staff asked for slightly more at \$1,500.00 for an inflation in pricing since the quote is from March 2022. This project is included in the 10-Year Park Plan approved by City Council.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Steve Lafferty to approve an Eagle Scout Project to replace a foot bridge in Gardens Park in the amount of \$1,500.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley and Kohn

Nays: None

- b. Discussion and possible action to approve the purchase of two dog waste stations in Gardens Park in the amount of \$350.00.**

Background information on this item: The Park Board would like to add one additional waste station location and replace one existing waste station. A synopsis and photos are being provided to show the condition of all waste stations in the park. The goal will be to replace the remaining existing ones over time. The cost per waste station is \$157.58.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Steve Lafferty to approve the purchase of two dog waste stations in Gardens Park in the amount of \$400.00.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley and Kohn

Nays: None

c. Discussion and possible action to prepare for the FY 2022-2023 budget year, to include but not limited to discussion of revenue sources, funding sources, capital improvement plan, and council input for budget items.

Background information on this item: This item was previously presented at the May 19, 2022 Council Meeting. Due to items presented at the May meeting, this item is being presented again to determine if the budget process needs to move up earlier than planned. Council may recall that recent legislative changes require an earlier budget process if the city will exceed a 3.5% tax rate increase.

Staff is providing a few high level questions to determine how to work with the Mayor for budget planning purposes.

The questions are:

1. What percentage raise would council want to consider in the budget?
 - a. An analysis is being provided showing a six and seven year average for market COLA percentages versus what staff received in those years.
2. Does Council want to consider full time fire fighters separate from the current PSO concept?
3. Does Council want to spend any existing surplus or leave in reserve funds?
 - a. An example is the brush truck purchase previously discussed.
4. How does Council want to handle interim positions during city administrator's maternity leave?
 - a. This would include positions of city administrator, city secretary, and human resources.
 - b. Hiring firm charges our salary plus 30% for interim period.

No action was taken.

d. Discussion and possible action to approve the purchase of a laptop for event use in the Council Chambers.

Background information on this item: The new City Hall Council Chambers was planned to be used for events. In the past two months, there have been two events requiring a laptop for presentations. In order to adequately prepare for future events, a laptop purchase is needed to have a dedicated device for this purpose. The city's IT provider, NetGenius quoted just under \$1,200 for the laptop. At this time, staff does not suggest or recommend putting additional programs such as Microsoft Office on the device (which would yield more cost). The reason being is a presenter can still project a PowerPoint presentation as ownership of the program is not needed to simply view a presentation. Microsoft Office is only needed if editing were needed.

For general knowledge purposes, the device only provides access to project on to the TVs in the Council Chambers. Wi-Fi access is provided but it is not connected to the network, so there is no concern for a security breach.

A motion was made by Council Member Cathy Stein and seconded by Council Member John King to approve the purchase of a laptop for event use in the Council Chambers.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley and Kohn

Nays: None

e. Discussion and possible action to consider changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 6, Health and Sanitation, and Chapter 14, Zoning, regarding regulations for smoking establishments and the sale of certain illegal smoking products.

Background information on this item: The council held a work session and discussed regulations for certain smoking products as well as regulations for smoking establishments. Council asked staff to bring back an ordinance for consideration. Two ordinance options are being provided. Neither will have an ordinance number assigned until council provides final feedback on desired changes.

The first ordinance only changes regulations to Chapter 6, Health and Sanitation, for illegal smoking products. Section 6.05.003 would prohibit the sale of products listed in Section 6.05.002. It does also add certain defenses to prosecution in Section 6.05.004 that are associated with this prohibition on sale of certain products.

The second ordinance changes the same regulations in Chapter 6, Health and Sanitation, as the first ordinance, but it additionally completely prohibits smoking establishments in the city (Chapter 14, Zoning, changes).

Council has previously discussed a complete prohibition on smoking establishments which is why the second ordinance is provided. However, just as with the suggestion against prohibition on other land uses, council should look at designating smoking establishments in certain zoning districts or assigning special exception regulations if limiting the use is desired.

If council does ultimately decide on a complete prohibition of smoking establishments as outlined in Chapter 14, Zoning, the ordinance would need to go to the Planning and Zoning Commission for a recommendation before council can take action. If council only desires changes in Chapter 6, council can take action on said ordinance.

A motion was made by Council Member Cathy Stein and seconded by Council Member Steve Lafferty to approve the recommended changes to Chapter 6, Health and Sanitation, but make no changes to Chapter 14, Zoning.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley and Kohn

Nays: None

f. Discussion and possible action to select a contractor for Project #2022-03, Orchid Court Storm Sewer Improvements.

Background information on this item: The Orchid Court project bid date was June 7, 2022 at 2:00 p.m. The city received bids from Acadia Services, Atkins Brothers, and Insituform. The city engineer has provided a recommendation to move forward with Insituform's bid of \$232,355.00 for applying CIPP lining in the existing 36" RCP, 2-4' manholes, and asphalt pavement repair.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to award the bid for Project #2022-03, Orchid Court Storm Sewer Improvements to Insituform.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley and Kohn

Nays: None

g. Discussion and possible action to select a contractor for Project #2022-02, Janitorial Services for City Hall and DPS Building.

Background information on this item: The bid date for Project #2022-02, Janitorial Services, was June 3, 2022 at 2pm. The city received bids from WCD Enterprises and Clements Custom Cleaning. The bidder perceived to provide the best value in this case for cleaning is WCD Enterprises at a bid of \$10,740 annually.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve the selection of WCD Enterprises for Project #2022-02, Janitorial Services for City Hall and DPS Building.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley and Kohn

Nays: None

h. Discussion and possible action to approve Resolution No. 2022-12 approving a change order in the amount of \$15,752.00 for the 47th CDBG Ambassador Row Project.

Background information on this item: The CDBG project will soon be coming to an end, and various change orders are needing approval to close out the project. One change order in the amount of \$5,027.00 is for additional asphalt and to complete the work on and near the flushing valves at each cul de sac. This work has already been completed. The second change order in the amount of \$10,725.00 is for work not yet completed. The contractor was set to put down asphalt abutting the concrete work, and asked the City to consider another small sliver of asphalt due to the condition of it. Upon inspection, staff noticed a slightly larger section was in need of replacement due to the condition and visibility of multiple past repairs being conducted on that section of asphalt. Staff requested a quote from the contractor, and the contractor generously reduced the per square footage dollar amount from \$15.00 to \$13.00 because of the size. Photos are being provided with more detail.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve Resolution No. 2022-12 approving a change order in the amount of \$15,752.00 for the 47th CDBG Ambassador Row Project.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley and Kohn

Nays: None

i. Discussion and possible action to approve Ordinance No. 2022-13 making changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 12, Traffic and Vehicles, to authorize the Director of Public Safety to establish speed limits in construction zones.

Background information on this item: As the Roosevelt Drive construction started, it was noticed the city did not have the authority to change speed limits in a construction zone. We request section 12.05.004 be adopted to allow the Director of Public Safety to change speed limits in a construction zone after following an engineering and traffic investigation report.

This addition will allow the city to slow down the speeds in construction zones, making it a safer place for workers, other motorists, and pedestrians.

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to approve Ordinance No. 2022-13 making changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 12, Traffic and Vehicles, to authorize the Director of Public Safety to establish speed limits in construction zones.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley and Kohn
Nays: None

j. Discussion and possible action on city-initiated rezoning of 2611 W. Pleasant Ridge Road from PD SF-1 to allow half of the lot to be used as PD commercial.

A motion was made by Council Member Cathy Stein and seconded by Council Member John King to allow the City to initiate that the agreed upon portion of the lot by the developer be rezoned as PD Commercial.

Motion carried by the following vote:
Ayes: Members King, Lafferty, Stein, Motley and Kohn
Nays: None

k. Discussion and possible action regarding amendments to the FY 2021-2022 budget in amounts not to exceed \$10,000.00.

No action taken.

l. Discussion and possible action to accept the resignation of Council Member Joe Kohn.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to accept the resignation of Council Member Joe Kohn.

Motion carried by the following vote:
Ayes: Members King, Lafferty, Stein, Motley and Kohn
Nays: None

m. Discussion and possible action to accept nominations to fill the vacancy for Alderman Place 5.

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to nominate Mark McGuire to fill the vacancy for Alderman Place 5.

Motion carried by the following vote:
Ayes: Members King, Lafferty, Stein, Motley and Kohn
Nays: None

10. TABLED ITEMS

a. Discussion and possible action regarding consideration of bond requirements for oil and gas drilling.

Item not addressed.

11. FUTURE AGENDA ITEMS

None.

12. ADJOURN

The meeting was adjourned at 9:00 p.m.

MINUTES OF THE SPECIAL MEETING OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CITY COUNCIL HELD ON JULY 12, 2022 AT 6:00 P.M. IN THE COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS.

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 6:00 p.m. with the following present:

Members Present:

Laura Bianco, Mayor
John King, Alderman, Place 1
Steve Lafferty, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Ed Motley, Mayor Pro Tem; Alderman, Place 4

Members Absent:

Vacant, Alderman, Place 5

Staff Present:

Lola Hazel, City Administrator
Greg Petty, DPS Director
Kay Day, Finance Director
Sandra Ma, Court Administrator

2. CITIZEN COMMENTS

None.

3. ACTION ITEMS FOR FY 2021-2022 BUDGET

- i. Discussion and possible action to approve the purchase of in-car cameras and body cameras for the DWG Department of Public Safety in the amount of \$107,230.**

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Steve Lafferty to approve the purchase of in-car cameras and body cameras for the DWG Department of Public Safety in the amount of \$107,230.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, and Motley

Nays: None

- ii. Discussion and possible action to approve the purchase of bunker gear for the DWG Department of Public Safety in the amount of \$14,802.00.**

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve the purchase of bunker gear for the DWG Department of Public Safety in the amount of \$14,802.00.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, and Motley

Nays: None

- iii. Discussion and possible action to approve the purchase of seven trash cans for Gardens Park in the amount of \$6,755.00.**

A motion was made by Council Member Cathy Stein and seconded by Council Member Steve Lafferty to approve the purchase of seven trash cans for Gardens Park in the amount of \$6,755.00.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, and Motley

Nays: None

iv. Discussion and possible action to approve the purchase of other various items.

None.

4. CONDUCT BUDGET WORK SESSION FOR FY 2022-2023 BUDGET

Work session conducted.

5. ADJOURN

The meeting was adjourned at 8:27 p.m.