

NOTICE OF A PUBLIC MEETING

AN AGENDA OF A REGULAR MEETING OF THE CITY COUNCIL

CITY OF WHITE SETTLEMENT, TEXAS

6:30 PM – September 6, 2022

City Hall – Council Chambers

214 Meadow Park Drive, White Settlement, TX 76108

CALL TO ORDER

INVOCATION / PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

The purpose of this item is to allow citizens an opportunity to address the City Council on items that are not listed on the agenda, as well as any consent agenda, executive session, or workshop items. Any person desiring to make a public comment must first fill out a speaker request form, and be recognized by the presiding officer. Individual citizen comments are limited to three minutes. The City Council has no obligation to respond in any manner to comments or questions from the public. Any response from a member of the City Council to comments on items not listed on the agenda is limited to a statement of specific factual information, a recitation of existing policy, or direction to staff to place the subject on the agenda for a future City Council meeting.

EXECUTIVE SESSION

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may convene in Executive Session to deliberate regarding the following matters:

1. Sec. 551.074 Deliberation Regarding Personnel Matters: to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:
 - a. City Secretary
 - b. HR Director
2. Sec. 551.072 Deliberations about Real Property: The City Council may deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, including 8212 White Settlement Road.
3. Sec. 551.071 Consultation with Attorney: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the city attorney about any matters listed on the agenda including advice from city attorney regarding Interlocal Agreement with Westworth Village, Tarrant Appraisal District Complaints; Sign Appeals; Solid Waste Collection RFP; and traffic control devices and regulations.

RECONVENE IN OPEN SESSION

Take action, if any, on items discussed in Executive Session, including the following:

- a. First Amendment to the City Secretary Restated Employment Agreement

PRESENTATIONS

MAYOR / COUNCIL MEMBER PRESENTATIONS:

4. Presentation to Mansfield Police Chief Tracy Aaron for his multiple offers of assistance to the White Settlement Police Department.
5. Presentation of National Night Out Proclamation
6. Presentation of Senior Center Month Proclamation.

STAFF PRESENTATIONS:

7. Finance Department presentation by NewGen Strategies & Solutions of RFP 2022-003 Solid Waste Collection Services.

CONSENT AGENDA

All items on the Consent Agenda are routine or previously discussed items and will be approved with one motion; however, should a member of the City Council wish to discuss any item, said item may be removed from the Consent Agenda and considered under Deliberation Agenda.

8. Approval of City Council meeting minutes:
 - a. August 2, 2022;
 - b. August 9, 2022; and
 - c. August 30, 2022.
9. Acknowledge receipt of Monthly Financial Statements for FY 21-22 as of July 31, 2022.
10. Approval of a resolution appointing the City Manager as the Emergency Management Coordinator.
11. Approval of an ordinance amending Section 14-1 of the Code of Ordinances authorizing the Emergency Management Coordinator to appoint the Director of Public Safety and/or Fire Chief to serve as the Assistant Emergency Management Coordinator to carry out duties.
12. Approval of contract with Tarrant County Fire Alarm Center for continued emergency dispatch services for the fiscal year 2022-2023.

DELIBERATION AGENDA

PLANNING AND DEVELOPMENT:

13. Discuss and consider an appeal for a sign permit for the property located at Western Hills Park Addition Lot 1 Site 1, more commonly known as 8600 West Freeway, White Settlement TX, 76108.
14. Discuss and Consider an appeal for a sign permit for the property located at Western Hills Park Addition Lot 2B Site 19, more commonly known as 8000 West Freeway White Settlement TX, 76108.
15. Discuss and Consider an appeal for a sign permit for the property located at Gold Creek Apartments Addition Block 1 Lot 1, more commonly known as 1300 N Jim Wright Freeway White Settlement TX, 76108.

FINANCIAL:

16. Adoption of a resolution acknowledging the Annual Review and approval of the Official Investment Strategy and Investment Policy.
17. Adoption of a resolution approving the terms and conditions of the agreement between Valley View Consulting, LLC and the City of White Settlement for Investment Advisory Services.

18. Discuss and consider an ordinance amending Ordinance 2021.09.018 to provide for revisions to the City of White Settlement, Texas operating budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022.
19. Discuss and consider Award of RFP 2022-003 Solid Waste Collection Services; and to authorize the City Manager to negotiate, finalize and execute an agreement.
20. Discuss and consider an ordinance adopting the City of White Settlement Annual Operating Budget for Fiscal Year 2022-2023.
21. Discuss and consider an ordinance affixing and levying a Municipal Ad Valorem Taxes for the City of White Settlement, Texas for Fiscal Year beginning October 1, 2022 and ending September 20, 2023; providing for collection of Ad Valorem Taxes.
22. Discuss and consider motion to ratify the Property Tax Revenue increase reflected in the Fiscal Year 2022-2023 Budget.
23. Consider and approve an ordinance ratifying and approving an ordinance authorizing the issuance and sale of City of White Settlement, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2022 and all other actions taken in connection with said Certificates of Obligation

PUBLIC SAFETY:

24. Discuss and consider an ordinance providing for the classification of police officers and prescribing the number of positions within each classification, and providing an effective date.
25. Discuss and consider an Interlocal Cooperation Agreement between the City of White Settlement and the City of Fort Worth establishing concurrent enforcement jurisdiction between the cities.
26. Discuss amending the speed limit on Clifford Street beginning at the 9100 block through the 8900 block to the intersection with Easley Street; from 40 MPH to 30 MPH.

ADJOURNMENT

Notice posted on the 2nd day of September, 2022, on the City Hall bulletin board at 214 Meadow Park Drive, White Settlement, Texas by 5:00 p.m.

Amy Arnold, TRMC, CMC
City Secretary

Accessibility Statement: The City of White Settlement City Hall is accessible to persons with disabilities. Specially marked parking spaces are available at both Meadow Park and Hanon Drive. Accessible entry is available at the main entrance, which is located on the north side of the building. If additional assistance is needed to observe or comment, please notify the City Secretary at 817-246-4971 x203 at least 24 hours prior to the meeting.

**INFORMAL REPORT
TO MAYOR AND COUNCIL**



Honorable Mention – Mansfield Police Chief Tracy Aaron

City Council Meeting Date: September 6, 2022
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ISSUE

The City of White Settlement Police Department would like to formally recognize Mansfield Police Chief Tracy Aaron during a regularly scheduled City Council meeting for his multiple offers of assistance to the Police Department.

DISCUSSION

Mansfield Police Chief Tracy Aaron has offered and rendered the following areas of assistance to the City of White Settlement, free of charge.

- Mansfield Police Department conducted a complete and encompassing Property and Evidence Room audit during the change of leadership at the White Settlement Police Department, which reflects best practices in the law enforcement profession. This complete accounting of items during the audit took multiple personnel from the Mansfield Police Department and lasted for approximately two weeks from start to completion.
- Mansfield Police Department offered assistance and guidance on the City of White Settlement's Flock Safety System by providing free training to members of the department. This included operation of the system, inputting alerts, and maintaining records.
- Mansfield Police Department offered assistance and guidance on establishing an unmanned aircraft systems program (drone). This included policy guidance and adoption, along with aircraft recommendations that would bolster public safety efforts. The White Settlement Police Department is in the process of reviewing these recommendations and working with local partners to establish a program at the appropriate time.
- Mansfield Police Department assisted the City of White Settlement in conducting a personnel investigation, which required approximately two weeks of personnel costs to the City of Mansfield to appropriately investigate and provide a culmination report to the City of White Settlement.

ACTION

The City of White Settlement Police Department is requesting that the Mayor and City Council recognize Mansfield Police Chief Tracy Aaron for his multiple acts of kindness and professionalism in supporting the City of White Settlement.

ADDITIONAL INFORMATION

Attached:

Honorable Mention

Under separate cover:

None

Available in the City Secretary's Office:

None

STAFF CONTACT(S)

Christopher Cook

Jeff James

Director of Public Safety/Chief of Police

City Manager

817-246-7070 x 103

817-246-4971

ccook@WSPD.US

jjames@WSTX.US



White Settlement Police Department



HONORABLE SERVICE & MENTION

Know all people by this certificate that

TRACY AARON

CHIEF OF POLICE WITH CITY OF MANSFIELD, TEXAS

Is formally recognized and commended in recognition of

ASSISTING THE CITY OF WHITE SETTLEMENT, TEXAS

The Mansfield, Texas Police Department, under the leadership of Chief Tracy Aaron, offered and assisted the City of White Settlement in several important areas including a complete audit of the WSPD Property and Evidence Room, training on the Flock Safety System, guidance on adopting an unmanned aircraft systems program, and assistance with a personnel investigation that took hundreds of hours to complete. Chief Aaron also serves as a mentor to newly appointed Chief of Police Christopher Cook.

On this 6th day of September, 2022, Chief of Police Tracy Aaron is formally recognized and commended for his service and support to the City of White Settlement. The North Texas region is stronger based upon positive relationships with neighboring cities and agencies.

Ronald A. White
Mayor
City of White Settlement, Texas

Jeffrey J. James
City Manager
City of White Settlement, Texas

City of White Settlement
Proclamation

WHEREAS, the National Association of Town Watch (NATW) sponsors a national community-building campaign on Tuesday, October 4, 2022 entitled “National Night Out”; and

WHEREAS, the National Night Out campaign provides an opportunity for neighbors in the City of White Settlement to join over 38 million neighbors across 16 thousand communities from all 50 states, U.S. territories and military bases worldwide; and

WHEREAS, National Night Out is an annual community-building campaign that promotes strong police-community partnerships and neighborhood camaraderie to make our neighborhoods safer, more caring places to live and work; and

WHEREAS, neighbors in the City of White Settlement assist the White Settlement Police Department through joint community-building efforts and support National Night Out 2022; and

WHEREAS, it is essential that all neighbors of White Settlement come together with police and work together to build a safer, more caring community; and

NOW, THEREFORE I, Mayor of the City of White Settlement, Texas, do hereby call upon all neighbors of the City of White Settlement to join the White Settlement Police Department and National Association of Town Watch in support for National Night Out on Tuesday, October 4, 2022.

FURTHER, LET IT BE RESOLVED THAT, I, Mayor Ronald A. White do hereby proclaim Tuesday, October 4, 2022 as

“National Night Out”

in the City of White Settlement, Texas.

Ronald A. White, Mayor

City of White Settlement
Proclamation

WHEREAS Meals on Wheels Inc. of Tarrant County joins the National Council on Aging, Tarrant County, and the City of White Settlement in celebrating Senior Center Month this September; and

WHEREAS The White Settlement Senior Center with Meals On Wheels Inc. of Tarrant County has acted as a catalyst for mobilizing the creativity, energy, vitality, and commitment of the older residents of White Settlement, Texas; and

WHEREAS Residents 60 and over enjoy meals served in group settings at adult activity centers located throughout Tarrant County. Participants benefit from social interactions with family and friends, which helps fight senior isolation. The month of September will be used to celebrate how senior centers deliver vital connections, by highlighting how to empower older adults to holistically age well and make mind, body, spirit, and community connections; and

WHEREAS The White Settlement Senior Center and Meals On Wheels Inc. Tarrant County affirm the dignity, self-worth, and independence of older persons; tapping their experiences, skills, and knowledge; and enabling their continued contributions to the community.

NOW, THEREFORE, I , Mayor of the City of White Settlement, Texas do hereby proclaim the month of September 2022 as

“SENIOR CENTER MONTH”

And call upon all citizens to recognize the tremendous contributions of the White Settlement Senior Center participants, and the outstanding efforts of the White Settlement Senior Center and Meals On Wheels On Wheels Inc. of Tarrant County staff and volunteers who work vigorously to change the perception of aging and create important community resources for older adults to live with purpose, dignity and independence.

IN WITNESS WHEREOF, I have set my hand and the official seal of the City of White Settlement, Texas to be affixed this 6th day of September 2022.

Ronald A. White, Mayor



MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

CITY OF WHITE SETTLEMENT, TEXAS

6:30 PM – August 2, 2022

City Hall – Council Chambers

214 Meadow Park Drive, White Settlement, TX 76108

CALL TO ORDER

Mayor White called the meeting to order at 6:30 p.m. announcing all council members present constituting a quorum.

Other's present included Executive Staff members City Manager Jeffrey J. James, City Secretary Amy Arnold and City Attorney Drew Larkin. Other staff present included Executive Administrative Assistant Ann Elias, Finance Director Krystal Crump (Foght), Building Official Robert Nunley, Community Services Director Rich Tharp, Public Works Director Larry Hoover, WSPD Lt. D. Callahan, Code Officer Steve Zapata, Senior Accountant Zane Graham, Purchasing Agent Lonnie Yates, City Marshal Randy Rogers and Communications Manager AC Hall.

INVOCATION / PLEDGE OF ALLEGIANCE Mayor White led the Pledge of Allegiance and invocation.

PUBLIC PARTICIPATION

Daniel J. Bennett of 408 Pemberton St. addressed the City Council requesting an item on a future agenda to vote on participating in complaint against TAD members. Mr. Bennett read a complaint and mentioned others who have signed to be a part of the claim.

Prior to Presentations, Mayor Pro Tem Spurlock made a motion to move the Executive Session item to after Consent Agenda. Council Member Munoz seconded the motion which carried unanimously.

PRESENTATIONS

STAFF PRESENTATIONS:

The following presentations were made.

1. City Manager presentation of items of community interest.
2. Finance Director's presentation of financial items:
 - a. Presentation of Fiscal Year 2022-2022 No New Revenue and Voter Approval Tax Rate.
 - b. Presentation of Fiscal Year 2022-2023 Proposed Operating Budgets.
 - c. Presentation of RFP#2022-003 Solid Waste Collection Services preliminary results.
 - d. Presentation of Water & Sewer Rates beginning October 2022.

CONSENT AGENDA

Council Member Geesa made a motion to approve the Consent Agenda. Council Member Wright seconded the motion which carried unanimously. Approval of Consent Agenda included:

3. Approval of City Council meeting minutes: July 5, 2022 and July 19, 2022
4. Approval of Ordinance 2022-08-011-18 calling for a General Election to be held on November 8, 2022, to elect persons to the offices of Council Member Place 2 and Council Member Place 3.
5. Acknowledge receipt of Quarterly Investment Report for period ending June 30, 2022.
6. Acknowledge receipt of Monthly Financial Statements for FY 21-22 as of June 30, 2022.
7. Approval of Ordinance 2022-08-012-19 approving a negotiated settlement between 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.
8. Acknowledge and authorize a facility rental agreement between the City and Charlie Blaylock and Becca Knutson for Cowtown Farmers Market.

Executive Session was held at this time. See items 21-24.

DELIBERATION AGENDA

FINANCIAL:

9. Public Hearing and consider Ordinance 2022-08-007-14 adopting the Crime Control and Prevention District Fiscal Year 2022-2023 Budget.

Finance Director Krystal Crump (Foght) presented information prior to Mayor White opening the Public Hearing at 8:20 p.m. Seeing no speakers, Mayor White closed the Public Hearing at 8:21 p.m.

Council Member Moore made a motion to approve Ordinance 2022-08-007-14 adopting the Crime Control and Prevention District Fiscal Year 2022-2023 Budget. Council Member Geesa seconded the motion which carried unanimously.

10. Public Hearing and consider Ordinance 2022-08-008-15 adopting the Economic Development Corporation Fiscal Year 2022-2023 Budget.

Finance Director Krystal Crump (Foght) presented information prior to Mayor White opening the Public Hearing at 8:22 p.m. Seeing no speakers, Mayor White closed the Public Hearing at 8:23 p.m.

Council Member Munoz made a motion to approve Ordinance 2022-08-008-15 adopting the Economic Development Corporation Fiscal Year 2022-2023 Budget. Mayor Pro Tem Spurlock seconded the motion which carried unanimously.

11. Discuss and consider calling a Public Hearing to be held August 30, 2022 at 6:30 p.m. for the Fiscal Year 2022-2023 Proposed Budget.

Finance Director Krystal Crump (Foght) explained staff is seeking council approval to hold a public hearing at City Hall on August 30, 2022 to comply with budget requirements.

Council Member Wright made a motion to call a Public Hearing to be held August 30, 2022 at 6:30 p.m. for the Fiscal Year 2022-2023 Proposed Budget. Council Member seconded the motion which carried unanimously.

12. Discuss and consider calling a Public Hearing to be held August 30, 2022 at 6:30 p.m. for the Fiscal Year 2022-2023 Proposed Tax Rate.

Finance Director Krystal Crump (Foght) explained staff is requesting to hold a public hearing at City Hall on August 30, 2022 to comply with tax rate adoption requirements.

Council Member Munoz made a motion to call a Public Hearing to be held August 30, 2022 at 6:30 p.m. for the Fiscal Year 2022-2023 Proposed Tax Rate. Mayor Pro Tem Spurlock seconded the motion which carried unanimously.

13. Discuss and consider Ordinance 2022-08-009-16 amending Chapter 20 "Fees", Section 2 "Water and Sewer Services" Sewer; adopting and ratifying sewer rates inside and outside the city limits.

Finance Director Krystal Crump (Foght) presented information on proposed sewer rate increases mentioning if approved, the proposed rates would be effective as of October 15, 2022.

Council Member Moore made a motion to approve Ordinance 2022-08-009-16 amending Chapter 20 "Fees", Section 2 "Water and Sewer Services" Sewer; adopting and ratifying sewer rates inside and outside the city limits. Mayor Pro Tem Spurlock seconded the motion which carried unanimously.

14. Discuss and consider Ordinance 2022-08-010-17 amending Chapter 20 "Fees", Section 2 "Water and Sewer Services" Water; adopting and ratifying water rates inside and outside the city limits.

Finance Director Krystal Crump (Foght) presented information on proposed water rate increases mentioning the increase of water rates are a result of large inflation, Fort Worth rate increase for the city and maintenance costs. Ms. Crump (Foght) mentioned, if approved, the proposed rates would be effective as of October 15, 2022. Ms. Crump (Foght) noted the most recent rate increase was in 2019.

Council Member Geesa made a motion to approve Ordinance 2022-08-010-17 amending Chapter 20 "Fees", Section 2 "Water and Sewer Services" Water; adopting and ratifying water rates inside and outside the city limits. Council Member Wright seconded the motion which carried unanimously.

PUBLIC WORKS:

15. Consider approval of low bid to apply an epoxy coating to Well Site 4 Galvanized water storage tank at a cost of \$36, 100.00 by J and A Coating Company.

This item was removed from the agenda at staff's request.

PLANNING and DEVELOPMENT

16. Hold a Public Hearing and consider Ordinance 2022-08-013-20 to re-zone for HUTTON AND MURPHY ADDITION Lot 2, more commonly known as 904 State Hwy 183, White Settlement, TX 76108, from C-C (Commercial Corridor) to (I-L) Light Industrial.

Building Official Robert Nunley explained the request giving details as to the location, review of comprehensive plan and zoning needs prior to Mayor White opening the Public Hearing at 8:30 p.m. Seeing no speakers, Mayor White closed the Public Hearing at 8:31 p.m.

Council Member Geesa questioned the advantage to light industrial. Building Official Robert Nunley replied to explain the re-zone is to fulfill property contract obligations and compliance with the 2040 Comp Plan.

Mayor Pro Tem Spurlock made a motion to approve Ordinance 2022-08-013-20 to re-zone for HUTTON AND MURPHY ADDITION Lot 1 and Lot 2 more commonly known as 900 and 904 State Hwy 183, respectively, White Settlement, TX 76108, from C-C (Commercial Corridor) to (I-L) Light Industrial. Council Member Geesa seconded the motion which carried unanimously.

17. Hold a Public Hearing and consider Ordinance 2022-08-014-21 to re-zone for HUTTON AND MURPHY ADDITION Lot 1, more commonly known as 900 State Hwy 183, White Settlement, TX 76108, from C-C (Commercial Corridor) to (I-L) Light Industrial.

At the advice of City Attorney Drew Larkin, this item was discussed and approved under item 16 as both lots are part of the same property.

ADMINISTRATIVE:

18. Discuss and consider attendance options for TML Concurrent Sessions during the 2022 TML Annual Conference.

Patricia England of 852 McCully Street addressed the City Council regarding upcoming attendance to the TML Annual Conference. Ms. England shared her opinion that not all members should attend, quoted comments from previous years and noted no benefits have been seen in the city from council attendance to the event.

Mayor Pro Tem Spurlock responded to correct information Ms. England had received. Mayor Pro Tem Spurlock explained all members attended the previous year's event with the exception of Mayor White and Councilman Moore, her quote referenced a different event and mentioned benefits to the city including the utility payment kiosk and special needs playground equipment among other things. Ms. England thanked Mayor Pro Tem Spurlock for the corrected information.

Council Member Geesa mentioned his attendance to events at his own expense and expressed his excitement to be able to attend the TML event with other elected officials.

No action was taken on this item.

19. Discuss and consider city council budget line item 01-501-20-233 "Travel and Training" to include funds to allow for the use of travel agent services to make travel arrangements for council members attending approved training and events.

Mayor Pro Tem Spurlock explained the request as a judicious way to use resources, mentioned the benefit of a professional agent to negotiate rates and book in a more efficient manner saving staff time and resources. Members discussed TML Annual Conference registration as an example of the difficulties faced when booking numerous registrations and hotel rooms for elected officials.

Mayor Pro Tem Spurlock made a motion to authorize funds be included in the proposed budget to allow for the use of professional travel agent services. Council Member Munoz seconded the motion which carried unanimously / failed with a vote of 4 to 1 as follows:

Moore	Aye
Spurlock	Aye
Munoz	Aye
Wright	Aye
Geesa	Nay

20. Discuss and consider Resolution 2022-08-012-017 providing for the renaming of the 600 Block of Weir Way, a public street in the City of White Settlement, Tarrant County, Texas; providing for revocation of this resolution, providing for conflicts, severability and an effective date.

City Manager Jeff James presented the resolution explaining a prior name change approval at the request of then current property owner. Mr. James informed council members the new owner has requested to have the street reverted back to its original name honoring Capt. Herbert.

Members discussed a motion to approve the resolution include installing / reinstalling a plaque containing historical information about Capt. Herbert.

Council Member Munoz made a motion to approve Resolution 2022-08-012-017 providing for the renaming of the 600 Block of Weir Way, a public street in the City of White Settlement, Tarrant County, Texas; providing for revocation of this resolution, providing for conflicts, severability and an effective date. Mayor Pro Tem Spurlock seconded the motion which carried unanimously.

EXECUTIVE SESSION

Mayor White announced City Council convened in Executive Session, after Consent Agenda, at 7:40 p.m. after first reading the following statement: *Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may convene into Executive Session to deliberate regarding the following matters:*

21. Sec. 551.074 Deliberation Regarding Personnel Matters: to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:

- a. City Manager
- b. City Secretary

22. Sec. 551.071 Consultation with Attorney: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the city attorney about any matters listed on the agenda including advice from city attorney regarding sign ordinance and Keller Outdoor Advertising sign appeal.

23. Sec. 551.072 Deliberations about Real Property: The City Council may deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, including 8212 White Settlement Road.

RECONVENE IN OPEN SESSION

24. Take action, if any, on items discussed in Executive Session, including the following:

Mayor White announced City Council reconvened in Open Session at 8: 15 p.m. to consider any action as a result of Executive Session.

No action was taken. The meeting resumed with Deliberation Agenda items at 8:16 p.m.

ADJOURNMENT

With there being no further discussion, Mayor White adjourned the meeting at 8:56 p.m.

Approved this 6th day of September, 2022.

Ronald A. White
Mayor

ATTEST:

Amy Arnold, TRMC, CMC
City Secretary



MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

CITY OF WHITE SETTLEMENT, TEXAS

6:30 PM – August 9, 2022

City Hall – Council Chambers

214 Meadow Park Drive, White Settlement, TX 76108

CALL TO ORDER

Mayor White called the meeting to order at 6:30 p.m. announcing a quorum of council members present with Mayor Pro Tem Spurlock absent due to being out of town as required by her employer. Council Member Wright arrived at 6:45 p.m. due to a family member emergency. Other's present included City Manager Jeffrey J. James and City Secretary Amy Arnold, Community Services Director Rich Tharp, Finance Director Krystal Crump (Foght), Executive Administrative Assistant Ann Elias, Police Chief Christopher Cook, Building Official Robert Nunley and Public Works Director Larry Hoover.

INVOCATION / PLEDGE OF ALLEGIANCE Mayor White led the Pledge of Allegiance and invocation.

PUBLIC PARTICIPATION There were none.

DELIBERATION AGENDA

FINANCIAL:

1. Discuss and consider Fiscal Year 2022-2023 No New Revenue and Proposed Tax Rate and take a Record Vote.

Finance Director Krystal Crump (Foght) presented information on the Fiscal Year 2022-2023 No New Revenue and Proposed Tax Rate. Finance Director Krystal Crump (Foght) reviewed the Tarrant County Housing Report, reporting and posting requirements, current and proposed rate, tax rate history, appraised and taxable values, new construction, exemptions, CAP Loss (values over 10% taxable) and source of new revenue.

Council Member Geesa asked about tax calculations and education requirements thanking staff for the hard work. Finance Director Krystal Crump (Foght) explained tax collector certification requirements.

Council Member Wright arrived at 6:45 p.m. Council Member Wright stated he understood information and did not request Finance Director Krystal Crump (Foght) to explain any presented information further.

Council Member Geesa made a motion to approve Fiscal Year 2022-2023 No New Revenue and Proposed Tax Rate of \$0.722115. Council Member Munoz seconded the motion. A record vote was taken as follows:

Council Member Moore confirmed he heard and understood the information, voting Aye;

Council Member Munoz confirmed she heard and understood the information, voting Aye;

Council Member Wright confirmed he heard and understood the information, voting Aye;

Council Member Geesa confirmed he heard and understood the information, voting Aye; and

Mayor Pro Tem Spurlock was absent.

EXECUTIVE SESSION

Mayor White announced City Council to convene in Executive Session at 6: 46 p.m. after first reading the following:

Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may convene into Executive Session to deliberate regarding the following matters:

- a. Sec. 551.074 Deliberation Regarding Personnel Matters: to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; including the Municipal Court Judge and the City Prosecutor.

RECONVENE IN OPEN SESSION

2. Take action, if any, on items discussed in Executive Session, including the following:

Mayor White announced City Council reconvened from Executive Session to Open Session at 6: 58 p.m. to take any action as a result of items discussed in Executive Session.

Council Member Munoz made a motion to direct the City Manager to increase salaries as discussed. Council Member Moore seconded the motion which carried unanimously.

ADJOURNMENT

With there being no further discussion, Mayor White adjourned the meeting at 7:00 p.m.

Approved this 6th day of September, 2022.

Ronald A. White
Mayor

ATTEST:

Amy Arnold, TRMC, CMC
City Secretary



MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

CITY OF WHITE SETTLEMENT, TEXAS

6:30 PM – August 30, 2022

City Hall – Council Chambers

214 Meadow Park Drive, White Settlement, TX 76108

CALL TO ORDER

Mayor White called the meeting to order at 6:30 p.m. announcing a quorum of council members present. Other's present included City Manager Jeffrey J. James and City Secretary Amy Arnold, Community Services Director Rich Tharp, Finance Director Krystal Crump (Foght), Executive Administrative Assistant Ann Elias, Building Official Robert Nunley and Public Works Director Larry Hoover.

INVOCATION / PLEDGE OF ALLEGIANCE Mayor White led the Pledge of Allegiance and invocation.

PUBLIC PARTICIPATION

Patricia England of 852 McCully Street addressed the City Council regarding comments made about citizens and in favor of term limits.

Daniel Bennett of 408 Pemberton addressed the City Council regarding TAD complaints.

DELIBERATION AGENDA

FINANCIAL:

1. Discuss and consider an ordinance authorizing the issuance and sale of City of White Settlement, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2022; levying an Annual Ad Valorem Tax and providing for the security for and payment of said certificates; approving the official statement; providing an effective date; and enacting other provisions relating to the subject.

Prior to having staff present information, Mayor White called on members of the public who submitted a request to speak on this item.

Patricia England addressed the City Council in opposition to the item stating the City does not need more debt and making comparisons with her personal budget as well as questioning where notices are published.

Finance Director Krystal Crump (Foght) introduced Hilltop Securities representatives Nick Bulaich (Managing Director), Dan Mahoney (Vice President) and Robert Spears (Analyst) as well as representatives from McCall, Parkhurst & Horton LLP Sam Gill (Partner) and Cooper Anderson (Associate). Ms. Crump (Foght) explained required postings and publications before giving the floor to Mr. Bulaich who explained information provided to City Council in the "sale folder".

Mr. Bulaich reviewed the City's credit rating of AA explaining it is a good rating with strong reserves and a positive report. Other information reviewed included the Bond Buyer Report; summary of bids (7 received) with FHN Capital Markets at 3.498756%; and the bond information statement. Mr. Bulaich expressed recommendation to approve noting great sale results.

Mayor White questioned history of FHN Capital Markets. Mr. Bulaich reminded members that FHN purchased the city's 2021 bond, have submitted a good faith check, are well rated, ranked and respected in the Texas market.

Mayor Pro Tem Spurlock made a motion to move approval of the ordinance ratifying and approving an ordinance authorizing the issuance and sale of City of White Settlement, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2022 and all other actions taken in connection with said Certificates of Obligation. Council Member Munoz seconded the motion which carried with a vote of 4 to 1 with Council Member Geesa voting nay.

2. Hold a Public Hearing on the Fiscal Year 2022-2023 Proposed Tax Rate.

Finance Director Krystal Crump (Foght) presented information explaining the proposed rate.

Mayor White opened the Public Hearing at 7p.m.

Daniel Bennett addressed the City Council regarding the posted agenda. City Secretary Amy Arnold informed Mr. Bennett the item not discussed was removed from the agenda and items being discussed are on the agenda in accordance with the open meetings act.

Scott Evans of 805 Perry questioned whether there would be a tax increase. Finance Director Krystal Crump (Foght) responded by explaining the taxes were not being raised.

Hearing no other speakers, Mayor White closed the Public Hearing at 7:05 p.m.

3. Hold a Public Hearing on the Fiscal Year 2022-2023 Proposed Annual Operating Budgets.

Mayor White opened the public hearing by calling on speakers at 7:08 p.m. prior to staff presenting information.

Patricia England of 852 McCully addressed the City Council expressing her confusion and lack of understanding the budget.

Finance Director Krystal Crump (Foght) presented information explaining the proposed budget.

Mr. Vince Polizzi of 9216 Arlene Drive spoke in favor of the City Council expressing his understanding of the budget process and gratitude to members of the City Council for their dedication and work.

Hearing no other speakers, Mayor White closed the Public Hearing at 7:14 p.m.

ADJOURNMENT

With there being no further discussion, Mayor White adjourned the meeting at 7:15 p.m.

Approved this 6th day of September, 2022.

Ronald A. White

Mayor

ATTEST:

Amy Arnold, TRMC, CMC

City Secretary

		CITY OF WHITE SETTLEMENT					
		MONTHLY FINANCIALS					
		AS OF JULY 31, 2022					
01 -GENERAL FUND							
FINANCIAL SUMMARY					% OF YEAR COMPLETED : 83.33		
	CURRENT	CURRENT	YEAR TO DATE	TOTAL	BUDGET	% YTD	PRIOR YEAR
	BUDGET	PERIOD	ACTUAL	ENCUMBERED	BALANCE	BUDGET	YTD BALANCE
REVENUE SUMMARY							
PROPERTY TAXES	6,441,445.00	197,000.72	6,987,480.91	-	(546,035.46)	108.48	6,371,573.50
SALES AND USE TAXES	2,429,200.00	248,536.71	1,821,514.09	-	607,685.91	74.98	1,604,584.87
FRANCHISE FEES	878,000.00	48,476.13	678,812.08	2,431.73	196,756.19	77.59	654,290.97
LICENSES & PERMITS	317,635.00	18,342.52	340,958.10	-	(23,322.98)	107.34	266,553.08
CHARGES FOR SERVICES	168,024.00	9,704.37	190,103.82	-	(22,079.74)	113.14	181,292.77
FINES & FORFEITURES	259,340.00	16,427.05	191,905.19	-	67,434.85	74.00	235,208.31
INTEREST INCOME	90,000.00	19,803.87	71,046.92	-	18,953.08	78.94	110,804.46
OTHER REVENUE	92,465.00	19,022.43	112,004.23	45.00	(19,584.15)	121.18	413,231.27
TRANSFERS	1,618,463.00	137,728.31	1,379,822.81	-	238,639.75	85.26	1,343,494.90
TOTAL REVENUES	12,294,572.00	715,042.11	11,773,648.15	2,476.73	518,447.45	95.78	11,181,034.13
EXPENDITURE SUMMARY							
CITY COUNCIL							
PERSONNEL	2,868.00	-	5.98	-	2,862.01	0.21	31.36
MATERIALS & SUPPLIES	774.00	-	658.58	-	115.42	85.09	339.03
CONTRACTUAL SERVICES	257,936.00	9,171.53	199,402.34	51,578.94	6,954.54	97.30	143,649.80
TOTAL CITY COUNCIL	261,578.00	9,171.53	200,066.90	51,578.94	9,931.97	96.20	144,020.19
CITY MANAGER'S OFFICE							
PERSONNEL	275,032.00	19,761.41	221,179.64	-	53,852.51	80.42	179,705.50
MATERIALS & SUPPLIES	1,350.00	-	249.24	-	1,100.76	18.46	229.02
CONTRACTUAL SERVICES	16,582.00	-	4,446.90	-	12,135.24	26.82	3,560.66
TOTAL CITY MANAGER'S OFFICE	292,964.00	19,761.41	225,875.78	-	67,088.51	77.10	183,495.18

CITY SECRETARY							
PERSONNEL	143,151.00	8,425.78	88,121.50	-	55,029.65	61.56	85,076.65
MATERIALS & SUPPLIES	810.00	0.93	315.33	-	494.76	38.93	200.84
CONTRACTUAL SERVICES	24,304.00	7,368.91	18,657.88	352.00	5,293.98	78.22	20,219.74
TOTAL CITY SECRETARY	168,265.00	15,795.62	107,094.71	352.00	60,818.39	63.86	105,497.23
HUMAN RESOURCES							
PERSONNEL	137,990.00	10,448.34	107,502.73	-	30,487.04	77.91	75,438.42
MATERIALS & SUPPLIES	1,523.00	8.30	1,014.24	-	508.76	66.59	924.28
CONTRACTUAL SERVICES	83,678.00	4,010.76	57,279.53	11,238.09	15,160.38	81.88	44,116.66
TOTAL HUMAN RESOURCES	223,191.00	14,467.40	165,796.50	11,238.09	46,156.18	79.32	120,479.36
MIS							
PERSONNEL	163,317.00	12,375.80	120,472.01	-	42,845.27	73.77	120,191.46
MATERIALS & SUPPLIES	1,250.00	-	650.95	-	599.05	52.08	500.11
CONTRACTUAL SERVICES	172,658.00	9,583.17	86,696.88	18,493.26	67,467.86	60.92	101,863.75
CAPITAL OUTLAY	-	-	-	-	-	-	(7,962.53)
TOTAL MIS	337,225.00	21,958.97	207,819.84	18,493.26	110,912.18	67.11	214,592.79
CITY MARSHAL							
PERSONNEL	75,396.00	-	53,935.14	-	21,460.77	71.54	80,980.26
MATERIALS & SUPPLIES	15,522.00	12.50	9,645.93	1,250.00	4,626.41	70.20	4,909.82
CONTRACTUAL SERVICES	41,967.00	1,331.57	27,438.41	1,850.12	12,678.21	69.79	26,160.88
TOTAL CITY MARSHAL	132,885.00	1,344.07	91,019.48	3,100.12	38,765.39	70.83	112,050.96
FINANCE							
PERSONNEL	474,952.00	30,557.98	362,923.03	-	112,029.34	76.41	350,875.22
MATERIALS & SUPPLIES	6,381.00	185.47	3,008.76	-	3,372.24	47.15	3,612.94
CONTRACTUAL SERVICES	77,431.00	22,663.88	71,700.93	2,934.00	2,796.07	96.39	40,841.94
TOTAL FINANCE	558,764.00	53,407.33	437,632.72	2,934.00	118,197.65	78.85	395,330.10
MUNICIPAL COURT							
PERSONNEL	91,983.00	3,025.55	67,248.47	-	24,734.47	73.11	71,241.05
MATERIALS & SUPPLIES	7,444.00	183.46	3,085.45	-	4,358.55	41.45	6,531.61
CONTRACTUAL SERVICES	68,281.00	13,426.59	54,101.96	9,153.00	5,026.27	92.64	54,960.22
TOTAL MUNICIPAL COURT	167,708.00	16,635.60	124,435.88	9,153.00	34,119.29	79.66	132,732.88
PURCHASING							
PERSONNEL	70,751.00	5,300.72	56,129.75	-	14,621.69	79.33	54,711.32
MATERIALS & SUPPLIES	600.00	-	181.59	-	418.41	30.27	606.49
CONTRACTUAL SERVICES	15,878.00	3,148.25	13,550.77	-	2,327.67	85.34	9,041.32
TOTAL PURCHASING	87,230.00	8,448.97	69,862.11	-	17,367.77	80.09	64,359.13

MEDIA							
PERSONNEL	65,170.00	5,185.81	51,276.30	-	13,893.58	78.68	49,464.96
MATERIALS & SUPPLIES	4,600.00	-	864.92	-	3,735.08	18.80	678.00
CONTRACTUAL SERVICES	74,472.00	8,000.00	56,963.79	4,000.00	13,508.21	81.86	55,340.37
TOTAL MEDIA	144,242.00	13,185.81	109,105.01	4,000.00	31,136.87	78.41	105,483.33
CODE COMPLIANCE							
PERSONNEL	124,323.00	4,848.83	48,201.20	-	76,121.93	38.77	15,299.82
MATERIALS & SUPPLIES	7,208.00	59.24	2,416.60	780.00	4,011.30	44.35	2,566.89
CONTRACTUAL SERVICES	38,505.00	3,348.89	13,454.13	123.95	24,926.63	35.26	16,932.99
TOTAL CODE COMPLIANCE	170,036.00	8,256.96	64,071.93	903.95	105,059.86	38.21	34,799.70
MUNICIPAL FACILITIES							
PERSONNEL	63,613.00	4,556.52	49,105.88	-	14,507.58	77.19	51,304.84
MATERIALS & SUPPLIES	9,545.00	336.53	5,981.92	275.00	3,287.96	65.55	5,665.17
CONTRACTUAL SERVICES	21,084.00	1,566.60	18,714.49	225.50	2,144.10	89.83	20,805.06
TOTAL MUNICIPAL FACILITIES	94,242.00	6,459.65	73,802.29	500.50	19,939.64	78.84	77,775.07
STREETS							
PERSONNEL	245,166.00	5,908.15	167,935.32	-	77,230.53	68.50	136,892.62
MATERIALS & SUPPLIES	120,258.00	2,694.21	55,935.01	2,000.00	62,323.02	48.18	91,945.29
CONTRACTUAL SERVICES	190,397.00	9,732.60	120,479.86	37,974.07	31,943.43	83.22	122,384.26
TOTAL STREETS	555,821.00	18,334.96	344,350.19	39,974.07	171,496.98	69.15	351,222.17
PLANNING & DEVELOPMENT							
PERSONNEL	207,313.00	15,426.95	160,935.40	-	46,377.32	77.63	138,877.03
MATERIALS & SUPPLIES	6,276.00	33.02	4,673.44	360.00	1,242.56	80.20	2,483.13
CONTRACTUAL SERVICES	86,346.00	13,966.93	67,910.97	19,866.17	(1,431.34)	101.66	71,910.73
TOTAL PLANNING & DEVELOPMENT	299,935.00	29,426.90	233,519.81	20,226.17	46,188.54	84.60	213,270.89
POLICE ADMINISTRATION							
PERSONNEL	232,766.00	14,771.91	160,357.39	-	72,409.08	68.89	521,862.43
MATERIALS & SUPPLIES	89,583.00	2,631.20	61,955.52	23,000.00	4,627.48	94.83	64,049.66
CONTRACTUAL SERVICES	297,940.00	5,419.95	249,902.79	10,566.00	37,471.60	87.42	155,201.12
CAPITAL OUTLAY	26,200.00	-	26,200.00	-	-	100.00	-
TOTAL POLICE ADMINISTRATION	646,490.00	22,823.06	498,415.70	33,566.00	114,508.16	82.29	741,113.21
POLICE PATROL							
PERSONNEL	3,426,503.00	268,747.76	2,694,362.06	-	732,141.36	78.63	2,402,681.62
TOTAL POLICE PATROL	3,426,503.00	268,747.76	2,694,362.06	-	732,141.36	78.63	2,402,681.62

ANIMAL CONTROL							
PERSONNEL	129,776.00	6,751.52	88,507.00	-	41,268.64	68.20	88,349.28
MATERIALS & SUPPLIES	19,617.00	286.38	9,656.58	425.00	9,535.42	51.39	11,956.01
CONTRACTUAL SERVICES	56,536.00	5,861.58	36,434.68	6,093.34	14,007.78	75.22	30,058.13
TOTAL ANIMAL CONTROL	205,928.00	12,899.48	134,598.26	6,518.34	64,811.84	68.53	130,363.42
FIRE DEPT							
PERSONNEL	1,722,658.00	122,642.20	1,361,882.83	-	360,775.58	79.06	1,155,922.75
MATERIALS & SUPPLIES	162,751.00	2,313.51	121,360.48	11,649.25	29,741.52	81.73	65,047.10
CONTRACTUAL SERVICES	248,352.00	2,552.14	138,095.19	32,703.47	77,553.62	68.77	154,643.87
CAPITAL OUTLAY	78,091.00	22,964.52	54,080.52	24,010.12	-	100.00	-
TOTAL FIRE DEPT	2,211,853.00	150,472.37	1,675,419.02	68,362.84	468,070.72	78.84	1,375,613.72
DISPATCH							
PERSONNEL	546,667.00	34,862.34	348,542.06	-	198,124.93	63.76	-
CONTRACTUAL SERVICES	34,974.00	-	34,974.20	-	-	100.00	-
TOTAL DISPATCH	581,641.00	34,862.34	383,516.26	-	198,124.93	65.94	-
LIBRARY							
PERSONNEL	162,389.00	11,901.64	127,857.40	-	34,531.97	78.74	125,190.31
MATERIALS & SUPPLIES	31,102.00	3,707.35	23,875.90	-	7,226.10	76.77	9,548.84
CONTRACTUAL SERVICES	81,950.00	10,526.49	63,931.20	8,188.50	9,830.69	88.00	48,563.87
CAPITAL OUTLAY	-	-	-	-	-	-	8,391.00
TOTAL LIBRARY	275,442.00	26,135.48	215,664.50	8,188.50	51,588.76	81.27	191,694.02
SENIOR SERVICES							
PERSONNEL	120,661.00	8,171.87	85,833.38	-	34,827.64	71.14	74,775.90
MATERIALS & SUPPLIES	20,233.00	-	4,926.97	900.00	14,405.67	28.80	1,883.44
CONTRACTUAL SERVICES	63,918.00	3,852.37	29,287.63	5,416.44	29,214.22	54.29	29,729.41
CAPITAL OUTLAY	-	-	-	-	-	-	14,057.00
TOTAL SENIOR SERVICES	204,812.00	12,024.24	120,047.98	6,316.44	78,447.53	61.70	120,445.75
RECREATION							
PERSONNEL	128,301.00	8,765.76	89,087.37	-	39,213.39	69.44	78,197.58
MATERIALS & SUPPLIES	8,490.00	3,020.82	6,833.96	-	1,656.04	80.49	4,479.81
CONTRACTUAL SERVICES	72,450.00	2,855.12	48,638.02	8,003.48	15,808.22	78.18	34,341.62
CAPITAL OUTLAY	6,585.00	-	6,585.00	-	-	100.00	-
TOTAL RECREATION	215,825.00	14,641.70	151,144.35	8,003.48	56,677.65	73.74	117,019.01

PARKS MAINTENANCE							
PERSONNEL	260,184.00	19,905.19	199,982.34	-	60,201.43	76.86	186,829.97
MATERIALS & SUPPLIES	79,726.00	303.01	70,611.60	900.00	8,214.40	89.70	58,751.09
CONTRACTUAL SERVICES	433,049.00	32,016.87	338,244.95	53,134.06	41,669.98	90.38	195,773.68
CAPITAL OUTLAY	-	-	-	-	-	-	10,000.00
TOTAL PARKS MAINTENANCE	772,959.00	52,225.07	608,838.89	54,034.06	110,085.81	85.76	451,354.74
NON-DEPARTMENTAL							
MATERIALS & SUPPLIES	8,821.00	20.99	6,085.53	893.95	1,841.20	79.13	8,703.41
CONTRACTUAL SERVICES	255,925.00	20,702.92	191,907.92	46,790.38	17,226.53	93.27	316,935.24
CAPITAL OUTLAY	-	-	-	-	-	-	494,432.97
TRANSFERS	2,247,575.00	-	1,841,092.42	-	406,482.14	81.91	307,255.16
TOTAL NON-DEPARTMENTAL	2,512,320.00	20,723.91	2,039,085.87	47,684.33	425,549.87	83.06	1,127,326.78
TOTAL EXPENDITURES	14,547,860.00	852,210.59	10,975,546.04	395,128.09	3,177,185.85	78.16	8,912,721.25
REVENUE OVER/(UNDER) EXPENDITURES	(2,253,288.00)	(137,168.48)	798,102.11	(392,651.36)	(2,658,738.40)	(17.99)	2,268,312.88
				FUND BALANCE AVAILABLE:			16,231,882.51

02 - WATER & SEWER FUND							
FINANCIAL SUMMARY				% OF YEAR COMPLETED : 83.33			
	CURRENT	CURRENT	YEAR TO DATE	TOTAL	BUDGET	% YTD	PRIOR YEAR
	BUDGET	PERIOD	ACTUAL	ENCUMBERED	BALANCE	BUDGET	YTD BALANCE
REVENUE SUMMARY							
UTILITY CHARGES FOR SERV	9,518,035.00	949,572.35	7,921,489.32	60.00	1,596,485.56	83.23	7,687,792.16
INTEREST INCOME	90,000.00	14,741.00	51,954.01	-	38,045.99	57.73	113,530.54
OTHER REVENUE	5,000.00	3.48	6,708.89	(12.00)	(1,696.97)	133.94	48,909.62
TRANSFERS	-	-	-	-	-	-	799,058.08
TOTAL REVENUES	9,613,035.00	964,316.83	7,980,152.22	48.00	1,632,834.58	83.01	8,649,290.40
EXPENDITURE SUMMARY							
UTILITY BILLING							
PERSONNEL	256,889.00	15,054.65	177,229.22	-	79,659.99	68.99	161,637.47
MATERIALS & SUPPLIES	39,000.00	4,270.14	29,178.67	6,000.00	3,821.33	90.20	28,068.10
CONTRACTUAL SERVICES	200,404.00	25,269.98	172,093.34	34,262.00	(5,951.58)	102.97	152,981.06
TOTAL UTILITY BILLING	496,293.00	44,594.77	378,501.23	40,262.00	77,529.74	84.38	342,686.63
METER TECHNICIAN							
PERSONNEL	403,108.00	21,075.46	203,932.26	-	199,175.31	50.59	204,062.84
MATERIALS & SUPPLIES	1,042,030.00	785.74	355,337.32	21,406.00	665,286.68	36.15	294,959.35
CONTRACTUAL SERVICES	36,225.00	1,168.77	27,459.81	337.44	8,428.00	76.73	19,306.44
CAPITAL OUTLAY	-	-	-	-	-	-	100.00
TOTAL METER TECHNICIAN	1,481,363.00	23,029.97	586,729.39	21,743.44	872,889.99	41.08	518,428.63
WATER							
PERSONNEL	326,191.00	11,689.06	188,411.44	-	137,779.58	57.76	283,081.80
MATERIALS & SUPPLIES	137,432.00	5,459.35	76,488.02	2,500.00	58,444.02	57.47	88,343.09
CONTRACTUAL SERVICES	1,890,189.00	193,140.22	1,277,158.38	297,805.22	315,225.52	83.32	1,254,480.01
CAPITAL OUTLAY	31,100.00	-	31,100.00	-	-	100.00	98,328.60
TOTAL WATER	2,384,912.00	210,288.63	1,573,157.84	300,305.22	511,449.12	78.55	1,724,233.50

WASTEWATER							
PERSONNEL	254,594.00	7,440.49	120,700.33	-	133,893.57	47.41	151,029.42
MATERIALS & SUPPLIES	92,358.00	579.30	23,126.13	3,500.00	65,731.91	28.83	39,683.18
CONTRACTUAL SERVICES	2,003,505.00	89,877.97	706,328.16	625,779.74	671,396.92	66.49	925,349.53
CAPITAL OUTLAY	-	-	-	-	-	-	27,981.54
TOTAL WASTEWATER	2,350,457.00	97,897.76	850,154.62	629,279.74	871,022.40	62.94	1,144,043.67
SANITATION							
CONTRACTUAL SERVICES	827,500.00	70,940.33	619,694.57	85,947.12	121,858.31	85.27	504,514.17
TOTAL SANITATION	827,500.00	70,940.33	619,694.57	85,947.12	121,858.31	85.27	504,514.17
ENVIRONMENTAL							
PERSONNEL	151,461.00	10,902.69	115,899.22	-	35,561.71	76.52	-
MATERIALS & SUPPLIES	4,909.00	136.72	2,051.98	1,500.00	1,356.86	72.36	-
CONTRACTUAL SERVICES	59,275.00	2,855.73	54,389.51	121.14	3,841.20	93.42	-
TOTAL ENVIRONMENTAL	215,645.00	13,895.14	172,340.71	1,621.14	40,759.77	81.02	-
WATER & SEWER DEBT SVC							
CONTRACTUAL SERVICES	5,000.00	87.50	3,993.90	-	1,006.10	79.88	3,923.65
DEBT SERVICE	499,800.00	55,475.00	99,968.75	-	399,831.25	20.00	47,343.75
TOTAL WATER & SEWER DEBT SVC	504,800.00	55,562.50	103,962.65	-	400,837.35	20.59	51,267.40
NON-DEPARTMENTAL							
PERSONNEL	514,623.00	32,158.84	381,129.36	-	133,494.04	74.06	312,106.19
MATERIALS & SUPPLIES	146,922.00	7,807.87	112,056.65	13,690.00	21,175.29	85.59	74,469.46
CONTRACTUAL SERVICES	894,777.00	63,757.03	692,265.05	25,105.08	177,407.01	80.17	512,640.06
CAPITAL OUTLAY	339,512.00	11,590.33	83,055.38	39,831.27	216,625.37	36.20	-
TRANSFERS	6,787,912.00	-	6,787,912.26	-	-	100.00	402,535.89
TOTAL NON-DEPARTMENTAL	8,683,747.00	115,314.07	8,056,418.70	78,626.35	548,701.71	93.68	1,301,751.60
TOTAL EXPENDITURES	16,944,717.00	631,523.17	12,340,959.71	1,157,785.01	3,445,048.39	79.67	5,586,925.60
REVENUE OVER/(UNDER) EXPENDITURES	(7,331,682.00)	332,793.66	(4,360,807.49)	(1,157,737.01)	(1,812,213.81)	75.28	3,062,364.80
					FUND BALANCE AVAILABLE:		12,176,001.70

07 -SPLASH DAYZ							
FINANCIAL SUMMARY					% OF YEAR COMPLETED	: 83.33	
	CURRENT	CURRENT	YEAR TO DATE	TOTAL	BUDGET	% YTD	PRIOR YEAR
	BUDGET	PERIOD	ACTUAL	ENCUMBERED	BALANCE	BUDGET	YTD BALANCE
REVENUE SUMMARY							
WATER PARK ADMISSIONS	564,000.00	228,498.37	687,250.93	-	(123,250.93)	121.85	515,466.21
WATER PARK RENTALS	41,000.00	20,802.25	40,704.75	-	295.25	99.28	32,220.00
CONVENTION CENTER	23,500.00	4,637.50	33,423.53	-	(9,923.57)	142.23	14,535.00
CONCESSIONS	118,500.00	40,340.31	93,923.15	-	24,576.85	79.26	72,674.87
OTHER REVENUE	14,250.00	6,378.70	17,344.30	-	(3,094.30)	121.71	12,932.75
OTHER REVENUE	-	55.05	553.74	31.00	(584.74)	-	17,335.86
TRANSFERS	782,061.00	-	377,365.42	-	404,695.58	48.25	523,786.71
TOTAL REVENUES	1,543,311.00	300,712.18	1,250,565.82	31.00	292,714.14	81.03	1,188,951.40
EXPENDITURE SUMMARY							
SPLASH DAYZ							
PERSONNEL	115,738.00	7,788.51	76,837.95	-	38,900.07	66.39	75,256.83
MATERIALS & SUPPLIES	10,125.00	3,121.45	27,285.75	-	(17,160.75)	269.49	21,563.02
CONTRACTUAL SERVICES	279,213.00	65,698.90	245,902.01	46,935.40	(13,624.26)	104.88	174,911.87
TOTAL SPLASH DAYZ	405,076.00	76,608.86	350,025.71	46,935.40	8,115.06	98.00	271,731.72
CONVENTION CENTER							
PERSONNEL	33,285.00	2,889.22	30,591.53	-	2,693.10	91.91	63,384.86
MATERIALS & SUPPLIES	2,525.00	-	2,051.43	-	473.57	81.24	4,128.65
CONTRACTUAL SERVICES	84,571.00	10,835.70	53,829.41	25,650.00	5,091.55	93.98	33,456.61
TOTAL CONVENTION CENTER	120,381.00	13,724.92	86,472.37	25,650.00	8,258.22	93.14	100,970.12
FACILITY SERVICES							
PERSONNEL	117,926.00	10,258.80	85,391.86	-	32,534.14	72.41	68,278.08
MATERIALS & SUPPLIES	122,739.00	516.85	90,835.49	-	31,903.75	74.01	113,837.54
CONTRACTUAL SERVICES	363,320.00	20,069.20	333,903.87	8,529.26	20,886.91	94.25	110,151.03
CAPITAL OUTLAY	6,300.00	-	5,544.00	-	756.00	88.00	-
TOTAL FACILITY SERVICES	610,285.00	30,844.85	515,675.22	8,529.26	86,080.80	85.89	292,266.65

FOOD & BEVERAGE							
PERSONNEL	44,915.00	16,263.79	33,580.84	-	11,334.47	74.76	23,330.51
MATERIALS & SUPPLIES	50,770.00	11,149.06	41,500.13	-	9,269.87	81.74	21,623.26
TOTAL FOOD & BEVERAGE	95,685.00	27,412.85	75,080.97	-	20,604.34	78.47	44,953.77
LIFEGUARDS							
PERSONNEL	224,570.00	72,448.44	132,430.23	-	92,139.88	58.97	135,391.83
MATERIALS & SUPPLIES	4.00	-	3.44	-	0.56	86.00	1,186.50
CONTRACTUAL SERVICES	4,146.00	-	1,267.82	-	2,878.18	30.58	8,161.59
TOTAL LIFEGUARDS	228,720.00	72,448.44	133,701.49	-	95,018.62	58.46	144,739.92
FRONT GATE							
PERSONNEL	53,610.00	15,797.61	35,357.70	-	18,251.83	65.95	26,941.83
MATERIALS & SUPPLIES	7,030.00	-	6,121.25	-	908.75	87.07	1,642.16
CONTRACTUAL SERVICES	300.00	-	-	-	300.00	-	-
TOTAL FRONT GATE	60,940.00	15,797.61	41,478.95	-	19,460.58	68.07	28,583.99
CASH CONTROL							
PERSONNEL	16,564.00	5,283.35	16,563.09	-	0.76	100.00	8,336.67
MATERIALS & SUPPLIES	500.00	-	-	-	500.00	-	-
TOTAL CASH CONTROL	17,064.00	5,283.35	16,563.09	-	500.76	97.07	8,336.67
EMT							
MATERIALS & SUPPLIES	5,160.00	-	1,938.88	-	3,221.12	37.58	290.11
TOTAL EMT	5,160.00	-	1,938.88	-	3,221.12	37.58	290.11
TOTAL EXPENDITURES	1,543,311.00	242,120.88	1,220,936.68	81,114.66	241,259.50	84.37	891,872.95
REVENUE OVER/(UNDER) EXPENDITURES	-	58,591.30	29,629.14	(81,083.66)	51,454.64	(8,766.67)	297,078.45
					FUND BALANCE AVAILABLE:		(23,289.84)

08 -CRIME DIST SPECIAL REV							
FINANCIAL SUMMARY					% OF YEAR COMPLETED	: 83.33	
	CURRENT	CURRENT	YEAR TO DATE	TOTAL	BUDGET	% YTD	PRIOR YEAR
	BUDGET	PERIOD	ACTUAL	ENCUMBERED	BALANCE	BUDGET	YTD BALANCE
REVENUE SUMMARY							
SALES AND USE TAXES	1,075,000.00	117,418.86	935,545.67	-	139,454.29	87.03	785,080.67
INTEREST INCOME	3,500.00	1,266.00	4,267.26	-	(767.34)	121.92	5,506.85
OTHER REVENUE	57,000.00	-	19,485.00	-	37,515.00	34.18	159,580.45
TOTAL REVENUES	1,135,500.00	118,684.86	959,297.93	-	176,201.95	84.48	950,167.97
EXPENDITURE SUMMARY							
CRIME DISTRICT							
MATERIALS & SUPPLIES	46,792.00	1,025.79	26,388.18	-	20,403.95	56.39	13,651.53
CONTRACTUAL SERVICES	553,060.00	38,346.81	416,329.38	192.00	136,538.63	75.31	389,272.74
TRANSFERS	751,275.00	62,606.21	626,062.10	-	125,212.54	83.33	637,809.18
TOTAL CRIME DISTRICT	1,351,127.00	101,978.81	1,068,779.66	192.00	282,155.12	79.12	1,040,733.45
TOTAL EXPENDITURES	1,351,127.00	101,978.81	1,068,779.66	192.00	282,155.12	79.12	1,040,733.45
REVENUE OVER/(UNDER) EXPENDITURES	(215,627.00)	16,706.05	(109,481.73)	(192.00)	(105,953.17)	50.86	(90,565.48)
					FUND BALANCE AVAILABLE:		1,002,078.20

08 - CRIME DIST SPECIAL REV							
					% OF YEAR COMPLETED	: 83.33	
	CURRENT	CURRENT	YEAR TO DATE	TOTAL	BUDGET	% YTD	PRIOR YEAR
REVENUES	BUDGET	PERIOD	ACTUAL	ENCUMBERED	BALANCE	BUDGET	YTD BALANCE
SALES AND USE TAXES							
400-02-005 SALES TAX	1,075,000.00	117,418.86	935,545.67	-	139,454.29	87.03	785,080.67
TOTAL SALES AND USE TAXES	1,075,000.00	117,418.86	935,545.67	-	139,454.29	87.03	785,080.67
INTEREST INCOME							
400-60-601 INTEREST INCOME	3,500.00	1,266.00	4,267.26	-	(767.34)	121.92	5,506.85
TOTAL INTEREST INCOME	3,500.00	1,266.00	4,267.26	-	(767.34)	121.92	5,506.85
OTHER REVENUE							
400-70-701 MISCELLANEOUS REVENUE	-	-	375.00	-	(375.00)	-	150,090.00
400-70-724 SALE OF ENTERPRISE ASSET	57,000.00	-	19,110.00	-	37,890.00	33.53	9,490.45
TOTAL OTHER REVENUE	57,000.00	-	19,485.00	-	37,515.00	34.18	159,580.45
TOTAL REVENUE	1,135,500.00	118,684.86	959,297.93	-	176,201.95	84.48	950,167.97
	CURRENT	CURRENT	YEAR TO DATE	TOTAL	BUDGET	% YTD	PRIOR YEAR
DEPARTMENTAL EXPENDITURES	BUDGET	PERIOD	ACTUAL	ENCUMBERED	BALANCE	BUDGET	YTD BALANCE
MATERIALS & SUPPLIES							
551-10-109 MISC MATERIALS & SUPPLIES	915.00	-	-	-	915.00	-	-
551-10-111 AMMUNITION	4,850.00	-	2,690.20	-	2,159.80	55.47	1,586.00
551-10-113 UNIFORMS	34,170.00	-	21,815.77	-	12,354.36	63.84	4,417.78
551-10-118 TOOLS & EQUIPMENT < 5,000	6,857.00	1,025.79	1,882.21	-	4,974.79	27.45	7,647.75
TOTAL MATERIALS & SUPPLIES	46,792.00	1,025.79	26,388.18	-	20,403.95	56.39	13,651.53

CONTRACTUAL SERVICES							
551-20-214 OTHER PROFESSIONAL SERVICES	51,690.00	2,196.00	21,106.00	-	30,584.00	40.83	29,120.90
551-20-219 CELL PHONES/AIR CARDS	5,931.00	-	4,106.16	-	1,825.09	69.23	5,631.59
551-20-221 ANNUAL COMPUTER MAINTENANCE	49,045.00	-	47,561.50	-	1,483.50	96.98	48,973.61
551-20-222 ENTERPRISE VEHICLE MAINTENANC	1,152.00	113.80	1,010.41	192.00	(50.41)	104.38	1,050.00
551-20-223 VEHICLE MAINTENANCE/REPAIRS	59,278.00	6,705.29	62,378.78	-	(3,100.78)	105.23	31,867.78
551-20-224 EQUIPMENT MAINTENANCE/REPAIRS	56,746.00	12,623.60	53,771.85	-	2,974.15	94.76	53,248.57
551-20-228 INSURANCE	140.00	-	140.00	-	-	100.00	-
551-20-233 TRAVEL & TRAINING	23,820.00	-	13,207.01	-	10,612.99	55.45	19,942.11
551-20-242 CONTRIBUTE TO OTHER AGENCIES	9,600.00	3,200.00	9,600.00	-	-	100.00	9,600.00
551-20-245 ADMIN COST TO GENERAL FUND	53,750.00	5,870.94	59,433.82	-	(5,683.78)	110.57	48,756.62
551-20-246 PAYMENT PLAN - TASERS	9,504.00	-	9,504.00	-	-	100.00	9,504.00
551-20-247 PAYMENT PLAN - RADIOS	54,033.00	-	54,032.89	-	0.11	100.00	54,929.98
551-20-253 COMPUTER RELATED EQUIP < \$5K	4,045.00	-	4,105.16	-	(60.16)	101.49	430.18
551-20-254 ENTERPRISE LEASE	174,326.00	7,637.18	76,371.80	-	97,953.92	43.81	76,217.40
TOTAL CONTRACTUAL SERVICES	553,060.00	38,346.81	416,329.38	192.00	136,538.63	75.31	389,272.74
TRANSFERS							
551-70-701 TRANSFER TO GENERAL FUND	751,275.00	62,606.21	626,062.10	-	125,212.54	83.33	637,809.18
TOTAL TRANSFERS	751,275.00	62,606.21	626,062.10	-	125,212.54	83.33	637,809.18
TOTAL CRIME DISTRICT	1,351,127.00	101,978.81	1,068,779.66	192.00	282,155.12	79.12	1,040,733.45
TOTAL EXPENDITURES	1,351,127.00	101,978.81	1,068,779.66	192.00	282,155.12	79.12	1,040,733.45
REVENUE OVER/(UNDER) EXPENDITURES	(215,627.00)	16,706.05	(109,481.73)	(192.00)	(105,953.17)	50.86	(90,565.48)

23 -STORM WATER UTILITY FUND							
FINANCIAL SUMMARY					% OF YEAR COMPLETED	: 83.33	
	CURRENT	CURRENT	YEAR TO DATE	TOTAL	BUDGET	% YTD	PRIOR YEAR
	BUDGET	PERIOD	ACTUAL	ENCUMBERED	BALANCE	BUDGET	YTD BALANCE
REVENUE SUMMARY							
UTILITY CHARGES FOR SERV	578,100.00	49,999.28	470,312.51	-	107,787.49	81.35	467,901.53
INTEREST INCOME	10,800.00	2,872.77	10,633.52	-	166.48	98.46	20,709.95
OTHER REVENUE	-	-	-	-	-	-	17,395.66
TOTAL REVENUES	588,900.00	52,872.05	480,946.03	-	107,953.97	81.67	506,007.14
EXPENDITURE SUMMARY							
STORM WATER UTILITY							
PERSONNEL	294,919.00	20,908.18	233,824.23	-	61,095.15	79.28	212,401.45
MATERIALS & SUPPLIES	27,041.00	324.56	12,062.66	4,100.00	10,878.34	59.77	8,585.95
CONTRACTUAL SERVICES	200,796.00	35,028.80	172,685.76	25,872.69	2,237.82	98.89	136,714.37
CAPITAL OUTLAY	343,986.00	750.00	4,884.00	339,102.00	-	100.00	215,027.03
TRANSFERS	113,782.00	9,481.84	94,818.40	-	18,963.68	83.33	71,498.34
TOTAL STORM WATER UTILITY	980,525.00	66,493.38	518,275.05	369,074.69	93,174.99	90.50	644,227.14
TOTAL EXPENDITURES	980,525.00	66,493.38	518,275.05	369,074.69	93,174.99	90.50	644,227.14
REVENUE OVER/(UNDER) EXPENDITURES	(391,625.00)	(13,621.33)	(37,329.02)	(369,074.69)	14,778.98	103.77	(138,220.00)
					FUND BALANCE AVAILABLE:		2,172,038.48

RESOLUTION NO.2022-09-013-018

A RESOLUTION OF THE CITY OF WHITE SETTLEMENT, TEXAS, DESIGNATING THE CITY MANAGER AS THE EMERGENCY MANAGEMENT COORDINATOR; PROVIDING FOR THE REPEAL OF RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of White Settlement City Charter designates the Mayor, or Mayor Pro Tem in the absence of the Mayor, as the Emergency Management Director; and

WHEREAS, the City of White Settlement City Charter states the Mayor shall, by resolution, designate an Emergency Management Coordinator; and

WHEREAS, the Emergency Management Coordinator shall report all concerns of Emergency Management to the City Council; and

WHEREAS, the City Council finds it necessary that the Emergency Management Coordinator be available to City staff, the City Council, and the public during the existence and duration of any major public disaster for the public welfare; and

WHEREAS, the City Council previously appointed the Volunteer Fire Services Administrator as the Emergency Management Coordinator, which is a position that no longer exists; and

WHEREAS, the City Council deems it in the best interest of the citizens of the City to appoint the City Manager as the Emergency Management Coordinator.

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

SECTION 1.

Pursuant to Section 14-1(b) of the Code of Ordinances, City of White Settlement, Texas (the “Code”), the City Manager is hereby designated as the Emergency Management Coordinator.

SECTION 2.

The Emergency Management Director hereby delegates the authority for execution of the duties of Chapter 14 “Emergency Management” to the Emergency Management Coordinator with ultimate responsibility remaining with the Emergency Management Director.

SECTION 3.

All resolutions or parts of resolutions in conflict herewith are, to the extent of such conflict hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this resolution are severable and, if any phrase, clause, sentence, paragraph, or section of this resolution shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this resolution, since the same would have been enacted by the City Council without the incorporation in this resolution of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5.

This resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this ____ day _____, 2022.

APPROVED:

Ronald A. White, Mayor

ATTEST:

Amy Arnold, TRMC, CMC
City Secretary

ORDINANCE NO.2022-09-015-22

AN ORDINANCE AMENDING SECTION 14-1 “ORGANIZATION” OF CHAPTER 14 “EMERGENCY MANAGEMENT” OF THE CODE OF ORDINANCES, CITY OF WHITE SETTLEMENT, TEXAS, BY ADDING THE POSITION OF ASSISTANT EMERGENCY MANAGEMENT COORDINATOR; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of White Settlement is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Chapter 14 “Emergency Management” of the Code of Ordinances, City of White Settlement, Texas, as amended, contains regulations pertaining to comprehensive emergency management in the City; and

WHEREAS, the City Council deems it in the best interest of the citizens of the City to provide for the appointment of an Assistant Emergency Management Coordinator.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS:

SECTION 1.

Section 14-1 “Organization” of Chapter 14 “Emergency Management” of the Code of Ordinances, City of White Settlement, Texas, as amended, is hereby amended to read as follows:

“Sec. 14-1. – Organization.

(a) There exists the office of emergency management director of the city which shall be held by the mayor, in accordance with state law.

(b) An emergency management coordinator may be appointed by and serve at the pleasure of the emergency management director.

(c) The director shall be responsible for a program of comprehensive emergency management within the city and for carrying out the duties and responsibilities set forth in this chapter. The director may delegate authority for execution of these duties to the coordinator but ultimate responsibility for such execution shall remain with the director.

(d) The coordinator may appoint the Director of Public Safety and/or the Fire Chief as the assistant emergency management coordinator(s) to assist the coordinator in carrying out the duties and responsibilities set forth in this chapter.

(e) The operational emergency management organization of the city shall consist of the officers and employees of the city so designated by the director and coordinator in the emergency

management plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the emergency management plan.”

**SECTION 2.
CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of ordinances of the City of White Settlement, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 3.
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.
SAVINGS CLAUSE**

All rights and remedies of the City of White Settlement are expressly saved as to any and all violations of the Code of Ordinances of the City of White Settlement, as amended, or any other ordinances affecting sale of alcoholic beverages which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 5.
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

Passed and approved this _____ day of _____, 2022.

Ronald A. White, Mayor

ATTEST:

Amy Arnold, TRMC, CMC



Tarrant County Fire Alarm Center

400 S. Saginaw Blvd

Saginaw, Texas 76179

Main# (817) 232-9880 Fax# (817) 232-9885

www.tcfirealarm.com admin@tcfirealarm.com

City of White Settlement
214 Meadow Park Drive
White Settlement, Texas 76108

July 6, 2021

COPY

Dear FD Office Manager Michelle James,

Please find attached the contract for fiscal year 2022-2023 for emergency dispatch services with the Tarrant County Fire Alarm Center. You previously received a letter (a copy of that letter is included) outlining the TCFAC relocation to the City of Everman and the forthcoming contract for service that will eventually be between your entity and the City of Everman. While the physical relocation is still scheduled to occur in the month of October your contract will renew with the TCFAC as it is structured today. Preparations for the relocation are ongoing as is the drafting of the forthcoming contract that will eventually be with the City of Everman. To permit all involved entities to provide input in and have ample time to review a change in the contract it is prudent to renew the exiting contract and forgo any potential contract lapse with the October 1 renewal fast approaching.

This contract incorporates a 2.2% increase over the current year's contract service rate of \$34,234. The upcoming year's contract price with the 2.2% increase is \$35,000, a total increase of \$766. There will not be any contract price change during the 2022-23 fiscal year even though the contract will eventually be revised to a contract with the City of Everman sometime within the fiscal year.

Upon approval we ask that you sign both copies. Retain one for your records and return the other signed copy to our office. Included with the contract is a copy of the Tarrant County Fire Alarm Center's 2022-2023 proposed budget. An invoice for service for the upcoming fiscal year will be distributed in September.

We greatly appreciate the opportunity to continue serving the citizens of the City of White Settlement and your fire department. Our goal is to provide the highest level of service possible so that your fire department and the citizens you serve remain pleased with the level of services you receive. If you should ever have any questions, comments, or concerns please don't hesitate to contact me at (817) 988-0861 or by email kmays@haslet.org

Sincerely,

Kirt Mays
Board President
Tarrant County Fire Alarm Center

CC: Chief of Police / Acting Fire Chief Christopher Cook
FD Captain John Warren
City Secretary Amy Arnold



Tarrant County Fire Alarm Center

400 S. Saginaw Blvd

Saginaw, Texas 76179

Main# (817) 232-9880 Fax# (817) 232-9885

www.tcfirealarm.com admin@tcfirealarm.com

**City of White Settlement
214 Meadow Park Drive
White Settlement, Texas 76108**

June 20, 2022

COPY

Dear FD Office Manager Michelle James,

As you may or may not be aware the Tarrant County Fire Alarm Center (TCFAC) will be relocated to the City of Everman. The TCFAC relocation is necessary due to Saginaw relocating the fire station that currently houses the TCFAC. Saginaw's new facility unfortunately cannot accommodate the TCFAC. The relocation of the TCFAC to the City of Everman is planned to occur in or around October of this year. The relocation schedule is contingent on the delivery of the new equipment that has been on order for the facility.

The TCFAC Board, the City of Everman and Tarrant County are making substantial investment to further evolve and enhance the services and operation the TCFAC provides to your citizens and community. This includes the construction of a new seven position dispatch communications facility, a new Main Distribution Frame room or MDF to house the emergency information technology equipment, a new emergency power back-up system, a new multi position 800 MHz dispatch console and radio communications system, the latest generation of 911 communications equipment, and a new digital communications voice recorder.

Beginning in 1993 the TCFAC has operated as a 501c3 not-for-profit corporation overseen by a Board of Directors. The Fire Chiefs of a portion of the departments the TCFAC serves make-up the Board. While this structure has historically served the TCFAC very well permitting it to evolve into the superior quality emergency service organization it is today, the effort, stability and commitment to maintain and further enhance the service will require a structure modification. Coinciding with the relocation, the TCFAC will transition to become a City of Everman operation. The TCFAC employees will transition to City of Everman employees providing improved benefits (HR support, retirement plans, tenure recognition, general benefits, etc.) and managerial oversight. The upcoming service year contracts will be with the City of Everman dba as Tarrant County Regional Communications or TCRC. The TCFAC, transitioning to the TCRC, will now greatly benefit from having a full-time, experienced and tenured communications supervisor(s), something the current organizational structure has been challenged to maintain to the level this vital emergency service component requires.

Although becoming a City of Everman operation a Board consisting of the Chiefs of the entities the TCFAC/TCRC serves will still maintain the operational and service level objectives and priorities of the organization.

Summary of the services provided:

- Two highly qualified and professional dispatch staff on duty 24 hours every day;
- Latest generation Computer Aided Dispatch or CAD;
- Records management program - National Fire Incident Reporting System or NFIRS;
- Emergency Medical ProQA Priority Dispatch with vital pre-arrival instructions to emergency callers;
- Inventory, maintenance and management software for apparatus, SCBA's, fire hose and personnel;
- Training and department event software;
- Mobile Data Terminals or MDT's in apparatus with GPS mapping and tracking (*Apple IOS and Android platforms being implemented 2022*);
- Facility incident pre-planning and document imaging with access from MDT's;
- Truck Bay Bulletin Board display and messaging;
- Chemical (Hazmat) Database with access from MDT's;
- 24 hour weather monitoring;
- Smartphone application for incident alerting and tracking of responding units and personnel

Your service contract for the upcoming fiscal year is currently being created. It will incorporate some revisions due to the organization transitioning to the City of Everman dba Tarrant County Regional Communications. In coordination with the City of Everman the TCFAC Board is proposing a 2.2% annual contract increase, from \$34,234.20 to \$35,000.00 – a \$765.80 total increase. This increase will help fund the cost of goods and services the TCFAC/TCRC currently utilizes and have undergone substantial provider increases.

With the significant monetary investments being made into the facility, equipment, and technology and the enhancement to the organizational structure, the service you receive will be improved beyond what it is today. The TCFAC Board, the TCFAC staff and the City of Everman appreciate the opportunity to continue serving the citizens of the City of White Settlement and your fire department. Our goal is to provide the highest level of service possible so that your fire department and the citizens you serve remain pleased with the level of services you receive. If you should ever have any questions, comments, or concerns please don't hesitate to contact me at (817) 230-0412 or by email dougspears@saginawfire.us

Sincerely,



Doug Spears
Managing Director
Tarrant County Fire Alarm Center

CC: Chief of Police / Acting Fire Chief Christopher Cook
FD Captain John Warren
City Secretary Amy Arnold

EMERGENCY DISPATCH SERVICE CONTRACT

STATE OF TEXAS)
COUNTY OF TARRANT)

COPY

Whereas, the Tarrant County Fire Alarm Center, (Alarm Center), a non-profit Corporation of the State of Texas, and the City of White Settlement, Texas (City), are empowered to make agreements for the provisions of emergency dispatch services, a governmental function; and

Whereas, the Alarm Center and the City desire to enter into this agreement; and

Whereas, the City Council of the City finds the following agreement is in the best interest of and serves the public health, safety, and welfare.

WITNESSETH:

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein made, the benefits flowing to each parties hereto and other good and valuable considerations, the City of White Settlement, Texas, and the Tarrant County Fire Alarm Center do hereby contract and agree as follows:

The Alarm Center agrees to:

- A. Provide all such services as required to provide the City with 24 hour per day dispatching service for the City of White Settlement Fire Department, including all calls for service within its City limits, and within the boundaries as contracted for the City with the Tarrant County Emergency Services District #1, and for all other such calls as its fire department would respond to if called upon to do so;
- B. Staff the Alarm Center to provide the receiving of both 9-1-1 and other emergency calls for fire, rescue, and emergency medical services for the City of White Settlement, Texas, and the areas to which the White Settlement Fire Department responds;
- C. Dispatch all emergency calls for fire, rescue, and emergency medical services for the White Settlement Fire Department in a prompt and expedient manner by radio as provided by the City;
- D. Provide 24 hour per day recording of all 9-1-1 and other emergency telephone calls, all radio transmissions associated with dispatching all calls for fire, rescue, and emergency medical services for the City of White Settlement, Texas, Fire Department, and to retain such recordings for a period of not less than thirty (30) days. Such recordings shall be made available to the City of White Settlement, Texas, upon written request, for its review in the event any questions or concerns should arise from the receiving and/or dispatching of any call or calls for service; Furthermore any recording of radio transmissions, 9-1-1 or other

emergency telephone calls retained in our database on behalf of the City of White Settlement, Texas Fire Department will remain the property of the City of White Settlement.

Authority to request such recordings shall be reserved to the senior administration of the City of White Settlement, Texas. This shall include the Fire Chief and his/her designated representatives, the City Manager, Assistant City Manager, the Mayor and any of their designated representatives.

E. Provide access to reports containing information of all calls dispatched for the White Settlement Fire Department, to include the date, time, location, and nature of all such calls. Furthermore any call sheets, and/or reports retained in our database on behalf of the City of White Settlement, Texas Fire Department will remain the property of the City of White Settlement.

F. The Tarrant County Fire Alarm Center agrees to abide by the City's policies in regard to the release of information in accordance with the Texas Public Information Act

G. In addition, and if requested by the City, the Tarrant County Fire Alarm Center agrees to submit, on a quarterly basis, a financial report on the status of the Fire Alarm Center to reflect its operating expenses and financial status.

H. Provide a "General Liability" Insurance Policy in the amount of one (1) million dollars (\$1,000,000.00) that will hold harmless the Tarrant County Fire Alarm Center and all contracting agencies and cities for any acts of negligence or other litigation against the Alarm Center arising from the operation of the Alarm Center, its agents and employees, and agrees to include the City of White Settlement as an additional insured under the policy.

The City agrees to, in exchange for such services:

A. Purchase, install, and maintain at its sole cost and expense, a radio base station and repeater link in order for the Alarm Center to dispatch calls by radio to the White Settlement Fire Department;

B. Provide all necessary maps and street information, and all other information requested by the Tarrant County Fire Alarm Center necessary to dispatch all calls for fire, rescue, and emergency medical services in a prompt and expedient manner, and to locate any such call for service within the area the White Settlement Fire Department provides service. Such information shall include, but not be limited to, names and addresses of all businesses, schools, churches, and other important structures within the City of White Settlement, Texas; its Fire Department and City staff; and all other personnel whom might need to be contacted in the event of a major incident or disaster;

C. Abide by the Standard Operating Procedures (SOP's) and its rules and regulations as established and approved by the Board of Directors of the Fire Alarm Center for the operation of the Alarm Center by its personnel;

D. Pay to the Tarrant County Fire Alarm Center the sum of THIRTY-FIVE THOUSAND DOLLARS & .00 CENTS (\$35,000.00) for each year this contract is in effect, with payment due on October 1st of each year.

TERMS OF AGREEMENT

The term of this agreement shall be for one (1) year, beginning October 1st, 2022 through September 30, 2023.

NOTICE OF CANCELLATION

In the event that the Tarrant County Fire Alarm Center fails in any way to provide the services in this agreement, the City of White Settlement, Texas, may cancel this agreement. Such notice of cancellation shall be given in writing, listing its reasons for such cancellations, and to be effective 30 days after such notice is received.

In the event that the City of White Settlement, Texas, fails to comply with the provisions of this agreement, the Tarrant County Fire Alarm Center may cancel this agreement. Such notice of cancellation shall be given in writing, listing its reasons for such cancellations, and to be effective 30 days after such notice is received.

In the event either party's gives notice of cancellation of this agreement, the Alarm Center agrees to refund to City its money paid for services which it will no longer receive, to be prorated from the time services are discontinued until the expiration date on the contract.

LIABILITY

It is the intention of the parties and the parties do agree that any and all civil liability related to the furnishing of the services contemplated by this agreement to the City, as the governmental unit which would be responsible for furnishing such services absent this agreement, shall be the responsibility of the City, and the City agrees, to the extent permitted by law, to indemnify, save and defend the Alarm Center, its agents, officers and employees harmless from all liabilities, claims, cause of action, costs and expenses for injury to persons or property or death of any persons resulting from the failure of the equipment associated with the services provided by the Alarm Center to the City by this agreement. The fact that the parties accept certain responsibilities relating to the rendition of services under this agreement as a part of their responsibility for providing protection for the public health make it imperative that the performance of these vital services be recognized as a governmental function and that the doctrine of governmental immunity shall be and is hereby invoked to the fullest extent possible under the law. Neither party waives or shall be deemed hereby to waive any immunity or defense that would otherwise be available to it against claims arising from the exercise of governmental powers and functions.

LAWS GOVERNING

The validity of this agreement and any of its terms or provisions, as well as the rights and duties of the parties hereto, shall be governed by the laws of the State of Texas. This

agreement shall be performable and all compensation payable in Tarrant County, Texas. Venue under this agreement lies in Tarrant County, Texas.

SEVERABILITY

If any clause, paragraph, section or portion of this agreement shall be found to be illegal, unlawful, unconstitutional or void for any reason, the balance of the agreement shall be deemed to have contracted as if said clause, section, paragraph or portion had not been contained in the agreement initially.

AUTHORITY

The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this agreement on behalf of the parties hereto, and each party hereby certifies to the other that any necessary resolutions extending said authority have been duly passed by majority of the City Council and by the Board of Directors of the Tarrant County Fire Alarm Center, at which meetings a quorum was present, and are now in full force and effect.

Executed in duplicate original this _____ day of _____, 2022.

City Secretary
City of White Settlement, Texas

Mayor,
City of White Settlement, Texas

Approved as to Form and Legality:
City Attorney
City of White Settlement, Texas



Kirt Mays, President
Board of Directors
Tarrant County Fire Alarm Center



COPY

TARRANT COUNTY FIRE ALARM CENTER

ADOPTED
BUDGET
FOR
FISCAL YEAR
2022 - 2023

BOARD OF DIRECTOR APPROVAL:

Kirt Mays (Signed)

KIRT MAYS, BOARD PRESIDENT

TCFAC 2022-2023 BUDGET

2022-23 BUDGET OVERVIEW

1	SALARY EXPENSE	\$455,712
2	HEALTH INSURANCE	\$64,430
3	UTILITIES	\$8,300
4	EQUIPMENT MAINTENANCE & REPAIRS	\$9,000
5	OFFICE SUPPLIES	\$2,000
6	UNIFORMS	\$2,200
7	NEW EQUIPMENT	\$4,000
8	EQUIPMENT REPLACEMENT FUND	\$0
9	TRAINING	\$3,000
10	INSURANCE & FEE'S	\$7,400
11	TECHNICAL SUPPORT	\$27,500
12	MEDICAL DIRECTION	\$5,000

TOTAL \$588,542

TCFAC 2022-2023 BUDGET

2022-23 CONTRACT INCOME

1 EMERGENCY SERVICES DISTRICT	\$	420,000.00
2 CITY OF HASLET	-	
MDT OPERATIONAL FEES	3 -	
RESPONDER APP FEES	45 \$	338.00
3 TOWN OF EDGECLIFF VILLAGE	\$	35,000.00
RESPONDER APP FEES	30 \$	225.00
5 CITY OF AZLE	\$	35,000.00
MDT OPERATIONAL FEES	5 \$	660.00
RESPONDER APP FEES	50 \$	375.00
6 CITY OF RENO	\$	35,000.00
7 CITY OF SAGINAW	\$	-
RESPONDER APP FEES	12 \$	90.00
8 EAGLE MOUNTAIN FIRE DEPT	\$	-
MDT OPERATIONAL FEES	0 \$	-
RESPONDER APP FEES	50 \$	375.00
9 RENDON FIRE DEPARTMENT	\$	-
MDT OPERATIONAL FEES	6 \$	660.00
RESPONDER APP FEES	65 \$	488.00
10 CITY OF WHITE SETTLEMENT	\$	35,000.00
RESPONDER APP FEES	40 \$	300.00
11 CITY OF LAKE WORTH	\$	-
RESPONDER APP FEES	3 \$	23.00
12 BRIAR / RENO FIRE DEPARTMENT	\$	8,747.00
RESPONDER APP FEES	50 \$	375.00
TOTAL	\$	572,656.00
TOTAL INCOME	\$	572,656.00
BUDGET FOR 2022-23	\$	588,542.00
Previous Years Unexpended FUND BALANCE	\$	15,886.00
PROJECTED YEAR END BALANCE		\$0

1. 2022-23 SALARY EXPENDITURES

\$455,712

Salary expense is based on having two (2) emergency communications personnel on duty 24-hours per day, 365 days a year and additional staffing for during the 4th of July Holiday.

- 1 Salaries for full time personnel
- 2 Salaries for part time personnel
- 3 Overtime and holiday compensation
- 4 Training time for new personnel
- 5 Longevity pay and employer retirement contributions
- 6 Payroll taxes

SALARIES FOR FULL-TIME PERSONNEL

This expense is based on having a total of eight (8) full-time personnel and does not currently include a salary increase for full-time personnel.

Each full-time employee works a 40-hour work week and accrues 40-hours or five (5) days paid leave after completing six (6) months employment. After one (1) year each employee accrues an additional five (5) days of paid leave time for a total of ten (10) days per year. After completion of five (5) years employment, employees accrue a total of fifteen (15) days of paid leave per year. Six (5) full-time employees have/will accrue ten (10) days of paid leave each for fiscal year 2022-23 and two (3) have/will accrue fifteen (15) days of paid leave each for fiscal year 2022-23 for a total of 760 paid leave

COST FOR FULL-TIME PERSONNEL

Two (2) emergency communications personnel on duty 24-hours everyday is 17,520 man-hours worked annually.

Of the 17,520 annual man-hours, any hours not filled by full-time personnel are filled by part-time personnel.

Each pay period is 2 weeks (14 days). Full-time personnel work 80 hours per pay period consisting of 2 work weeks; each work week is 7 days. Full-time personnel work six separate 12 hour shifts and one 8 hour shift per pay period; 44 hours are worked in one work week followed by 36 hours the following work week within each pay period. Hours worked beyond 40 in a work week are compensated at an O/T rate. There are twenty-six (26) pay periods per year.

The full-time personnel work eighty (80) hours per pay period x twenty-six (26) weeks per year x eight (8) full-time personnel.

$$80 \times 26 \times 8 = 16,640 \text{ man-hours}$$

16,640	Full-time man-hours worked annually
760	Combined full-time personnel accrued paid-leave hours
15880	Actual man-hours worked by full-time personnel this fiscal year

Paid leave hours that will be accrued and utilized by full-time staff for this fiscal year is 760 man-hours. This will result in a total of 15,880 man-hours covered by full-time personnel of the 17,520 required man-hours for staffing.

17,520	Annual required man-hours
15,880	Actual man-hours staffed by full-time personnel
1640	Remaining man-hours to be staffed utilizing part-time personnel

Full-time personnel positions and respective pay rates: (3% increase for 2021-22)

Position	Base Salary	Hourly Rate	O/T Rate	1976 Hrs Reg Hrly	4 OT Hrs x 26 Wks	Annual Hours	2020-21 Salary
	2080		1.5	1976	104		
Supervisor	\$51,003	\$24.52	\$36.78	\$48,453	\$3,825	2080	\$52,278
FT FTO 1	\$42,503	\$20.43	\$30.65	\$40,378	\$3,188	2080	\$43,566
FT FTO 2	\$42,503	\$20.43	\$30.65	\$40,378	\$3,188	2080	\$43,566
FT Pos 3	\$41,299	\$19.86	\$29.78	\$39,234	\$3,097	2080	\$42,331
FT Pos 4	\$41,299	\$19.86	\$29.78	\$39,234	\$3,097	2080	\$42,331
FT Pos 5	\$41,299	\$19.86	\$29.78	\$39,234	\$3,097	2080	\$42,331
FT Pos 6	\$41,299	\$19.86	\$29.78	\$39,234	\$3,097	2080	\$42,331
FT Pos 7	\$41,299	\$19.86	\$29.78	\$39,234	\$3,097	2080	\$42,331
	AVG.	\$20.58	\$30.87				
Cost for full-time personnel salaries							\$351,067

COST FOR PART-TIME PERSONNEL

1640	Man-hours to be staffed by part-time personnel
\$18.00	Hourly rate of part time personnel
\$29,520	Hourly cost for part-time personnel covering hours not filled with full-time personnel

Cost for part-time personnel salaries **\$29,520**

HOLIDAY AND OVERTIME COMPENSATION

This expense is based on paying an overtime rate of 1.5 times the regular hourly rate for holidays worked. A total of nine (9) holidays are observed.

Holidays observed: New Years Day, Easter Sunday, Memorial Day, July 4th, Labor Day, Thanksgiving Day Eve, Thanksgiving Day, Christmas Eve and Christmas Day.

Overtime expense for full-time personnel is based on 1.5 times the average regular hourly rate of \$20.58 which equates to \$30.87 per hour.

9 Holidays x 24 Hours x 2 Emergency Communications Personnel = 432 Total Holiday Hours

\$10.29 Difference in regular hourly rate and overtime hourly rate. *Averaged.*

432 Total holiday hours

\$4,445.28

\$4,445

In addition to overtime compensation for holidays worked full-time personnel are occasionally required to work extra shifts when part-time personnel are not available to work, whenever someone calls in sick, during peak call volume periods, etc... Full-time personnel are compensated at the overtime rate for actual hours worked in excess of forty (40) hours in one (1) work week.

Twelve (12) hours of overtime per week are budgeted based on multiple previous years history.

\$30.87 x 12 hours per week x 52 weeks = \$19,263 \$19,263

Two (2) additional personnel are required for adequate staffing during the 4th of July Holiday period due to call volume resulting in an additional forty-eight (48) hours of overtime. Two (2) personnel x twenty-four (24) hours.

48 hours x \$30.87 = \$1,482 \$1,482

\$4,445

\$19,263

\$1,482

TOTAL COST FOR OVERTIME AND PAID LEAVE

\$25,190

COST FOR TRAINING NEW PERSONNEL

When new personnel are hired each new employee is required to undergo training for a minimum of sixty (80) hours before being permitted to work a regular shift. The hourly compensation for personnel in training is \$14.00 hourly. On average we anticipate hiring and training up to six (3) employees per year. This includes both full-time and part-time personnel positions.

3 Six personnel trained annually

Hourly rate \$14.00

80 Hours of training per new employee

Total hours 240

240 Total training hours annually

Total cost for annual training \$3,360

LONGEVITY COMPENSATION

All personnel are eligible to receive longevity compensation for each month of continuous service after one year of employment. Longevity compensation is distributed the first week in December annually. Longevity compensation is figured at \$4 per month of service for full-time personnel up to the full-time maximum total amount of \$600 annually and \$3 per month for part-time personnel up to the part-time maximum total of \$300 annually.

Total longevity compensation \$4,200

PAYROLL TAXES

Payroll taxes (Social Security and Medicare) are calculated at a rate of 7.65% of the total salary expenses. Total salary expenses this fiscal year are \$406,156.

\$413,180	x	7.65%	=	\$31,608	Payroll taxes	\$31,608
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TOTAL SALARY EXPENSES (minus retirement account contributions)

1 Salaries for full-time personnel	\$351,067	\$351,100
2 Salaries for part-time personnel	\$29,520	\$29,520
3 Overtime and Holiday	\$25,190	\$25,200
4 Training for new personnel	\$3,360	\$3,360
5 Longevity	\$4,200	\$4,000
6 Payroll taxes	\$31,608	\$32,000
		\$445,180

RETIREMENT ACCOUNT CONTRIBUTION

Employee 403(b) retirement account option for full-time staff. The Board anticipates being able to make a year-end employer matching contribution for plan participants up to 3% of the participating employee's salary.

FT Pos 1	\$52,278	X	3%	\$1,568	
FT Pos 2	\$43,566	X	3%	\$1,307	
FT Pos 3	\$43,566	X	3%	\$1,307	
FT Pos 4	\$42,331	X	3%	\$1,270	
FT Pos 5	\$42,331	X	3%	\$1,270	
FT Pos 6	\$42,331	X	3%	\$1,270	
FT Pos 7	\$42,331	X	3%	\$1,270	
FT Pos 8	\$42,331	X	3%	\$1,270	\$10,532
					\$445,180
				\$10,532	\$455,712

2. HEALTH AND LIFE INSURANCE

\$64,430

The TCFAC provides full-time personnel with health and life insurance as part of their compensation. This year we are anticipating a 10% increase on medical coverage cost. Employee only health insurance coverage is budgeted at \$655.92 per employee, per month. A \$50,000 Group Life insurance and Short Term Disability policy is also provided for full-time personnel at a rate of \$15.20 per employee, per month.

*Monthly costs include all Health Insurer and Reinsurance fees, plus any federal and state taxes applicable to these fees.

\$655.92	Monthly cost for employee only health insurance per employee
12	Number of months
<u>\$7,871.04</u>	Cost per year for employee only coverage

\$7,871.04	Per year cost
8	Full-time personnel
<u>\$62,968.32</u>	Annual cost for employee only coverage (8 personnel)

\$15.20	Cost per month for life and disability coverage
12	Number of months
<u>\$182.40</u>	

\$182.40	
8	Number of full-time personnel
<u>\$1,459.20</u>	

Total health insurance cost for all full-time personnel.	\$62,968.32
Total life and disability coverage for all full-time personnel	<u>\$1,459.20</u>
TOTAL COST FOR HEALTH, LIFE AND DISABILITY EXPENSES.	\$64,427.52

Rounded to **\$64,430**

3. UTILITIES \$8,300

Annual utility costs include:

Telephone service based on \$400 average cost per month.

Internet and cable TV service based on \$300 average cost per month

Cell phone service for the Operations/IT Support position capped at \$120 per month

Electric, gas, water, refuse and janitorial are funded by the City of Saginaw through contract.

\$243 Monthly average for telephone service	
12 Number of months	
\$2,916	
	\$2,916
\$325 Monthly average for internet and cable TV service	\$3,900
12 Number of months	
\$3,900	
	\$1,440
	\$8,256
\$120 Monthly cost for cell phone service	
12 Number of months	
\$1,440	
	<i>Rounded to</i> \$8,300

4. EQUIPMENT REPAIRS AND MAINTENANCE \$9,000

This expense covers the cost for maintaining and repairing telephones, radios, recording and dispatch console equipment. .

5. OFFICE SUPPLIES \$2,000

This expense covers fax and printer supplies, paper materials, computer supplies, general office needs and kitchen/break room supplies.

6. UNIFORMS \$2,200

This expense covers the cost of providing all personnel with uniform clothing worn while on duty. Uniform clothing is replaced on an as needed basis.

7. NEW EQUIPMENT \$4,000

This expense covers the cost for updating and replacing printers, fax machine, accessory console equipment, radios, antennas, etc... and unscheduled replacement of computers and computer monitors.

8. EQUIPMENT REPLACEMENT FUND	\$0
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This expense is for the replacement of major items such as console system equipment and components, back-up power generation and surge protection, recorders and other capital items.

9. TRAINING	\$3,000
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This expense covers the cost of both initial training of new personnel and continuing education and training for all personnel. It includes costs associated with seminars, special schools, basic 911 call training, Emergency Medical Dispatch or EMD protocol training and the delivery of "pre-arrival" medical instruction certification and training.

10. LIABILITY INSURANCE AND FEES, ETC.,,	\$7,400
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This expense covers the cost of the annual renewal of a \$1,000,000 insurance liability policy which also incorporates property insurance coverage for equipment owned by the TCFAC. This expense also covers fees associated with the preparation and filing of annual tax documents and status reporting with the IRS, payroll and financial/bank related fees, Workers Compensation coverage, attorney and professional service fees and legal representation.

11. TECHNICAL SUPPORT AND ANNUAL LICENSE RENEWALS	\$27,500
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This expense covers the cost of annual user license renewals and technical support for the dispatch CAD system, Pro Q/A EMD software program, recorder technical support, mobile technology support for mobile data terminal communications, the Responder user app, network security and support, offsite safeguarded data storage and outside IT systems support as needed when beyond internal remedy and ability.

12. MEDICAL DIRECTION	\$5,000
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This expense is for "Medical Direction" services enabling the TCFAC and all its personnel to provide "pre arrival" medical instructions when necessary to callers prior to emergency responders arrival at the scene.

City Secretary

APPROVED AS TO FORM AND LEGALITY:

Drew Larkin, City Attorney



To: Honorable Mayor and City Council
From: Robert Nunley, Building Official
Date: September 6, 2022

On April 20, 2022, Keller Outdoor Advertising submitted sign permit applications for detached illuminated signs at three locations in the City—8600 West Freeway, 8000 West Freeway, and 1300 N. Jim Wright Freeway.

All of these three proposed signs are classified as “message boards” under the City’s sign ordinance. Section 107-5(a) of the sign ordinance regulates new message board and section 107-5(a)(4) provides that “Off-premises message boards on I-30 and I-820 may not be closer than 8,500 feet along the right-of-way to another off-premise message board. Message boards may not be located within 1,500 feet of any public park, public playground or public school.”

All of the proposed signs will be off-premises message boards because they will be used to attract attention to activities, commodities, services or other endeavors not offered on the premises on which the sign is located.

Because the proposed signs are off-premises message boards on I-30 and I-820 and each proposed sign is closer than 8,500 feet along the right-of-way to another off-premise message board, all three sign permit applications were denied in compliance with section 107-5(a)(4) of the sign ordinance.

Section 107-3(m) of the sign ordinance gives an applicant the right to appeal the sign ruling of a building official and states that “Any person aggrieved by any interpretation or by any decision or ruling of the building official under this chapter, shall have the right to make an appeal to the city council at a regular scheduled city council meeting.”

On May 13, 2022, the applicant filed an appeal for each of the denied applications. The basis for the applicant’s appeal is that the city’s denial of the applications was based on the anticipated content of the messages to be displayed on the proposed signs and constitutes an impermissible content-based regulation of speech.

The city’s differential treatment towards off-premises message boards is not content-based because it is not a regulation that discriminates based on the idea or message expressed—it is based on location and is a permissible and ordinary time, place, or manner restriction.

The regulations in section 107-5(a)(4) ensure that vehicle drivers, property owners, and citizens are not overwhelmed by a proliferation of distracting electronic images on message boards.

Sec. 107-5. Special sign types.

- (a) *New message boards.* New message boards are only allowed within the city within 300 feet of I-30 and I-820 rights-of-way. All message boards must comply with the Texas Highway Beautification Act (Texas Transportation Code, title 6, subtitle H (Texas Transportation Code ch. 391 et seq.)) as administered by the state department of transportation. All message boards must be permitted by the state and city. All message boards must be engineered to meet minimum code requirements.
- (1) The maximum size for any off-premises single-faced message board shall be 672 square feet. Message board panels may not be stacked or placed side by side. Maximum per side for a double faced billboard is 672 square feet. Message board signs may not exceed 25 feet in height or 60 feet in width with a maximum sign height of 50 feet, unless approved by the building official.
 - (2) Signs may not be attached to any building and must be of an approved steel pole design. Uni-poles are required unless another design is approved by the building official. No message boards in excess of two sides shall be allowed.
 - (3) No movement is allowed on message boards. Message boards may not move, rotate, gyrate or give the impression of movement.
 - (4) Off-premises message boards on I-30 and I-820 may not be closer than 8,500 feet along the right-of-way to another off-premise message board. Message boards may not be located within 1,500 feet of any public park, public playground or public school.
 - (5) Illuminated message boards may be lighted only by lights that are properly installed, shaded or concealed, and are aimed so the light will shine directly on the sign face and will not interfere with the vision of motor vehicle operators, nor shine directly on any residential-zoned property. Illumination of such signs must not be flashing or intermittent.

Sec. 107-2. Definitions.

Message board sign means a sign composed of a matrix of individual bulbs or lights which are capable of displaying lights in a running or continuous fashion so as to provide transient pictures or information.

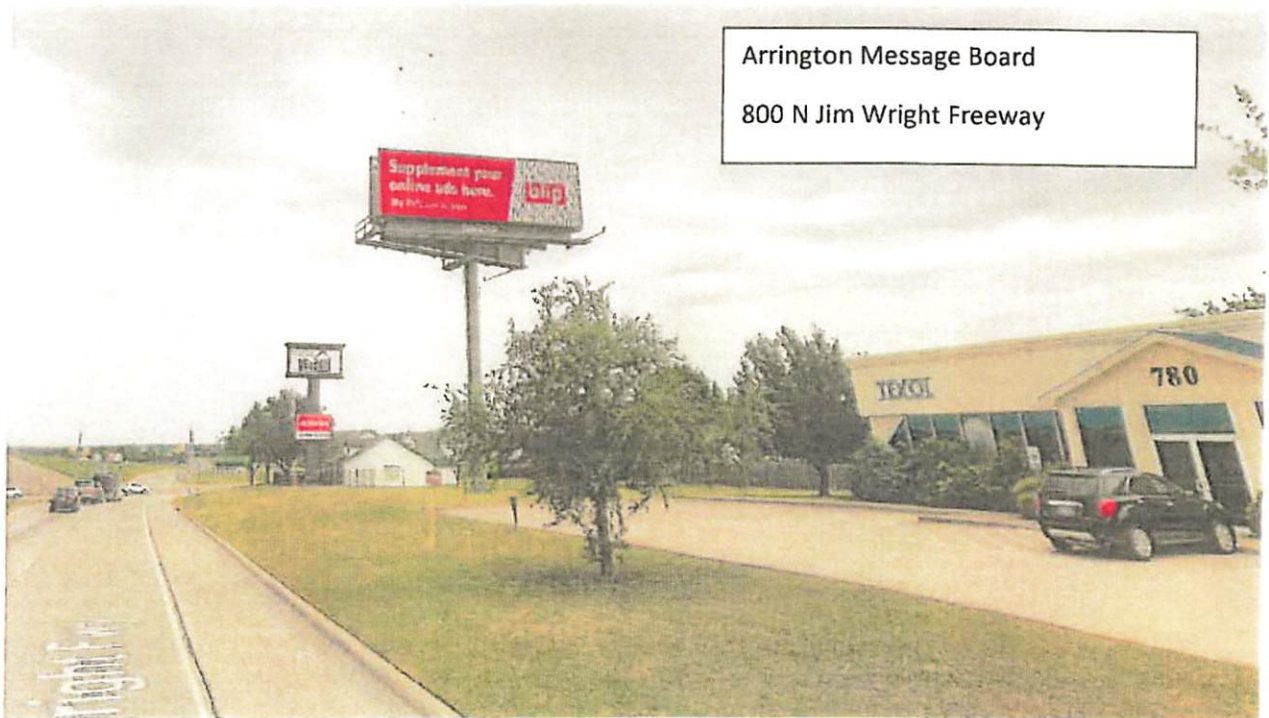
Off-premises sign means a sign which is issued or intended to be used to attract attention to activities, commodities, services or other endeavors not offered on the premises on which the sign is located.

On-premises sign means a sign which promotes or advertises activities, commodities, services, or endeavors which are offered on the premises on which such sign is located.



Arrington Message Board

8240 West Freeway



Arrington Message Board

800 N Jim Wright Freeway



1,784.5 ft

Keller Outdoor Advertising



P.O. Box 1081 • Boerne, TX 78006 • (830)388-2522 •
kelleroutdooradvertising@gmail.com

Date: May 13, 2022

City of White Settlement
Director of Planning & Development
214 Meadow Park Drive
White Settlement, TX 76108

To Whom It May Concern:

I am submitting this letter as a formal appeal of the denial of my sign permit application on the property located at 8600 West Freeway. By way of background, I submitted the Application through email and the application was returned to me on April 27, 2022. The Application sought a permit for the construction of a freestanding sign that would meet or exceed all regulations through the City of White Settlement's Code of Ordinances. The Application included various renderings of the proposed sign, which included examples of messages promoting activities located on the property where the sign is to be located, and elsewhere, as well as community service and political messages. The City's denial of the Application based on the anticipated content of the messages to be displayed on the proposed sign constitutes an impermissible content-based regulation of speech. This can be seen in a growing list of opinions issued in state and federal courts across the country that have held unconstitutional the on- versus off-premise distinction found in White Settlement's sign regulations.

See Reed v. Town of Gilbert, 576 U.S. 155, 135 S.Ct. 2218, 192 L.Ed.2d 236 (2015), *Thomas v. Bright*, 937 F.3d 721, 733 (6th Cir. 2019); *Auspro Enterprises, L.P. v. Texas Department of Transportation*, 506 S.W.3d 688 (Tex. App.—Austin 2016, pet. granted, judgment vacated w.r.m.); *Reagan National Advertising of Austin, Inc. v. City of Cedar Park*, No. AU-17-CA-00717-SS, 2019 WL 3845455, at *5 (W.D. Tex. Aug. 15, 2019); *L.D. Mgmt. Co. v. Thomas*, No. 3:18-CV-722-JRW, 2020 WL 1978387, at *2 (W.D. Ky. Apr. 24, 2020).

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Because the City's sign regulations, including the prohibition of off-premise signage, are unconstitutional, the City's official erred in denying my Application. As such, I respectfully request that the City reverse the decision of the City Planner and issue the requested permit.

Sincerely,

Cody Keller

Keller Outdoor Advertising

(830)388-2522

kelleroutdooradvertising@gmail.com



SIGN PERMIT APPLICATION

Date: 4/20/2022

Address where sign will be located: 8600 West Freeway, White Settlement, TX 76108

Elevation of property where sign will be located: Leave Blank Per Instructions from Jill

Sign Erector Lic # 18287 Business name: Sign Erection Ltd. dba Sign Company

Master Sign Electrician # 19900 Business name: Black Electric Contracting Co., Inc.

Applicant's name: Texas NaCK Enterprises LLC Phone 830-388-2522

Type of Sign:

☐ Attached illuminated	☒ Detached Illuminated Sign
☐ Attached Non-Illuminated	☐ Detached Non-Illuminated
☐ Banner	☐ Portable
☐ Developer Sign	

Sign Measurement (feet & inches) ☒ Double Faced (Y/N)

10'6" Sign Height 36' Width

50' Height to top of Grade 14 Elec Amps. (if illuminated)

Cost of Project: \$360,000.00

ALL ELECTRICAL TO SIGN MUST BE UNDERGROUND

.....
For Building Official Use Only:

\$_____ Total Permit Fee

Approved _____ Denied _____ Date _____

214 Meadow Park Dr., White Settlement, Texas 76108
817-246-4971 (office) 817-246-8761 (fax)

Keller Outdoor Advertising

P.O. Box 1081 • Boerne, TX 78006 • (830)388-2522 •
kelleroutdooradvertising@gmail.com



Date: April 20, 2022

LED Digital Sign Permit Application: 8600 West Freeway, White Settlement, TX 76108 - Summary Letter

Keller Outdoor Advertising is hereby submitting a new LED Digital Sign Permit Application located on the private property described below in the City of White Settlement, TX

Sign owner: Texas NaCK Enterprises LLC dba Keller Outdoor Advertising

Landowner: APG LVT 2 LLC

Location/ Site: 8600 West Freeway, White Settlement, TX 76108

Sign Number, Size and Type: 1 Freestanding Freeway Pole (Pylon) Sign; 50' Overall Height; 10.5'x36' LED Digital Sign Faces (2 Sided)

Property Zoning: C-C, Corridor Commercial & Mixed Use Overlay District

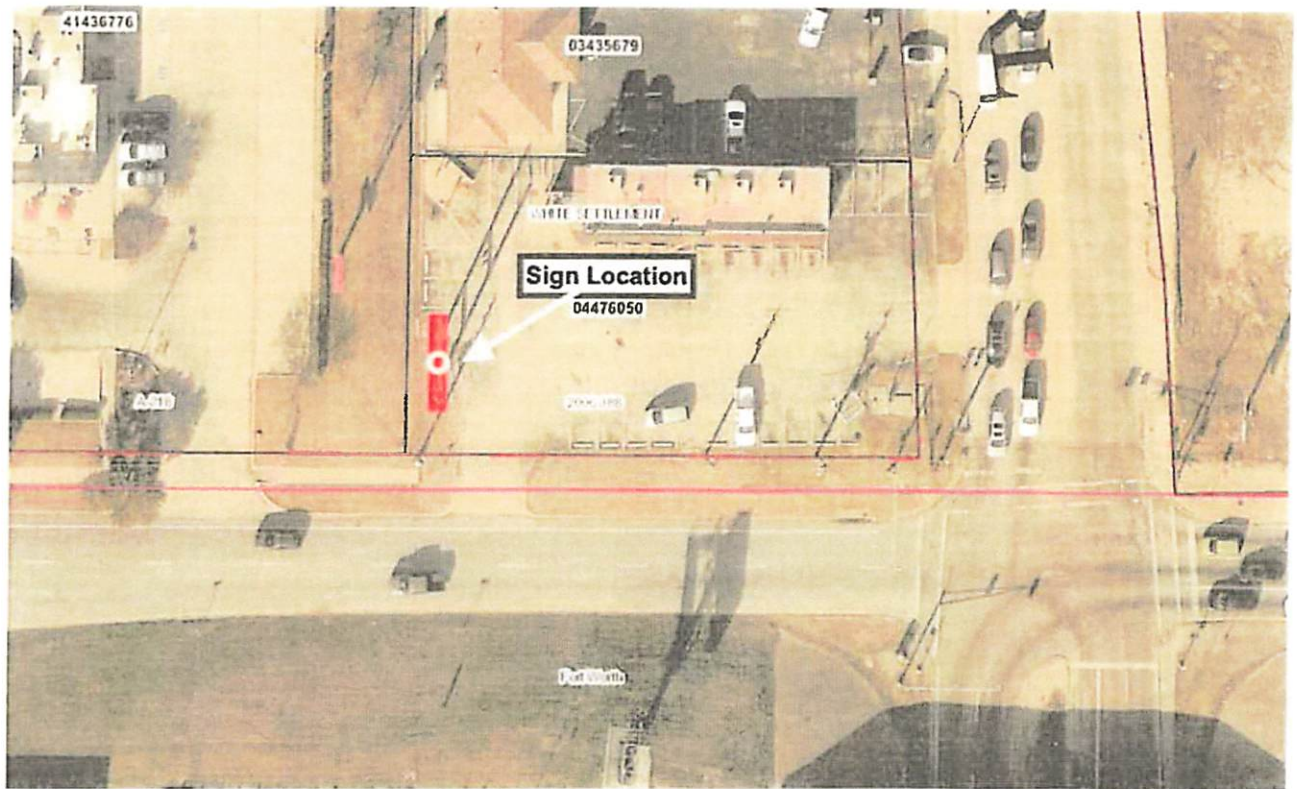
Enclosed you will find the following documents to support my LED Digital Sign permit application:

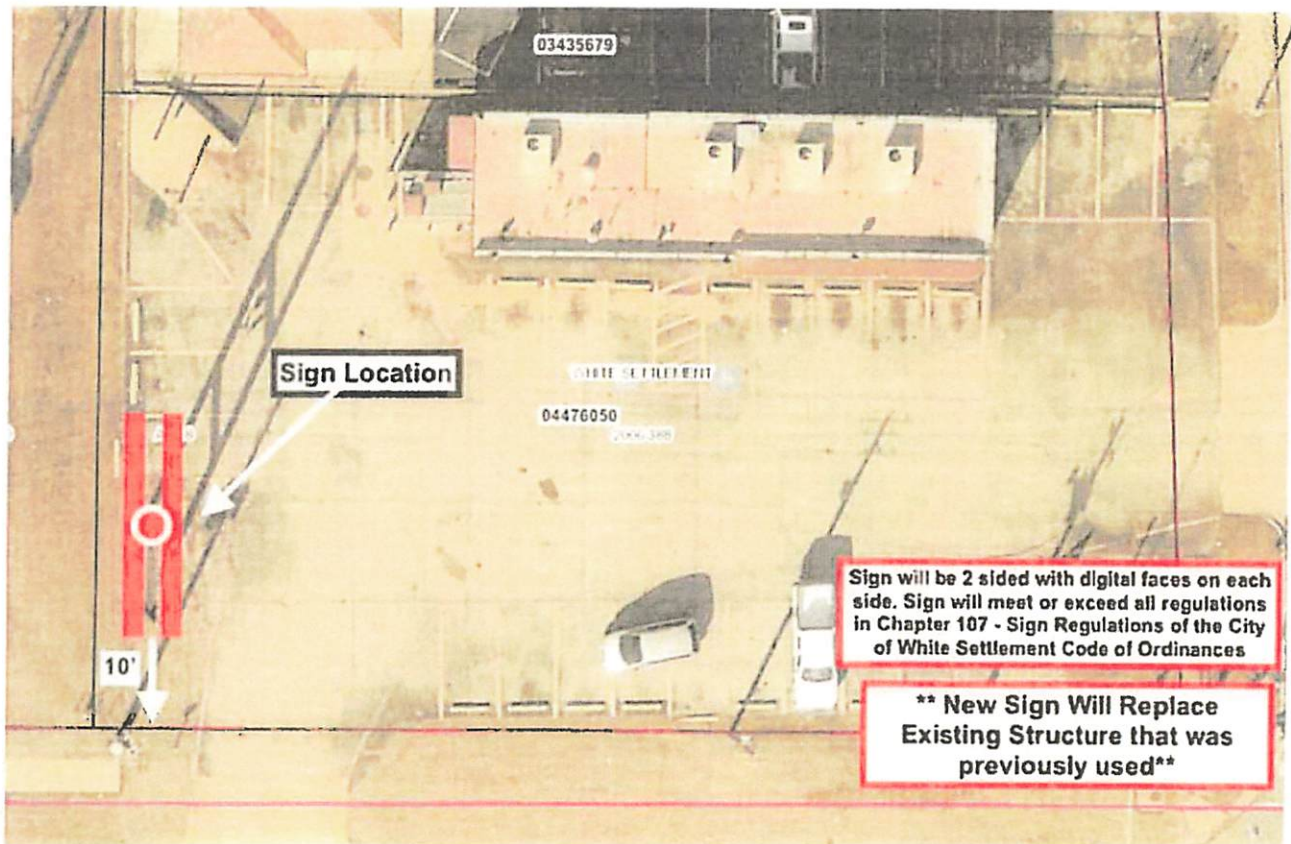
- City of White Settlement Permit Application
- Sign Mockup with Ad Content Examples
 - Renderings include ad content displaying Non-commercial messages – Free Speech Messages, Religious Messages, Political Messages, Public Safety Messages and Municipal Local Community Support
 - Renderings include On-Premise Message for Love Donuts (the On-Premise Tenant)
 - Renderings include Off-Premise Message for a local advertiser
- Site Plan showing the pole placement – sign will meet all Setback Requirements
- Engineered Drawings showing sign dimensions

Please review everything at your convenience and let me know if there are any questions or if you need any additional information.

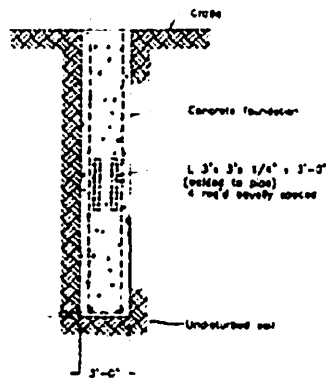
Sincerely,

Cory Keller

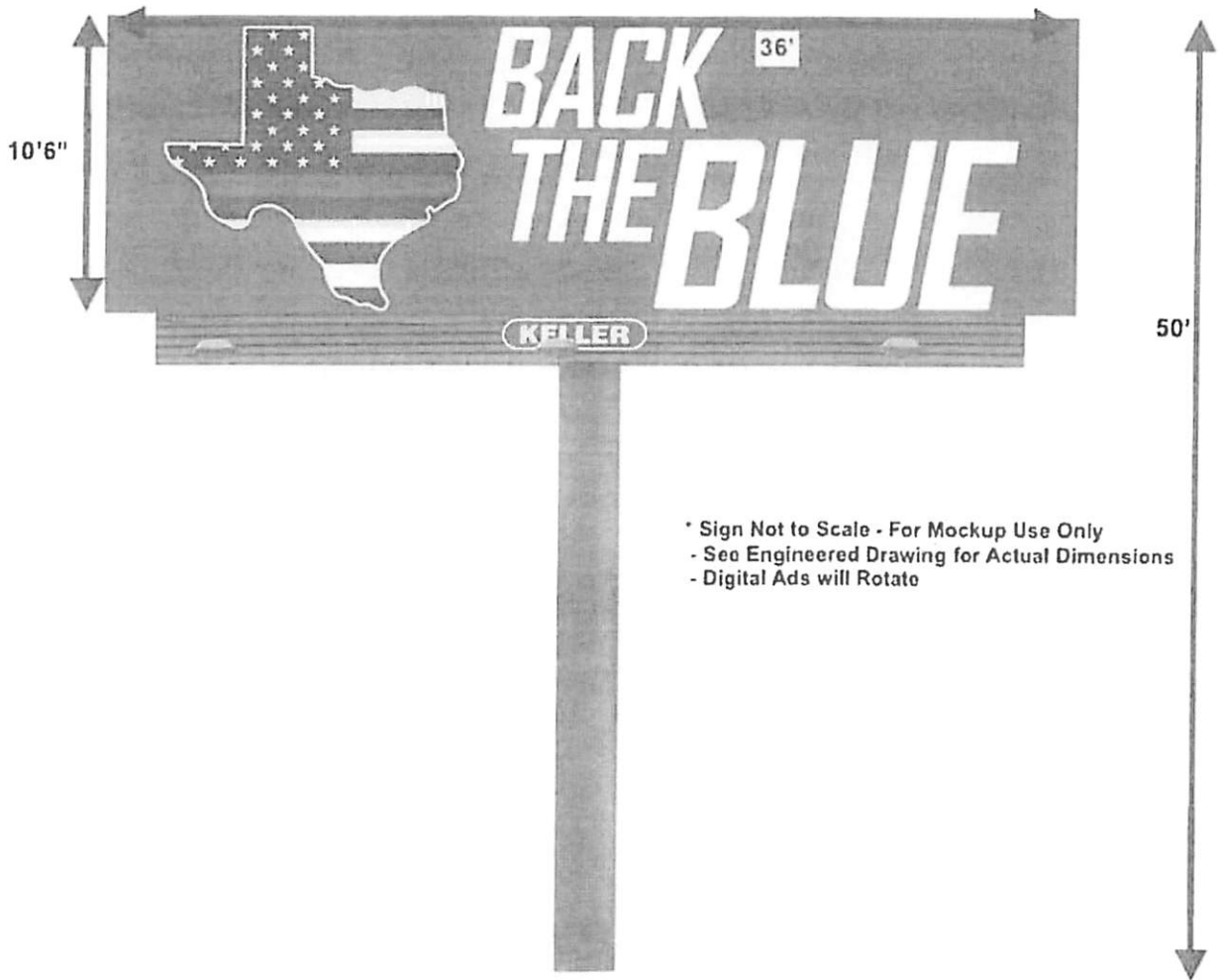


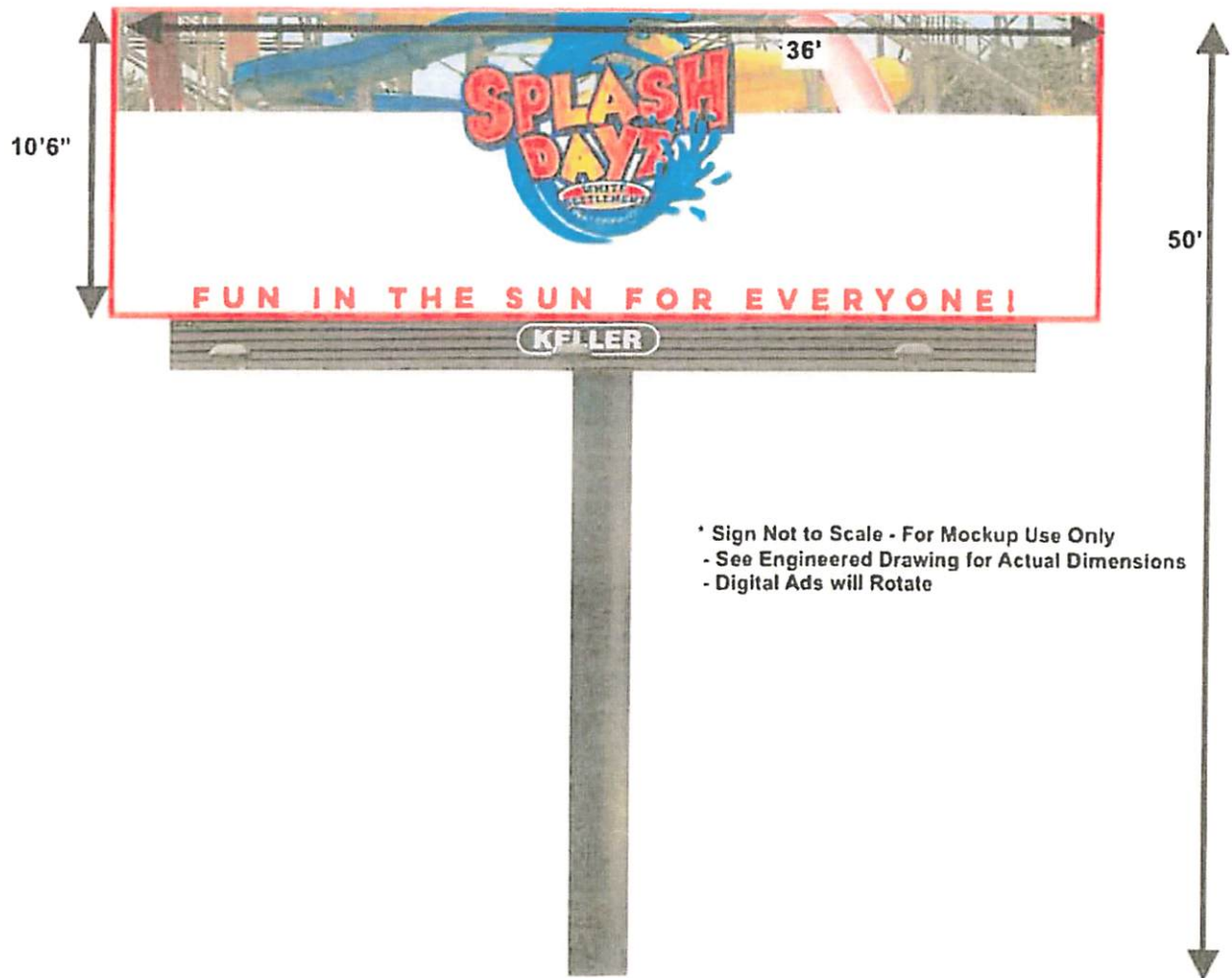


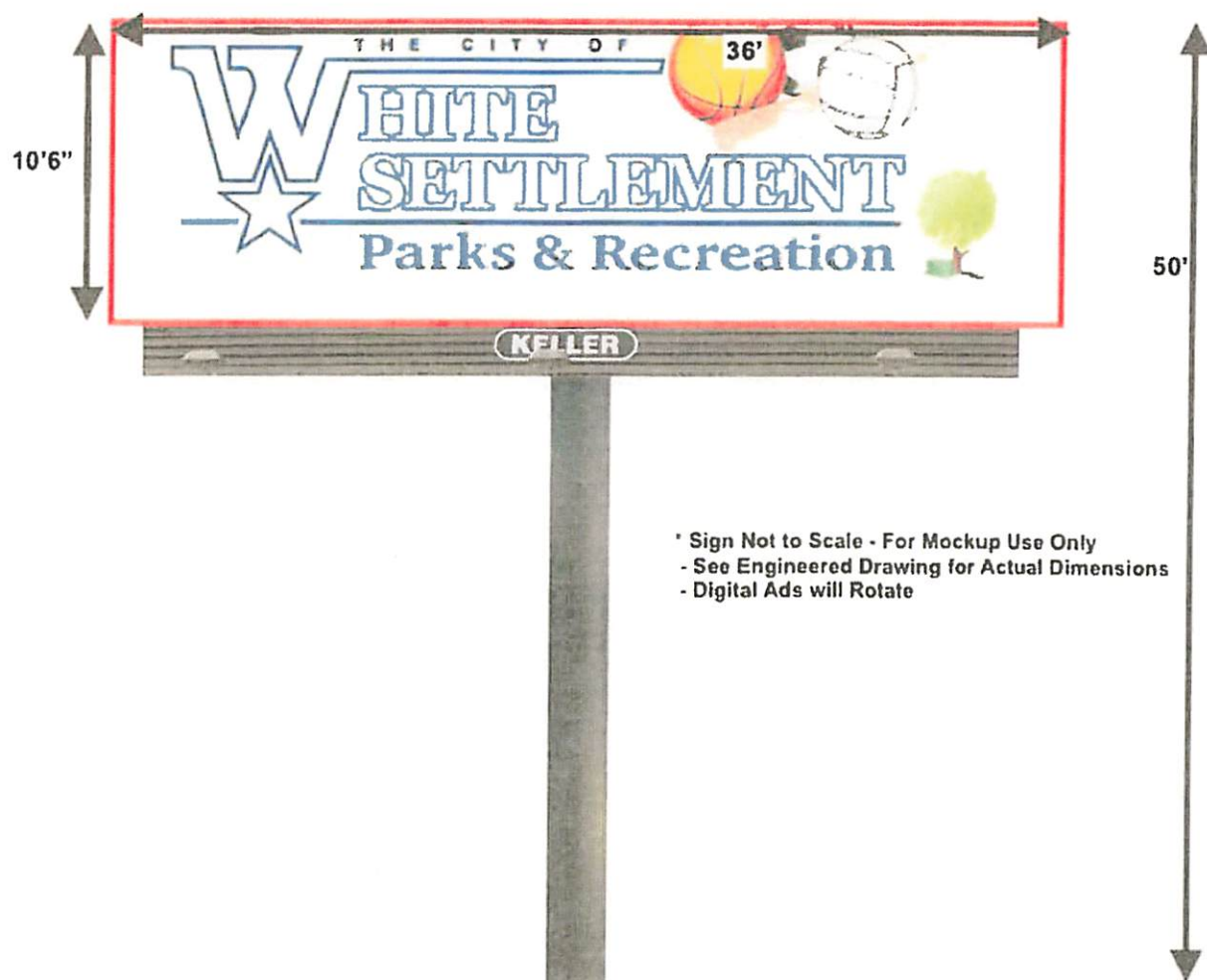


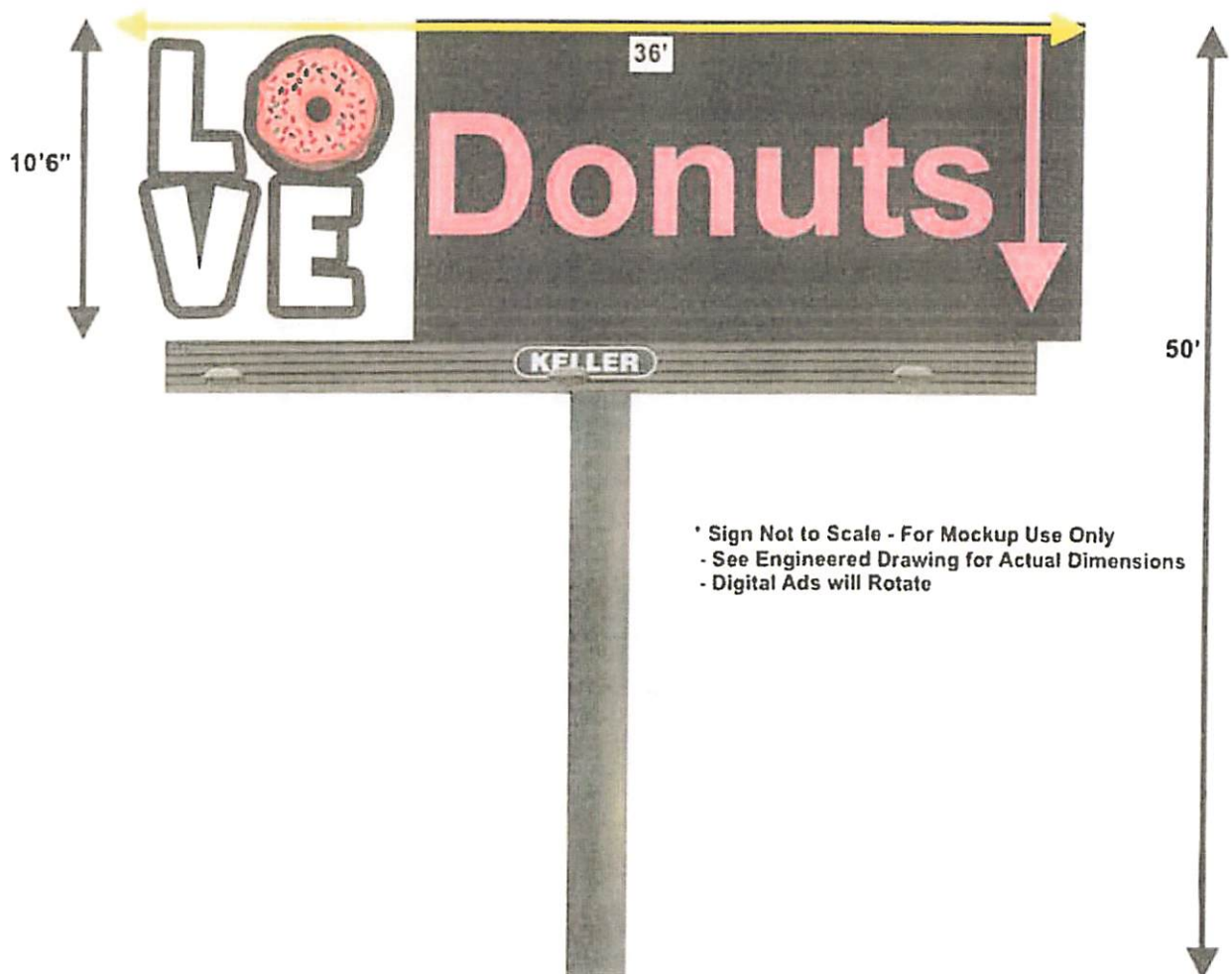


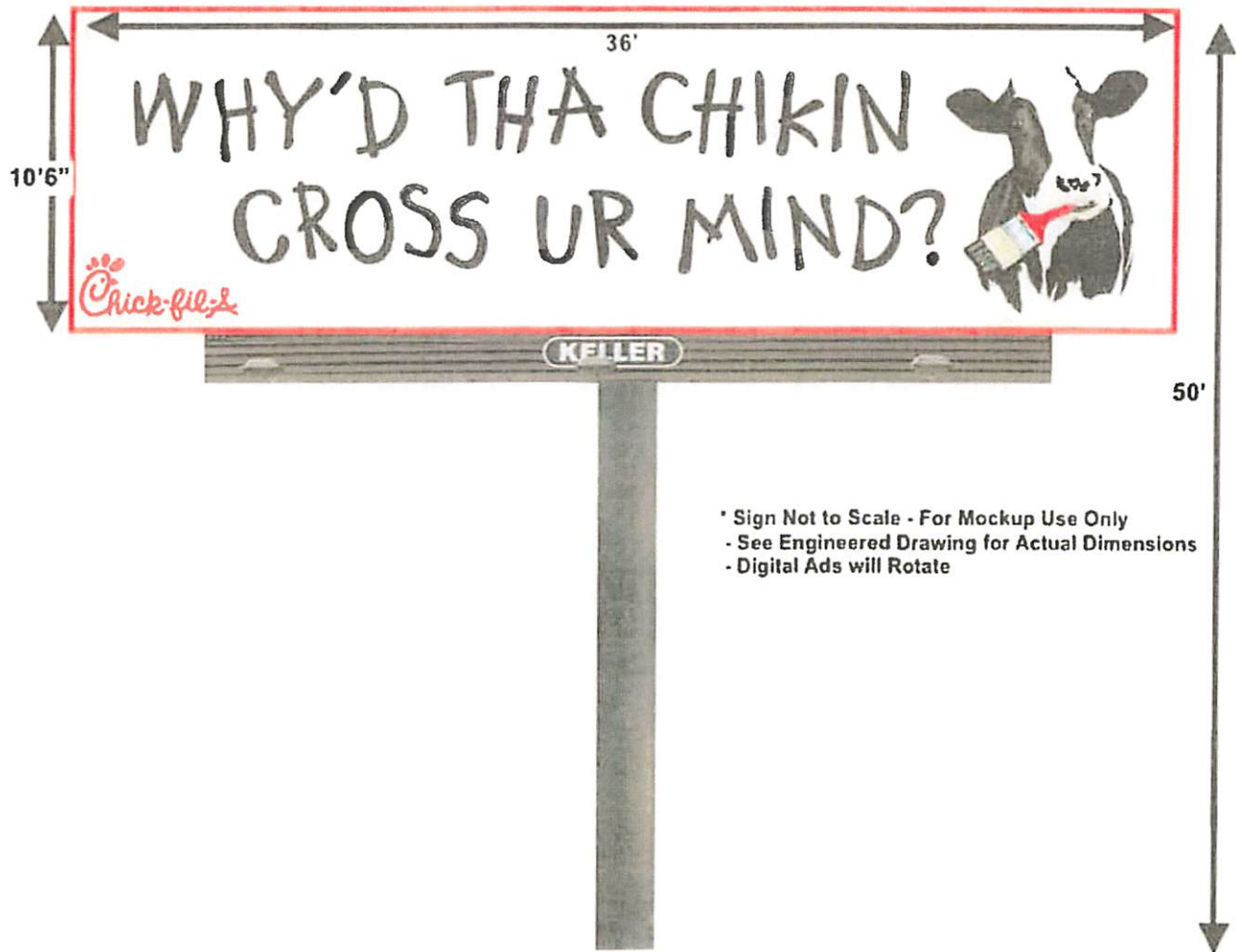














CONTRACTOR REGISTRATION FORM

City of White Settlement • Permit Department
214 Meadow Park Drive White Settlement, TX 76108
817-246-4971 ext. 227 permits@wsbx.us

In order to register to do work in the City of White Settlement, the following information must be provided:

1. Completed Contractor Registration Form
2. Proof of Insurance listing City of White Settlement as the certificate holder
3. Copy of State issued MASTER license, where applicable
4. Copy of State issued photo ID
5. \$100 annual registration fee (plumbers and electricians exempt)

Applicant must sign and attach a copy of their current Texas Driver's License **AND**, if registration is for a licensed trade, a copy of the Texas State License. The **MASTER** license is required for Plumbing and Electrical registration. Proof of Liability Insurance not less than 100,000 is required for Plumbing, Mechanical, and Building contractors. [City Code Ch103 §103-84(a), §103-224(b), §103-250, §103-251 (b)(4), §103-170(a), 103-198 (a, b)]

SELECT REGISTRATION TYPE

- ☒ General Contractor * ☐ Mechanical Heat and Air Conditioning
☐ Electrical / Sign Electrician or Master Electrician only**
☐ Plumbing / Master Plumber Only** ☐ Utility Contractor / Subcontractor

*Includes but not limited to Building Contractor, Fire Protection System Contractor, Paving Contractor, Demolition Contractor, Remodeling Contractor, Sign Contractor, Sprinkler System Contractor, Swimming Pool Contractor. ** [City Code Ch103 §103.250]

Business Name: Sign Erection Ltd dba Sign Company
Business Address: 11126 S. Pipeline Rd., Euless TX 76040 PO Box 9 Euless TX 76039
(Street) (City) (State) (Zip)

License Holder / Officer / Owner Name: Woody Barnes
Business Phone: 817 267 1554 Cell Phone: 817 917 1366 Email: woodysignco@aol.com
State License #: 18287 State License Expiration Date: 1 / 10 / 2023

Personnel authorized to obtain a permit under this company name:

(use company letterhead for additional names)

1) Woody Barnes 2) Body Keller 3) _____

The information submitted for this registration is true and accurate to the best of my knowledge. I understand that permits are required to be issued prior to commencement of any and all construction work, and that periodic inspections must be requested by myself or my staff, to be performed by the Building Inspector. The city reserves the right to hold or deny permits to contractors who fail to complete and obtain finals for each permit issued under their registration. Further the city may fine or suspend the registration of any contractor who fails to comply with applicable city, state, or federal codes and regulations. If citations are issued for violations, the city is obligated to contact any applicable licensing board.

Signature: [Signature] Date: 4/14/2022
Printed Name: Woody Barnes Title: Partner

City Use Only: Received on _____ Reviewed & Filed by _____

Rick Figueroa
Chair

Thomas F. Butler
Vice Chair



Gerald R. Callas, M.D., F.A.S.A.
Helen Callier
Joel Garza
Gary F. Wesson, D.D.S., M.S.
Nora Castañeda

Electrical Sign Contractor

SIGN ERECTION LTD DBA SIGN COMPANY

License Number: 18287

The business named above is licensed by the Texas Department of Licensing and Regulation

License Expires: JANUARY 10 2023

Brian E. Francis
Executive Director



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/30/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Higginbotham Insurance Agency, Inc. 600 W. 13th Street Fort Worth TX 76102		CONTACT NAME: Carla O'Neill PHONE (A/C No. Ext): 882-228-7443 FAX (A/C No.): 817-882-8284 E-MAIL: cjonell@higginbotham.net ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Employers Mutual Casualty Company	
		INSURER B: Texas Mutual Insurance Company	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 1265968810** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSURER	TYPE OF INSURANCE	ADDITIONAL INSURED	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY ☒ CLAIMS-MADE ☒ OCCUR ☒ BOPD Ded \$1,000 ☒ Empl Benefit Liab GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:		5D23768	1/1/2022	1/1/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMPROP AGG \$2,000,000 \$
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY		5E23768	1/1/2022	1/1/2023	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$10,000		5J23768	1/1/2022	1/1/2023	EACH OCCURRENCE \$3,000,000 AGGREGATE \$3,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER MEMBER EXCLUDED? ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	0001094003	1/1/2022	1/1/2023	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 The General Liability and Automobile Liability policies include a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

The General Liability policy has a blanket Primary & Non Contributory endorsement that affords that coverage to certificate holders only where there is a written contract between the Named Insured and the certificate holder that requires such status.

The General Liability and Workers' Compensation policies include a blanket automatic waiver of subrogation provision that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it.
 See Attached...

CERTIFICATE HOLDER City of White Settlement 214 Meadow Park Drive White Settlement TX 76108	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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To: Honorable Mayor and City Council
From: Robert Nunley, Building Official
Date: September 6, 2022

On April 20, 2022, Keller Outdoor Advertising submitted sign permit applications for detached illuminated signs at three locations in the City—8600 West Freeway, 8000 West Freeway, and 1300 N. Jim Wright Freeway.

All of these three proposed signs are classified as “message boards” under the City’s sign ordinance. Section 107-5(a) of the sign ordinance regulates new message boards and section 107-5(a)(4) provides that “Off-premises message boards on I-30 and I-820 may not be closer than 8,500 feet along the right-of-way to another off-premise message board. Message boards may not be located within 1,500 feet of any public park, public playground or public school.”

All of the proposed signs will be off-premises message boards because they will be used to attract attention to activities, commodities, services or other endeavors not offered on the premises on which the sign is located.

Because the proposed signs are off-premises message boards on I-30 and I-820 and each proposed sign is closer than 8,500 feet along the right-of-way to another off-premise message board, all three sign permit applications were denied in compliance with section 107-5(a)(4) of the sign ordinance.

Section 107-3(m) of the sign ordinance gives an applicant the right to appeal the sign ruling of a building official and states that “Any person aggrieved by any interpretation or by any decision or ruling of the building official under this chapter, shall have the right to make an appeal to the city council at a regular scheduled city council meeting.”

On May 13, 2022, the applicant filed an appeal for each of the denied applications. The basis for the applicant’s appeal is that the city’s denial of the applications was based on the anticipated content of the messages to be displayed on the proposed signs and constitutes an impermissible content-based regulation of speech.

The city’s differential treatment towards off-premises message boards is not content-based because it is not a regulation that discriminates based on the idea or message expressed—it is based on location and is a permissible and ordinary time, place, or manner restriction.

The regulations in section 107-5(a)(4) ensure that vehicle drivers, property owners, and citizens are not overwhelmed by a proliferation of distracting electronic images on message boards.

Sec. 107-5. Special sign types.

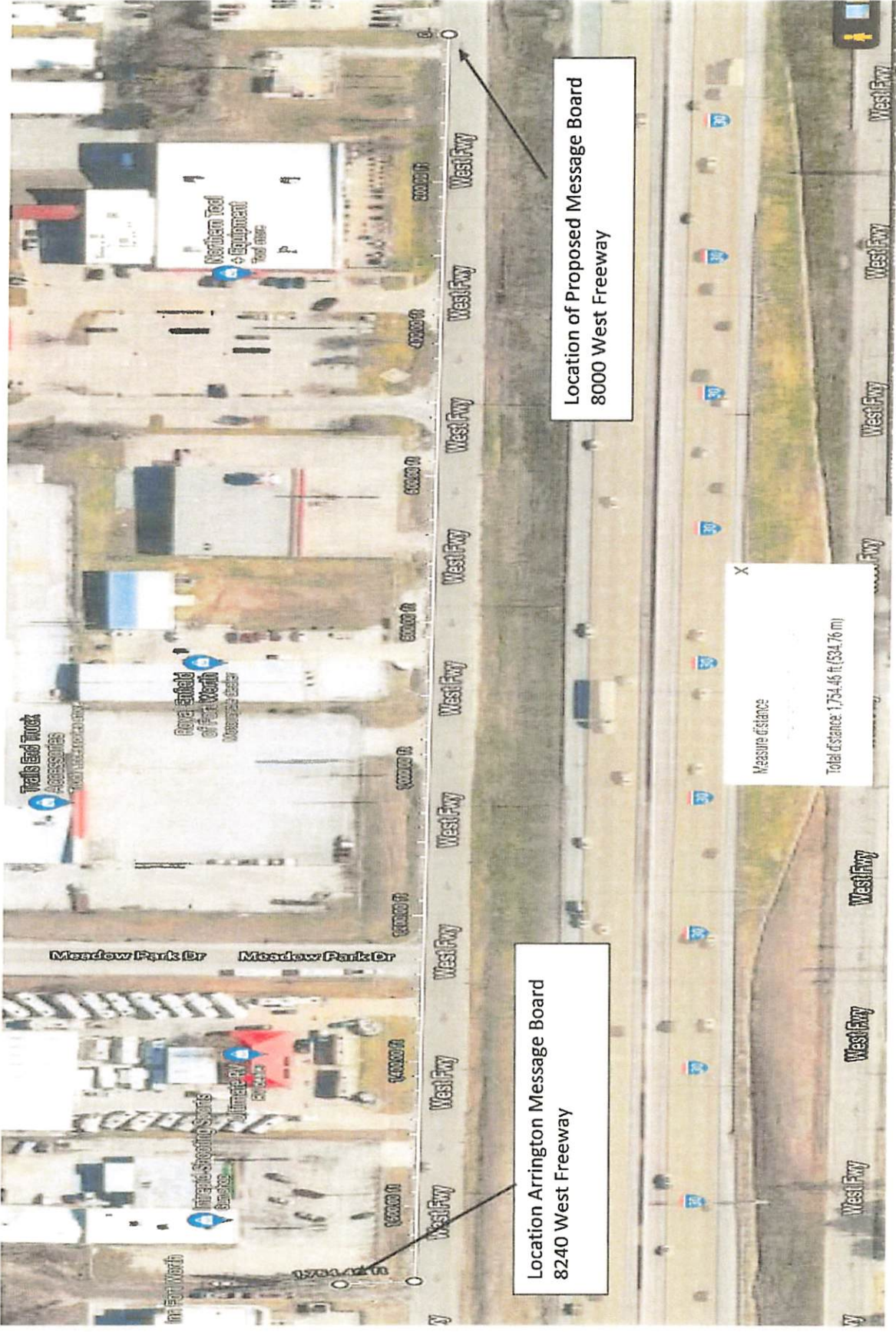
- (a) *New message boards.* New message boards are only allowed within the city within 300 feet of I-30 and I-820 rights-of-way. All message boards must comply with the Texas Highway Beautification Act (Texas Transportation Code, title 6, subtitle H (Texas Transportation Code ch. 391 et seq.)) as administered by the state department of transportation. All message boards must be permitted by the state and city. All message boards must be engineered to meet minimum code requirements.
- (1) The maximum size for any off-premises single-faced message board shall be 672 square feet. Message board panels may not be stacked or placed side by side. Maximum per side for a double faced billboard is 672 square feet. Message board signs may not exceed 25 feet in height or 60 feet in width with a maximum sign height of 50 feet, unless approved by the building official.
 - (2) Signs may not be attached to any building and must be of an approved steel pole design. Uni-poles are required unless another design is approved by the building official. No message boards in excess of two sides shall be allowed.
 - (3) No movement is allowed on message boards. Message boards may not move, rotate, gyrate or give the impression of movement.
 - (4) Off-premises message boards on I-30 and I-820 may not be closer than 8,500 feet along the right-of-way to another off-premise message board. Message boards may not be located within 1,500 feet of any public park, public playground or public school.
 - (5) Illuminated message boards may be lighted only by lights that are properly installed, shaded or concealed, and are aimed so the light will shine directly on the sign face and will not interfere with the vision of motor vehicle operators, nor shine directly on any residential-zoned property. Illumination of such signs must not be flashing or intermittent.

Sec. 107-2. Definitions.

Message board sign means a sign composed of a matrix of individual bulbs or lights which are capable of displaying lights in a running or continuous fashion so as to provide transient pictures or information.

Off-premises sign means a sign which is issued or intended to be used to attract attention to activities, commodities, services or other endeavors not offered on the premises on which the sign is located.

On-premises sign means a sign which promotes or advertises activities, commodities, services, or endeavors which are offered on the premises on which such sign is located.

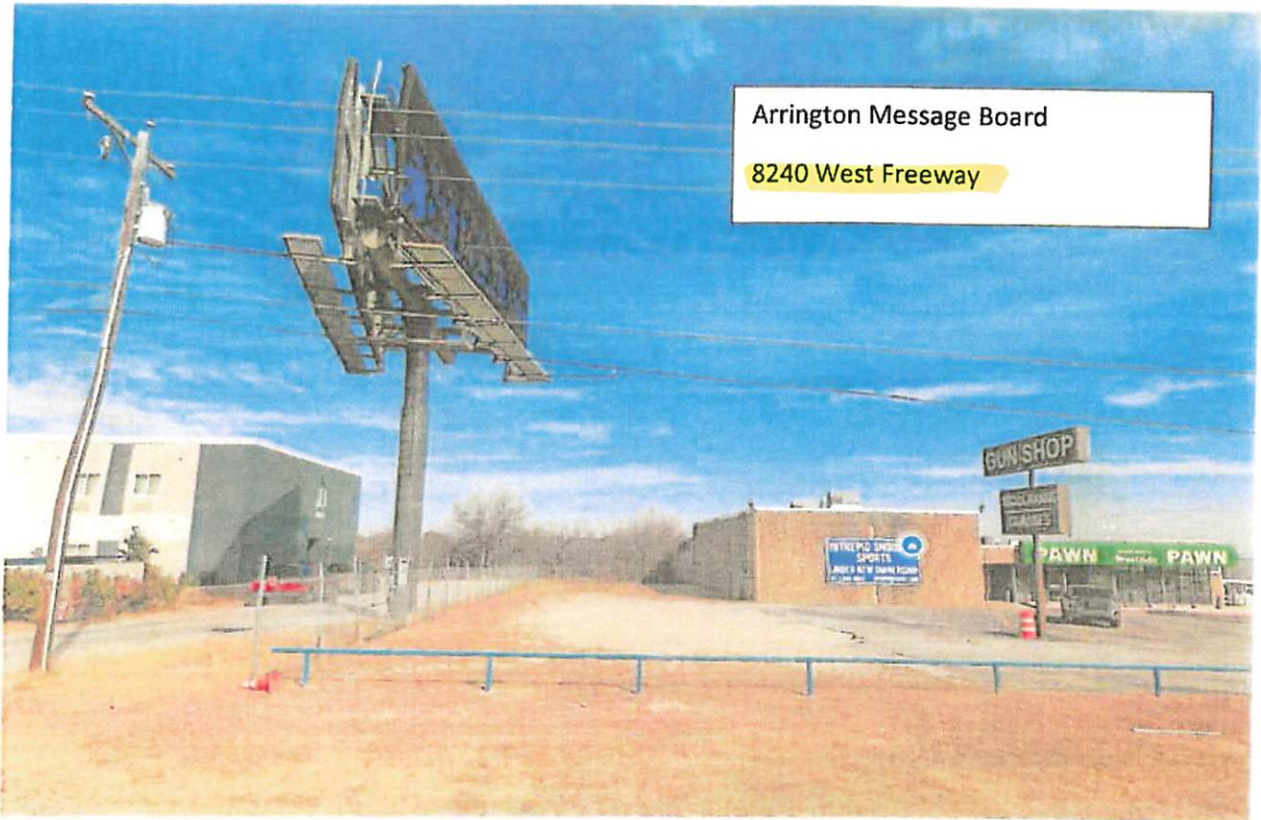


Location Arrington Message Board
8240 West Freeway

Location of Proposed Message Board
8000 West Freeway

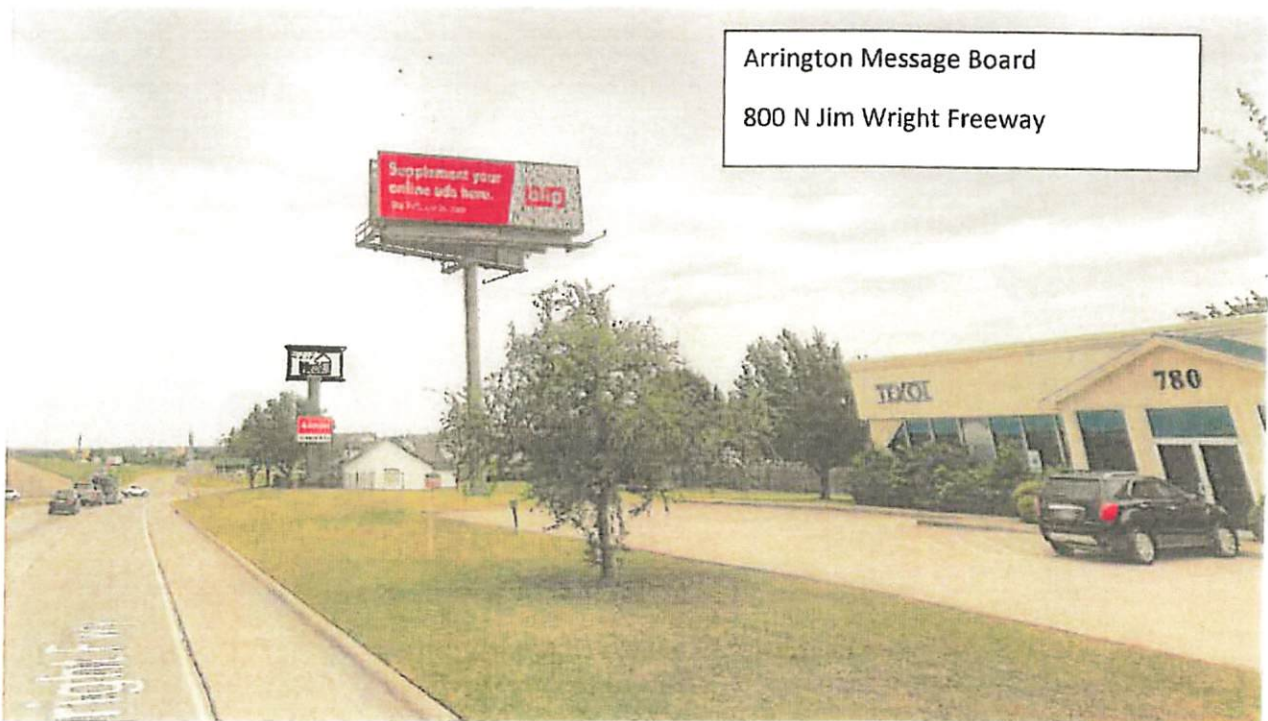
Measure distance
Total distance: 1,754.46 ft (534.76 m)

1,754.46 ft



Arrington Message Board

8240 West Freeway



Arrington Message Board

800 N Jim Wright Freeway

Keller Outdoor Advertising



P.O. Box 1081 • Boerne, TX 78006 • (830)388-2522 •
kelleroutdooradvertising@gmail.com

Date: May 13, 2022

City of White Settlement
Director of Planning & Development
214 Meadow Park Drive
White Settlement, TX 76108

To Whom It May Concern:

I am submitting this letter as a formal appeal of the denial of my sign permit application on the property located at 8000 West Freeway. By way of background, I submitted the Application through email and the application was returned to me on April 27, 2022. The Application sought a permit for the construction of a freestanding sign that would meet or exceed all regulations through the City of White Settlement's Code of Ordinances. The Application included various renderings of the proposed sign, which included examples of messages promoting activities located on the property where the sign is to be located, and elsewhere, as well as community service and political messages. The City's denial of the Application based on the anticipated content of the messages to be displayed on the proposed sign constitutes an impermissible content-based regulation of speech. This can be seen in a growing list of opinions issued in state and federal courts across the country that have held unconstitutional the on- versus off-premise distinction found in White Settlement's sign regulations.

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Because the City's sign regulations, including the prohibition of off-premise signage, are unconstitutional, the City's official erred in denying my Application. As such, I respectfully request that the City reverse the decision of the City Planner and issue the requested permit.

Sincerely,

Cody Keller

Keller Outdoor Advertising

(830)388-2522

kelleroutdooradvertising@gmail.com



SIGN PERMIT APPLICATION

Date: 4/20/2022

Address where sign will be located: 8000 West Freeway, White Settlement, TX 76108

Elevation of property where sign will be located: Leave Blank Per Instructions from Jill

Sign Erector Lic # 18287 Business name: Sign Erection Ltd. dba Sign Company

Master Sign Electrician # 19900 Business name: Black Electric Contracting Co., Inc.

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☐ Attached illuminated	☒ Detached Illuminated Sign
☐ Attached Non-Illuminated	☐ Detached Non-Illuminated
☐ Banner	☐ Portable
☐ Developer Sign	

Sign Measurement (feet & inches) ☒ Double Faced (Y/N)

10'6" Sign Height 36' Width

50' Height to top of Grade 14 Elec Amps. (if illuminated)

Cost of Project: \$360,000.00

ALL ELECTRICAL TO SIGN MUST BE UNDERGROUND

.....
For Building Official Use Only:

\$_____ Total Permit Fee

Approved _____ Denied _____ Date _____

214 Meadow Park Dr., White Settlement, Texas 76108
817-246-4971 (office) 817-246-8761 (fax)

Keller Outdoor Advertising



P.O. Box 1081 • Boerne, TX 78006 • (830)388-2522 •
kellero outdooradvertising@gmail.com

Date: April 20, 2022

LED Digital Sign Permit Application: 8000 West Freeway, White Settlement, TX 76108 – Summary Letter

Keller Outdoor Advertising is hereby submitting a new LED Digital Sign Permit Application located on the private property described below in the City of White Settlement, TX

Sign owner: Texas NaCK Enterprises LLC dba Keller Outdoor Advertising

Landowner: RLB Assets LTD.

Location/ Site: 8000 West Freeway, White Settlement, TX 76108

Sign Number, Size and Type: 1 Freestanding Freeway Pole (Pylon) Sign; 50' Overall Height; 10.5'x36' LED Digital Sign Faces (2 Sided)

Property Zoning: C-C, Corridor Commercial & Mixed-Use Overlay District

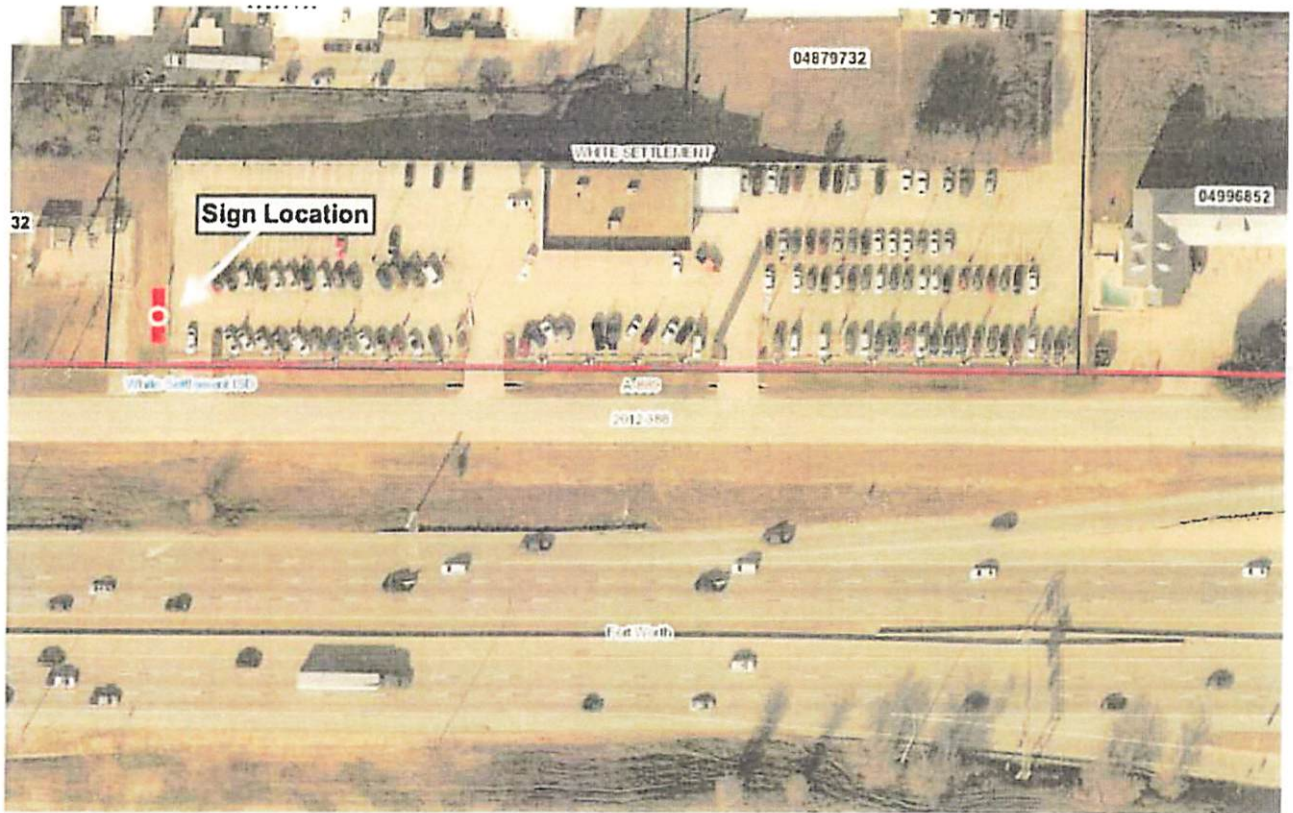
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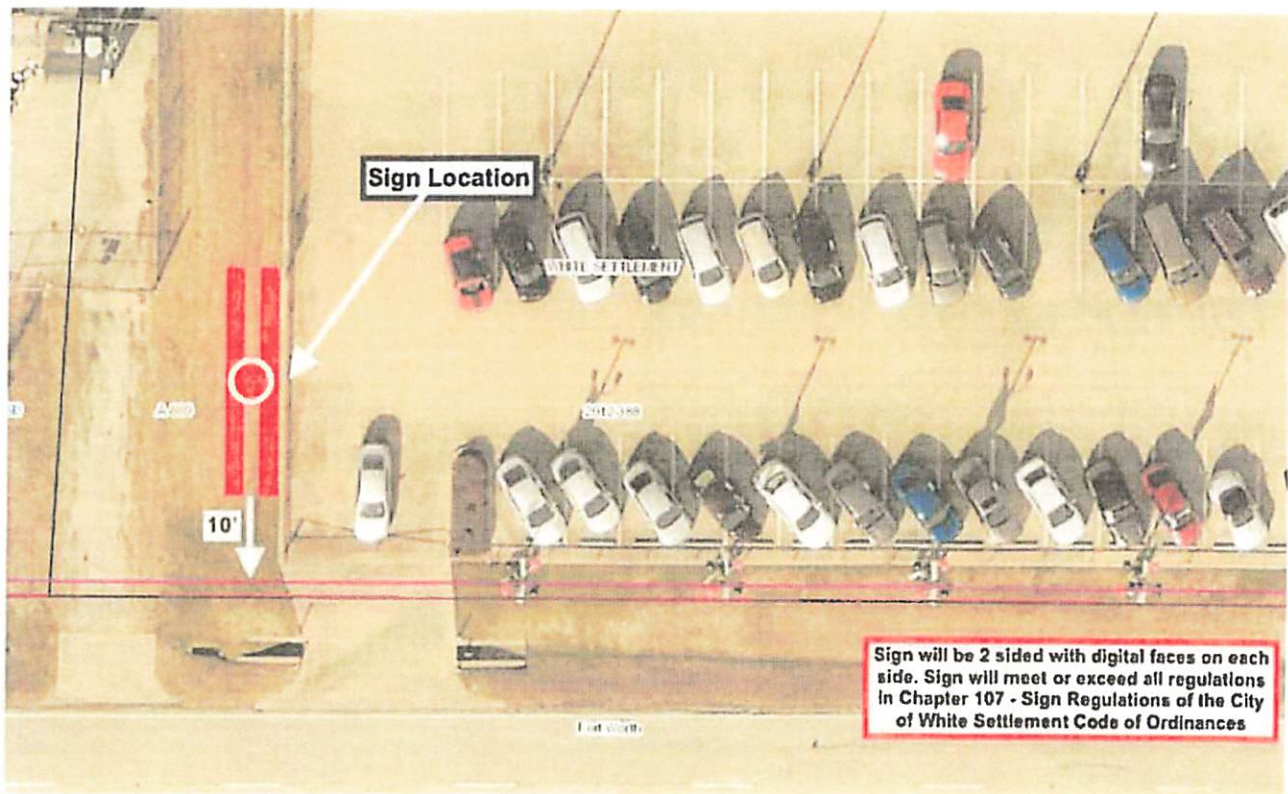
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 - Renderings include Off-Premise Message for a local advertiser
- Site Plan showing the pole placement – sign will meet all Setback Requirements
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Please review everything at your convenience and let me know if there are any questions or if you need any additional information.

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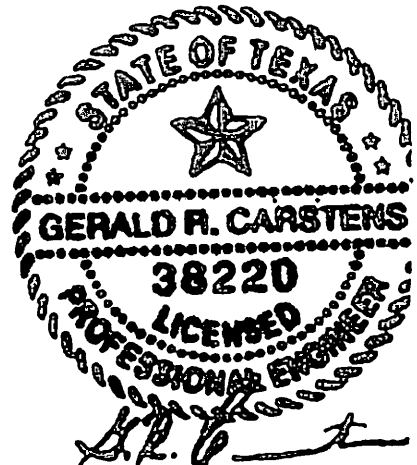
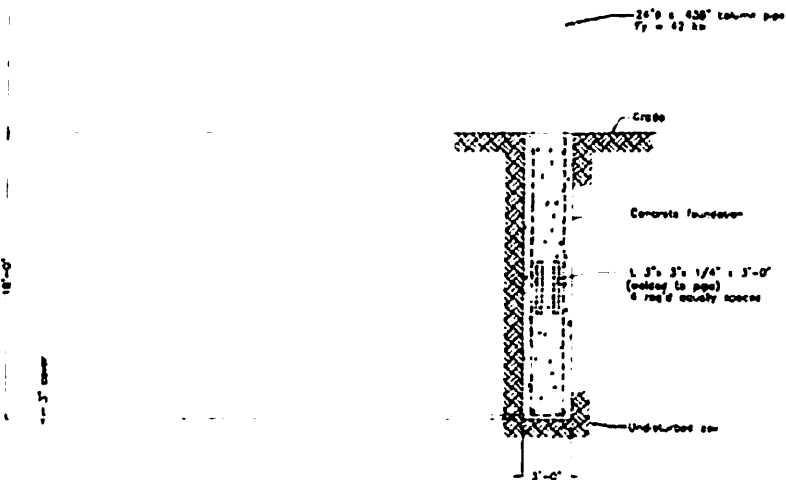
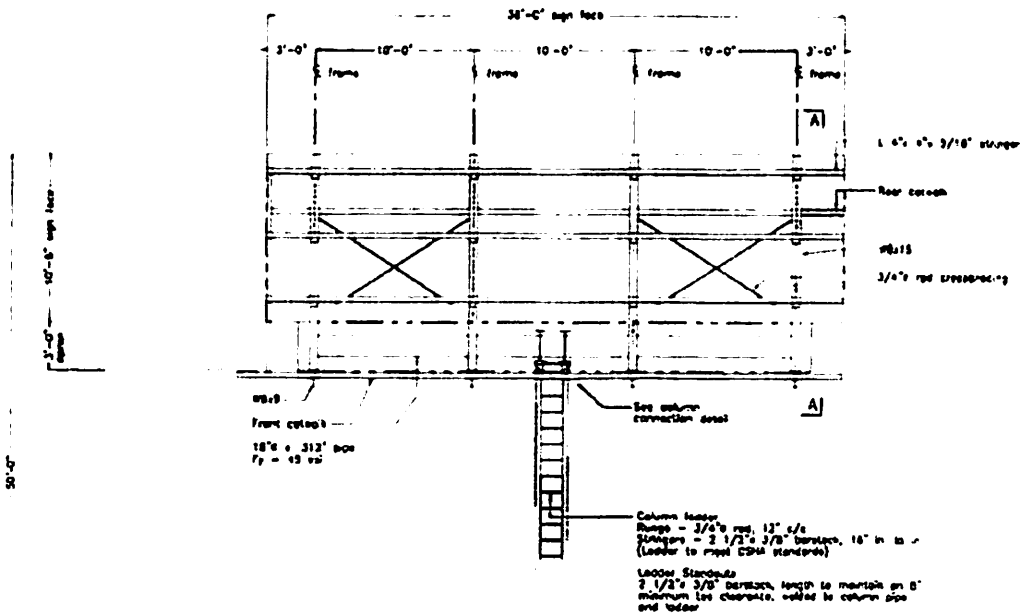
Cody Keller





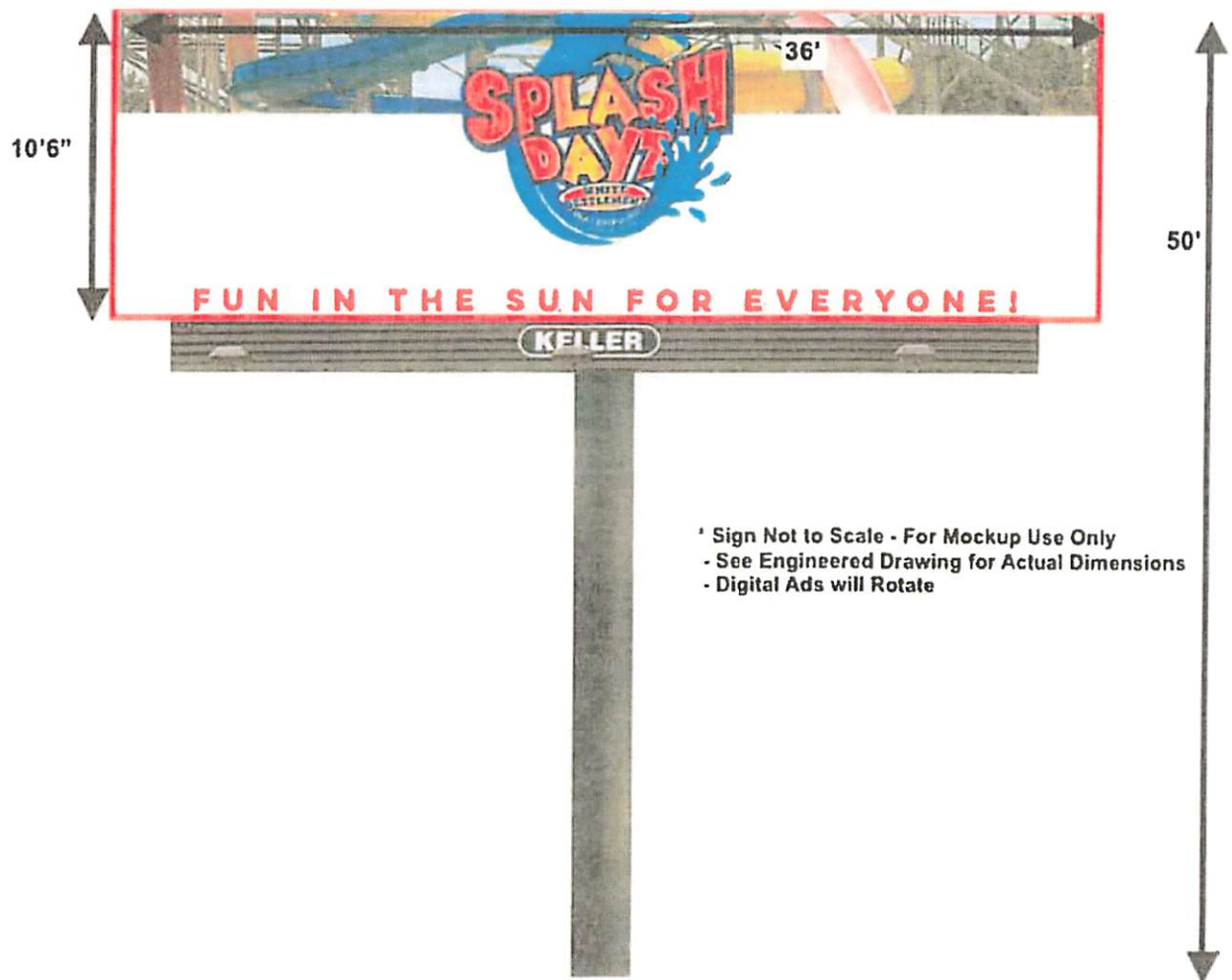


Sign will be 50' overall in height. Sign Face Dimensions will be 10'6"x36' (378 sq/ft). Sign will meet or exceed all regulations set forth by the City of White Settlement's ordinances.



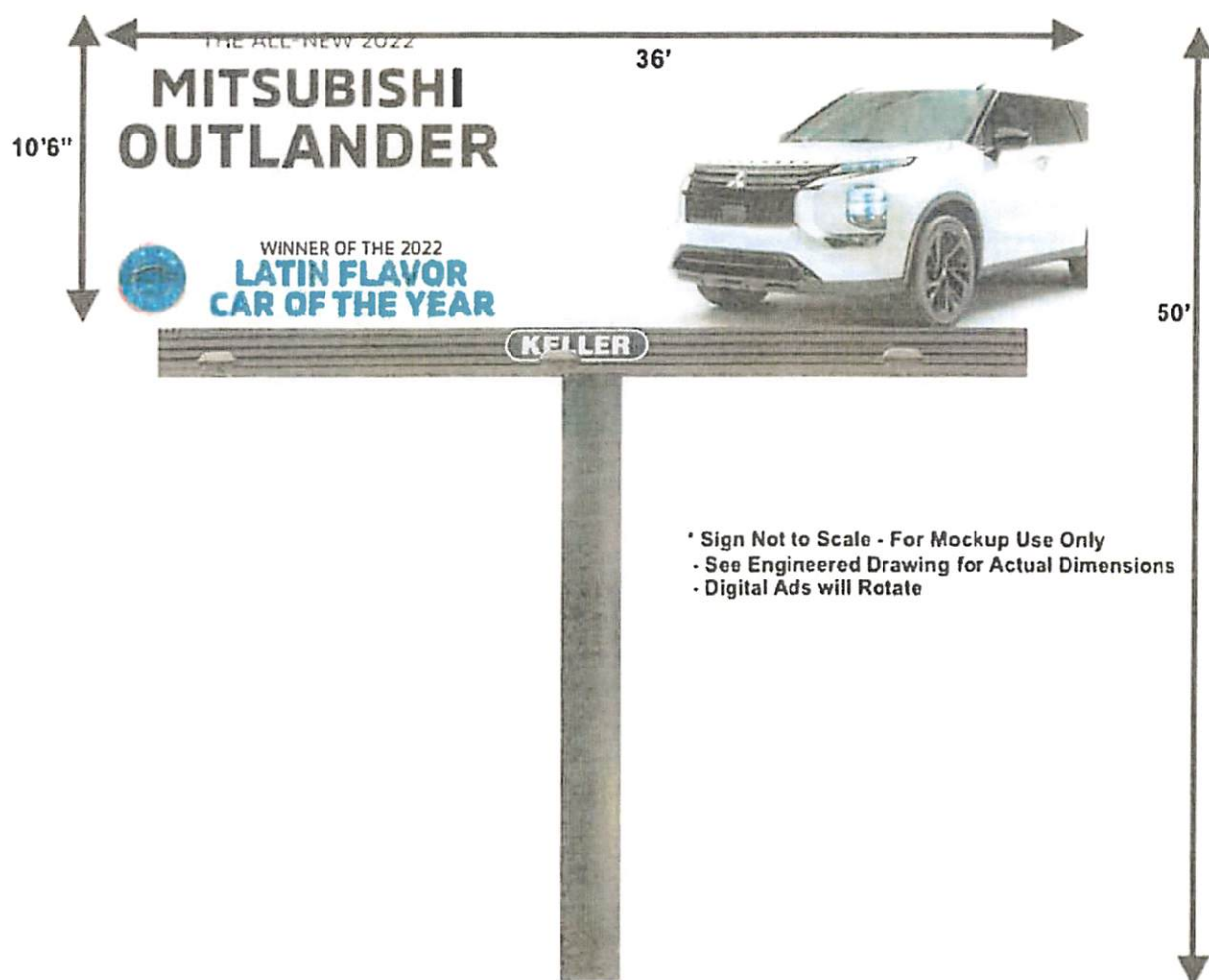


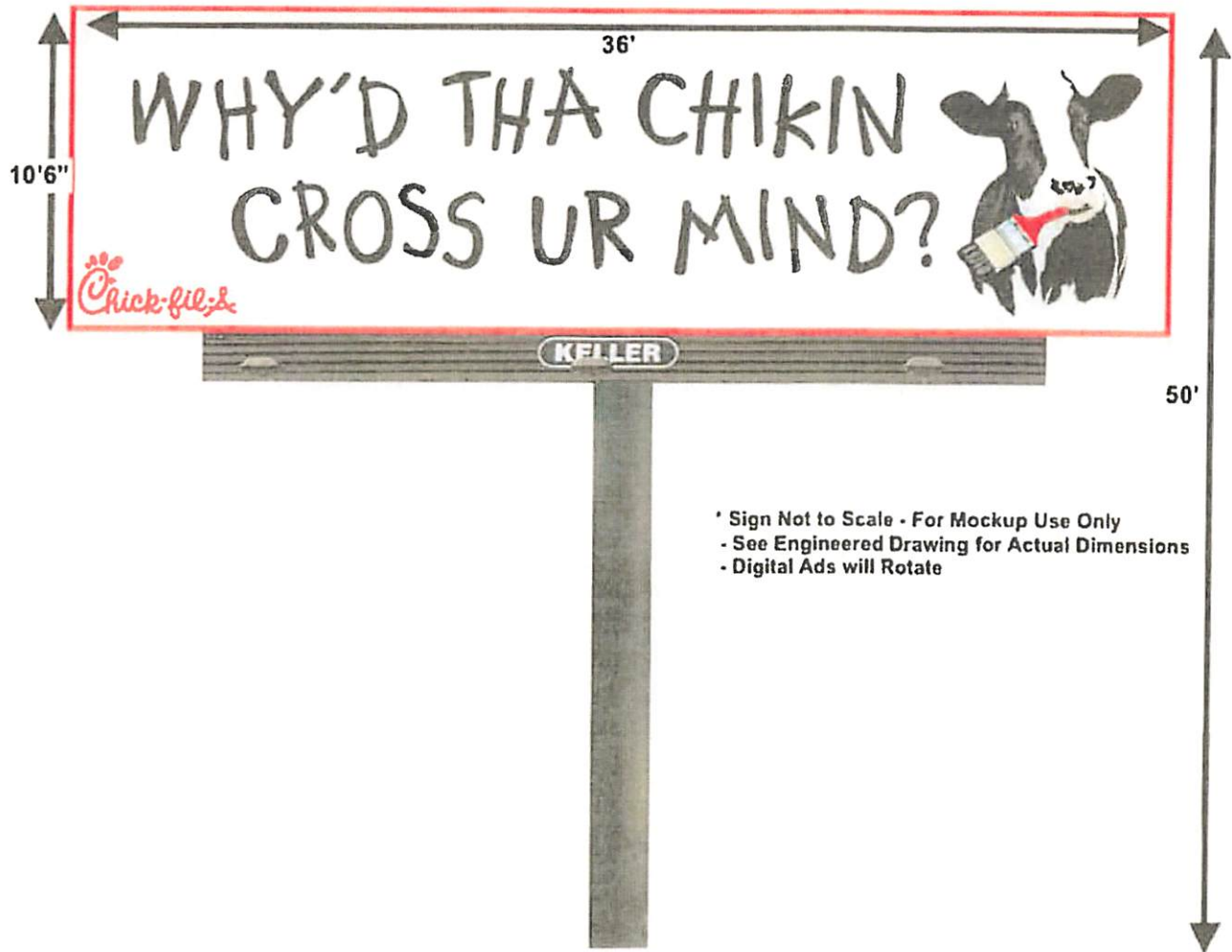






* Sign Not to Scale - For Mockup Use Only
- See Engineered Drawing for Actual Dimensions
- Digital Ads will Rotate







CONTRACTOR REGISTRATION FORM

City of White Settlement • Permit Department
214 Meadow Park Drive White Settlement, TX 76108
817-246-4971 ext. 227 permits@wsbl.us

In order to register to do work in the City of White Settlement, the following information must be provided:

1. Completed Contractor Registration Form
2. Proof of Insurance listing City of White Settlement as the certificate holder
3. Copy of State issued MASTER license, where applicable
4. Copy of State issued photo ID
5. \$100 annual registration fee (plumbers and electricians exempt)

Applicant must sign and attach a copy of their current Texas Driver's License **AND**, if registration is for a licensed trade, a copy of the Texas State License. The **MASTER** license is required for Plumbing and Electrical registration. Proof of Liability Insurance not less than 100,000 is required for Plumbing, Mechanical, and Building contractors. [City Code Ch103 §103-84(a), §103-224(b), §103-250, §103-251 (b)(4), §103-170(a), 103-198 (a, b)]

SELECT REGISTRATION TYPE

- ☒ General Contractor * ☐ Mechanical Heat and Air Conditioning
☐ Electrical / Sign Electrician or Master Electrician only**
☐ Plumbing / Master Plumber Only** ☐ Utility Contractor / Subcontractor

*Includes but not limited to Building Contractor, Fire Protection System Contractor, Paving Contractor, Demolition Contractor, Remodeling Contractor, Sign Contractor, Sprinkler System Contractor, Swimming Pool Contractor. ** [City Code Ch103 §103.250]

Business Name: Sign Erection Ltd dba Sign Company
Business Address: 1128 S. Pipeline Rd., Euless TX 76040 PO Box 9 Euless TX 76039
(Street) (City) (State) (Zip)

License Holder / Officer / Owner Name: Woody Barnes
Business Phone: 817 267 1554 Cell Phone: 817 917 3666 Email: woodysignco@aol.com
State License #: 18287 State License Expiration Date: 1 / 10 / 2023

Personnel authorized to obtain a permit under this company name:

(use company letterhead for additional names)

1) Woody Barnes 2) Body Keller 3) _____

The information submitted for this registration is true and accurate to the best of my knowledge. I understand that permits are required to be issued prior to commencement of any and all construction work, and that periodic inspections must be requested by myself or my staff, to be performed by the Building Inspector. The city reserves the right to hold or deny permits to contractors who fail to complete and obtain finals for each permit issued under their registration. Further the city may fine or suspend the registration of any contractor who fails to comply with applicable city, state, or federal codes and regulations. If citations are issued for violations, the city is obligated to contact any applicable licensing board.

Signature: [Signature] Date: 4/14/2022
Printed Name: Woody Barnes Title: Partner

City Use Only: Received on _____ Reviewed & Filed by _____

Rick Figueroa
Chair

Thomas F. Butler
Vice Chair



Gerald R. Callas, M.D., F.A.S.A.
Helen Callier
Joel Garza
Gary F. Wesson, D.D.S., M.S.
Nora Castañeda

Electrical Sign Contractor

SIGN ERECTION LTD DBA SIGN COMPANY

License Number: 18287

The business named above is licensed by the Texas Department of Licensing and Regulation

License Expires: JANUARY 10 2023

Brian E. Francis
Executive Director

lic-037.dtf



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/30/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Higginbotham Insurance Agency, Inc. 600 W. 13th Street Fort Worth TX 76102		CONTACT NAME: Carla O'Neill PHONE (A/C No. Ext): 682-228-7443 FAX (A/C No.): 617-882-8284 E-MAIL: c.omeil@higginbotham.net ADDRESS: c.omeil@higginbotham.net		
INSURED Sign Company Sign Erection LTD DBA P O Box 9 Euless TX 76039-0009		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Employers Mutual Casualty Company		21415
		INSURER B: Texas Mutual Insurance Company		22945
		INSURER C:		
		INSURER D:		
INSURER E:				
INSURER F:				

COVERAGES **CERTIFICATE NUMBER: 1265868810** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

PROD LTR	TYPE OF INSURANCE	ADDL SUBR (INSR) WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ BOPD Ded \$1,000 ☒ Empl Benefit Liab GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:		5D23768	1/1/2022	1/1/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY		5E23768	1/1/2022	1/1/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$ 10,000		5J23768	1/1/2022	1/1/2023	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐	0001094003	1/1/2022	1/1/2023	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The General Liability and Automobile Liability policies include a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

The General Liability policy has a blanket Primary & Non Contributory endorsement that affords that coverage to certificate holders only where there is a written contract between the Named Insured and the certificate holder that requires such status

The General Liability and Workers' Compensation policies include a blanket automatic waiver of subrogation provision that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it.
See Attached...

CERTIFICATE HOLDER

CANCELLATION

City of White Settlement
214 Meadow Park Drive
White Settlement TX 76106

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.



To: Honorable Mayor and City Council
From: Robert Nunley, Building Official
Date: September 6, 2022

On April 20, 2022, Keller Outdoor Advertising submitted sign permit applications for detached illuminated signs at three locations in the City—8600 West Freeway, 8000 West Freeway, and 1300 N. Jim Wright Freeway.

All of these three proposed signs are classified as “message boards” under the City’s sign ordinance. Section 107-5(a) of the sign ordinance regulates new message boards and section 107-5(a)(4) provides that “Off-premises message boards on I-30 and I-820 may not be closer than 8,500 feet along the right-of-way to another off-premise message board. Message boards may not be located within 1,500 feet of any public park, public playground or public school.”

All of the proposed signs will be off-premises message boards because they will be used to attract attention to activities, commodities, services or other endeavors not offered on the premises on which the sign is located.

Because the proposed signs are off-premises message boards on I-30 and I-820 and each proposed sign is closer than 8,500 feet along the right-of-way to another off-premise message board, all three sign permit applications were denied in compliance with section 107-5(a)(4) of the sign ordinance.

Section 107-3(m) of the sign ordinance gives an applicant the right to appeal the sign ruling of a building official and states that “Any person aggrieved by any interpretation or by any decision or ruling of the building official under this chapter, shall have the right to make an appeal to the city council at a regular scheduled city council meeting.”

On May 13, 2022, the applicant filed an appeal for each of the denied applications. The basis for the applicant’s appeal is that the city’s denial of the applications was based on the anticipated content of the messages to be displayed on the proposed signs and constitutes an impermissible content-based regulation of speech.

The city’s differential treatment towards off-premises message boards is not content-based because it is not a regulation that discriminates based on the idea or message expressed—it is based on location and is a permissible and ordinary time, place, or manner restriction.

The regulations in section 107-5(a)(4) ensure that vehicle drivers, property owners, and citizens are not overwhelmed by a proliferation of distracting electronic images on message boards.

Sec. 107-5. Special sign types.

- (a) *New message boards.* New message boards are only allowed within the city within 300 feet of I-30 and I-820 rights-of-way. All message boards must comply with the Texas Highway Beautification Act (Texas Transportation Code, title 6, subtitle H (Texas Transportation Code ch. 391 et seq.)) as administered by the state department of transportation. All message boards must be permitted by the state and city. All message boards must be engineered to meet minimum code requirements.
- (1) The maximum size for any off-premises single-faced message board shall be 672 square feet. Message board panels may not be stacked or placed side by side. Maximum per side for a double faced billboard is 672 square feet. Message board signs may not exceed 25 feet in height or 60 feet in width with a maximum sign height of 50 feet, unless approved by the building official.
 - (2) Signs may not be attached to any building and must be of an approved steel pole design. Uni-poles are required unless another design is approved by the building official. No message boards in excess of two sides shall be allowed.
 - (3) No movement is allowed on message boards. Message boards may not move, rotate, gyrate or give the impression of movement.
 - (4) Off-premises message boards on I-30 and I-820 may not be closer than 8,500 feet along the right-of-way to another off-premise message board. Message boards may not be located within 1,500 feet of any public park, public playground or public school.
 - (5) Illuminated message boards may be lighted only by lights that are properly installed, shaded or concealed, and are aimed so the light will shine directly on the sign face and will not interfere with the vision of motor vehicle operators, nor shine directly on any residential-zoned property. Illumination of such signs must not be flashing or intermittent.

Sec. 107-2. Definitions.

Message board sign means a sign composed of a matrix of individual bulbs or lights which are capable of displaying lights in a running or continuous fashion so as to provide transient pictures or information.

Off-premises sign means a sign which is issued or intended to be used to attract attention to activities, commodities, services or other endeavors not offered on the premises on which the sign is located.

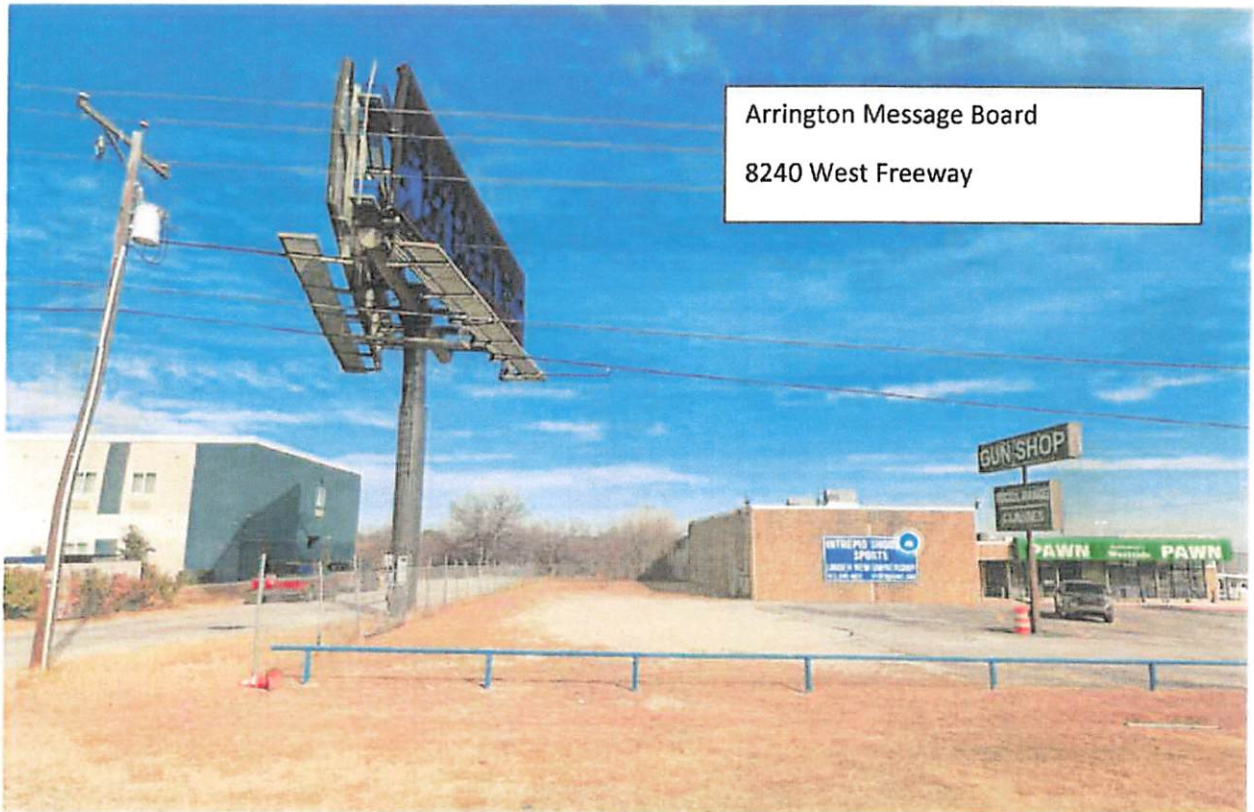
On-premises sign means a sign which promotes or advertises activities, commodities, services, or endeavors which are offered on the premises on which such sign is located.



Location of Proposed Message Board
1300 N Jim Wright Freeway

Location of Arrington Message Board
800 N Jim Wright Freeway

Measure distance
Total distance: 2,532.73 ft (771.98 m)



Arrington Message Board

8240 West Freeway



Arrington Message Board

800 N Jim Wright Freeway

Keller Outdoor Advertising



P.O. Box 1081 • Boerne, TX 78006 • (830)388-2522 •
kelleroutdooradvertising@gmail.com

Date: May 13, 2022

City of White Settlement
Director of Planning & Development
214 Meadow Park Drive
White Settlement, TX 76108

To Whom It May Concern:

I am submitting this letter as a formal appeal of the denial of my sign permit application on the property located at 1800 N Jim Wright Freeway. By way of background, I submitted the Application through email and the application was returned to me on April 27, 2022. The Application sought a permit for the construction of a freestanding sign that would meet or exceed all regulations through the City of White Settlement's Code of Ordinances. The Application included various renderings of the proposed sign, which included examples of messages promoting activities located on the property where the sign is to be located, and elsewhere, as well as community service and political messages. The City's denial of the Application based on the anticipated content of the messages to be displayed on the proposed sign constitutes an impermissible content-based regulation of speech. This can be seen in a growing list of opinions issued in state and federal courts across the country that have held unconstitutional the on- versus off-premise distinction found in White Settlement's sign regulations.

See Reed v. Town of Gilbert, 576 U.S. 155, 135 S.Ct. 2218, 192 L.Ed.2d 236 (2015), *Thomas v. Bright*, 937 F.3d 721, 733 (6th Cir. 2019); *Auspro Enterprises, L.P. v. Texas Department of Transportation*, 506 S.W.3d 688 (Tex. App.—Austin 2016, pet. granted, judgment vacated w.r.m.); *Reagan National Advertising of Austin, Inc. v. City of Cedar Park*, No. AU-17-CA-00717-SS, 2019 WL 3845455, at *5 (W.D. Tex. Aug. 15, 2019); *L.D. Mgmt. Co. v. Thomas*, No. 3:18-CV-722-JRW, 2020 WL 1978387, at *2 (W.D. Ky. Apr. 24, 2020).

On April 24, 2020, the United State District Court for the Western District of Kentucky issued its opinion in *L.D. Mgmt. Co. v. Thomas*, holding that the on- versus off-premise distinction in Kentucky's billboard statute was content-based, subject to "heightened judicial scrutiny," and therefore "unconstitutional in its entirety." No. 3:18-CV-722-JRW, 2020 WL 1978387, at *3 (W.D. Ky. Apr. 24, 2020). On September 4, 2020, the United States Court of Appeals for the Sixth Circuit issued its opinion in *Int'l Outdoor, Inc. v. City of Troy, Michigan*, once again following the line of cases applying a strict scrutiny analysis to content-based regulations of speech, and rejecting the attempts of the government to draw distinctions based on commercial and non-commercial speech. No. 19-1151, 2020 WL 5269822, at *11 (6th Cir. Sept. 4, 2020).

The City's prohibition of "off-premises signs" infringes on my right to convey specific forms of speech, and is therefore unenforceable. I requested the City's permission to build a freestanding sign without specifying the messages I intended to display on the sign. My Application, however, included renderings of the proposed sign displaying both on- and off-premise messages and was denied because of this. Thus, the City had to differentiate between the types of content I could display on



the sign in order to justify the denial of my Application. As a result, the City's sign regulations are content-based, subject to a strict scrutiny constitutional review, and ultimately unconstitutional.

Because the City's sign regulations, including the prohibition of off-premise signage, are unconstitutional, the City's official erred in denying my Application. As such, I respectfully request that the City reverse the decision of the City Planner and issue the requested permit.

Sincerely,

Cody Keller

Keller Outdoor Advertising

(830)388-2522

kelleroutdooradvertising@gmail.com



SIGN PERMIT APPLICATION

Date: 4/20/2022

Address where sign will be located: 1300 N Jim Wright Freeway, White Settlement, TX 76108

Elevation of property where sign will be located: Leave Blank Per Instructions from Jill

Sign Erector Lic # 18287 Business name: Sign Erection Ltd. dba Sign Company

Master Sign Electrician # 19900 Business name: Black Electric Contracting Co., Inc.

Applicant's name: Texas NaCK Enterprises LLC Phone 830-388-2522

Type of Sign:

☐ Attached illuminated	☒ Detached Illuminated Sign
☐ Attached Non-Illuminated	☐ Detached Non-Illuminated
☐ Banner	☐ Portable
☐ Developer Sign	

Sign Measurement (feet & inches) ☒ Double Faced (Y/N)

10'6" Sign Height 36' Width

50' Height to top of Grade 14 Elec Amps. (if illuminated)

Cost of Project: \$360,000.00

ALL ELECTRICAL TO SIGN MUST BE UNDERGROUND

.....
For Building Official Use Only:

\$_____ Total Permit Fee

Approved _____ Denied _____ Date _____

214 Meadow Park Dr., White Settlement, Texas 76108
817-246-4971 (office) 817-246-8761 (fax)

Keller Outdoor Advertising



P.O. Box 1081 • Boerne, TX 78006 • (830)388-2522 •
kelleroutdooradvertising@gmail.com

Date: April 20, 2022

LED Digital Sign Permit Application: 1300 N Jim Wright Freeway, White Settlement, TX 76108 - Summary Letter

Keller Outdoor Advertising is hereby submitting a new LED Digital Sign Permit Application located on the private property described below in the City of White Settlement, TX

Sign owner: Texas NaCK Enterprises LLC dba Keller Outdoor Advertising

Landowner: DCP 1300 North Jim Wright Freeway LLC

Location/ Site: 1300 North Jim Wright Freeway, White Settlement, TX 76108

Sign Number, Size and Type: 1 Freestanding Freeway Pole (Pylon) Sign; 50' Overall Height; 10.5'x36' LED Digital Sign Faces (2 Sided)

Property Zoning: C-C, Corridor Commercial & Mixed Use Overlay District

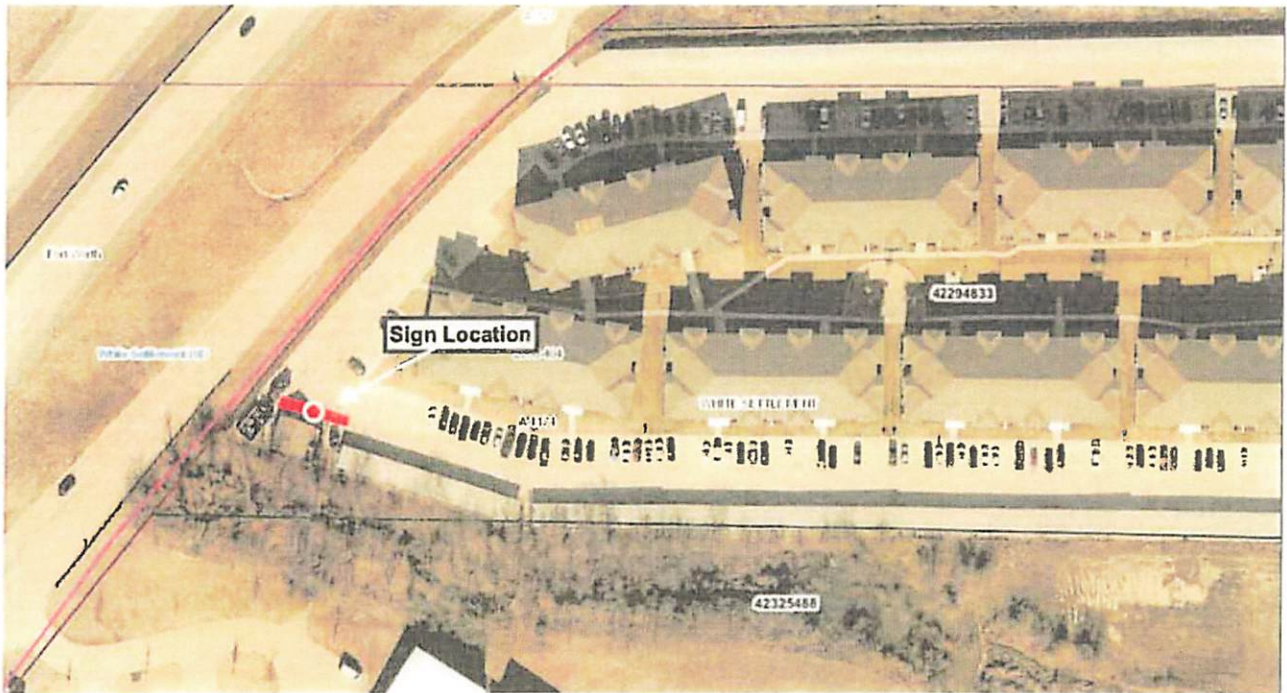
Enclosed you will find the following documents to support my LED Digital Sign permit application:

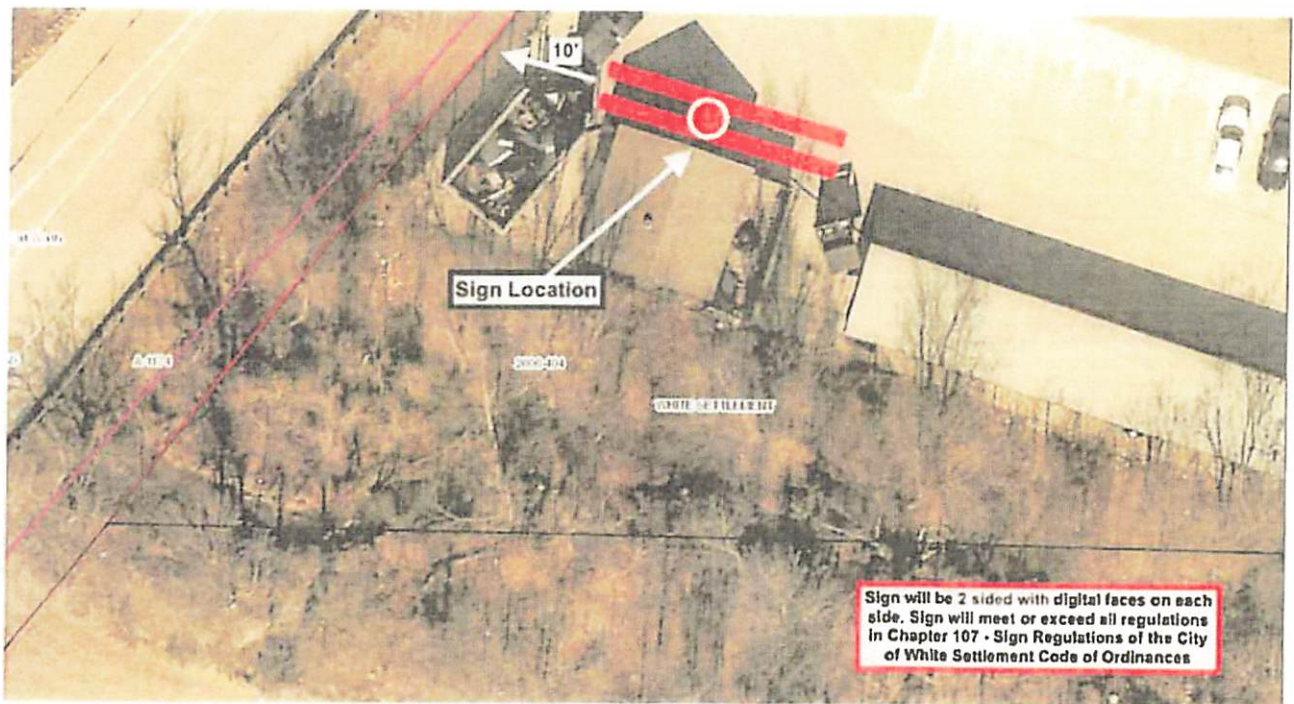
- City of White Settlement Permit Application
- Sign Mockup with Ad Content Examples
 - Renderings include ad content displaying Non-commercial messages - Free Speech Messages, Religious Messages, Political Messages, Public Safety Messages and Municipal Local Community Support
 - Renderings include On-Premise Message for Oak View Apartments (the On-Premise Tenant)
 - Renderings include Off-Premise Message for a local advertiser
- Site Plan showing the pole placement - sign will meet all Setback Requirements
- Engineered Drawings showing sign dimensions

Please review everything at your convenience and let me know if there are any questions or if you need any additional information.

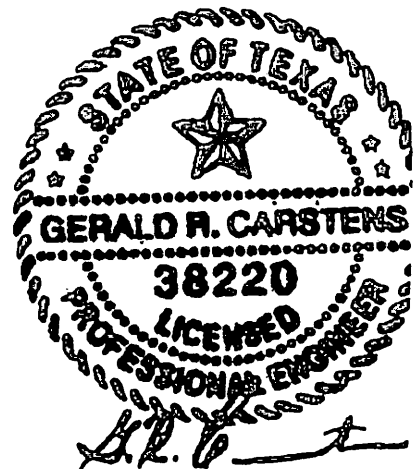
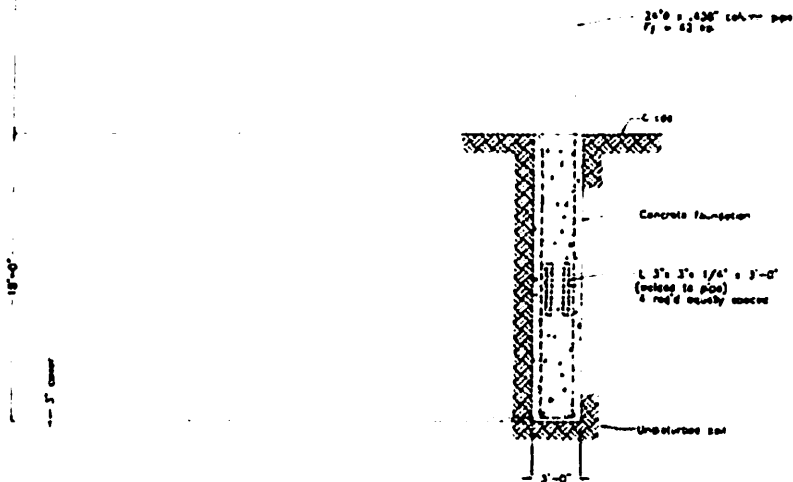
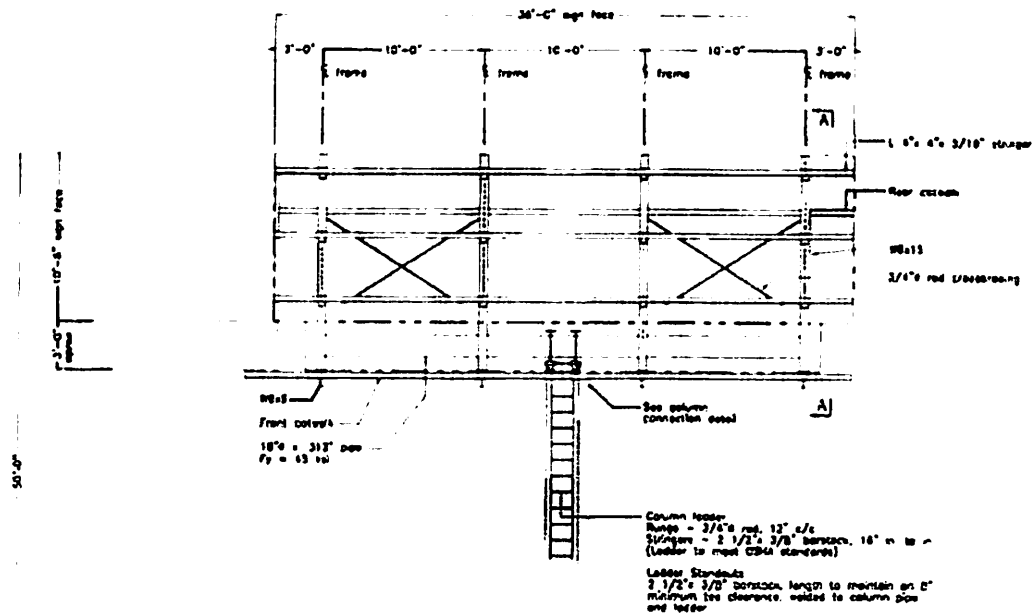
Sincerely,

Cody Keller





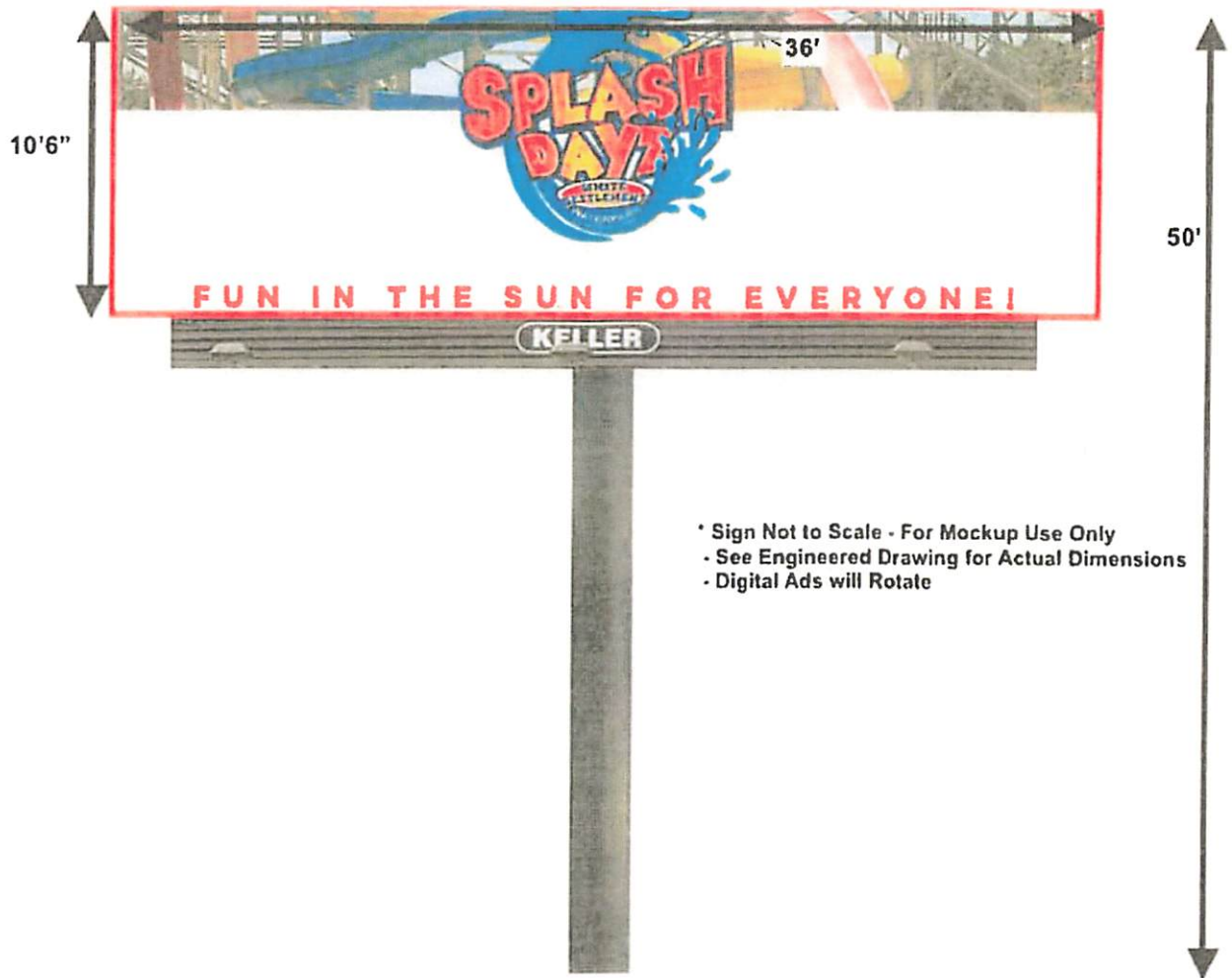


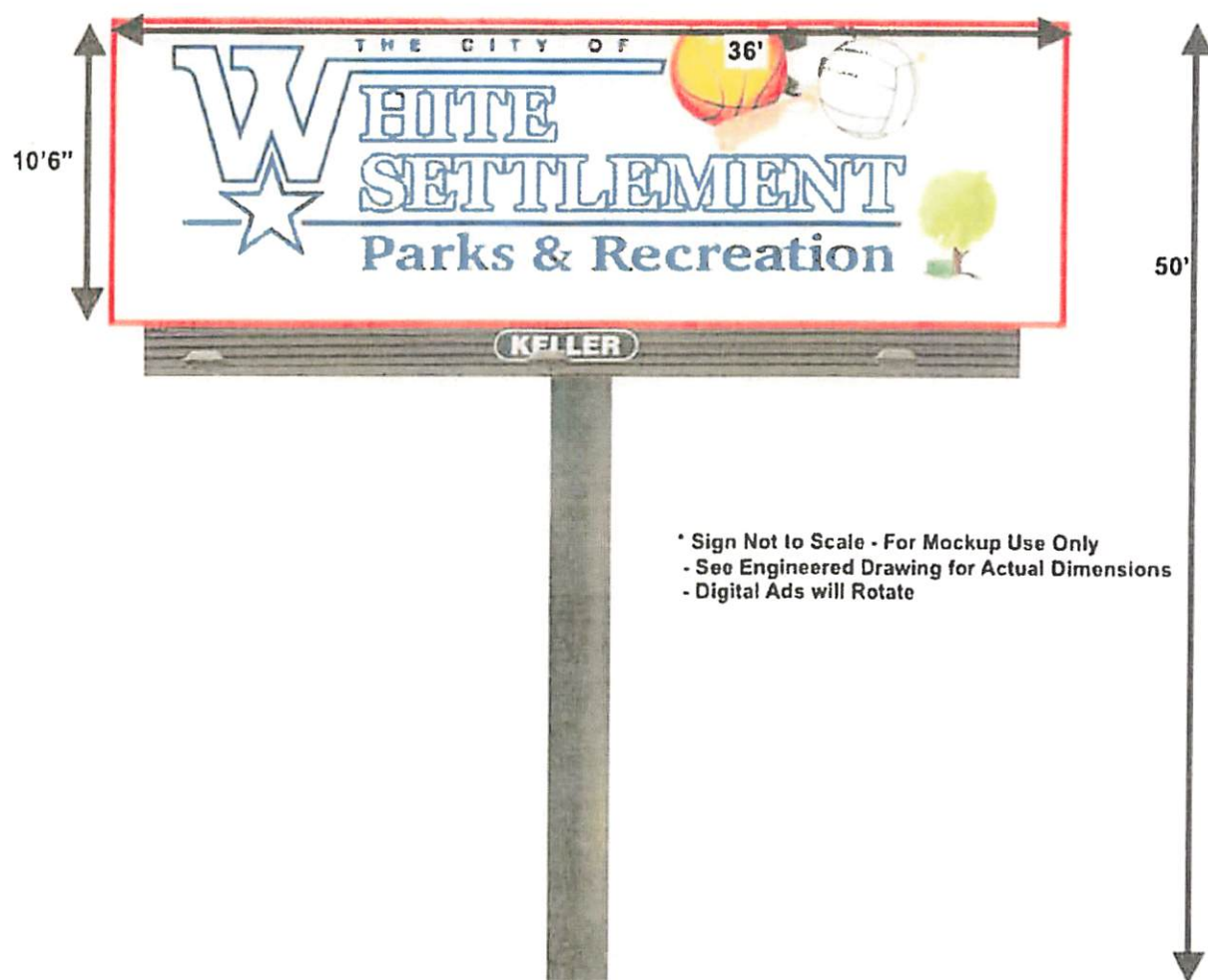




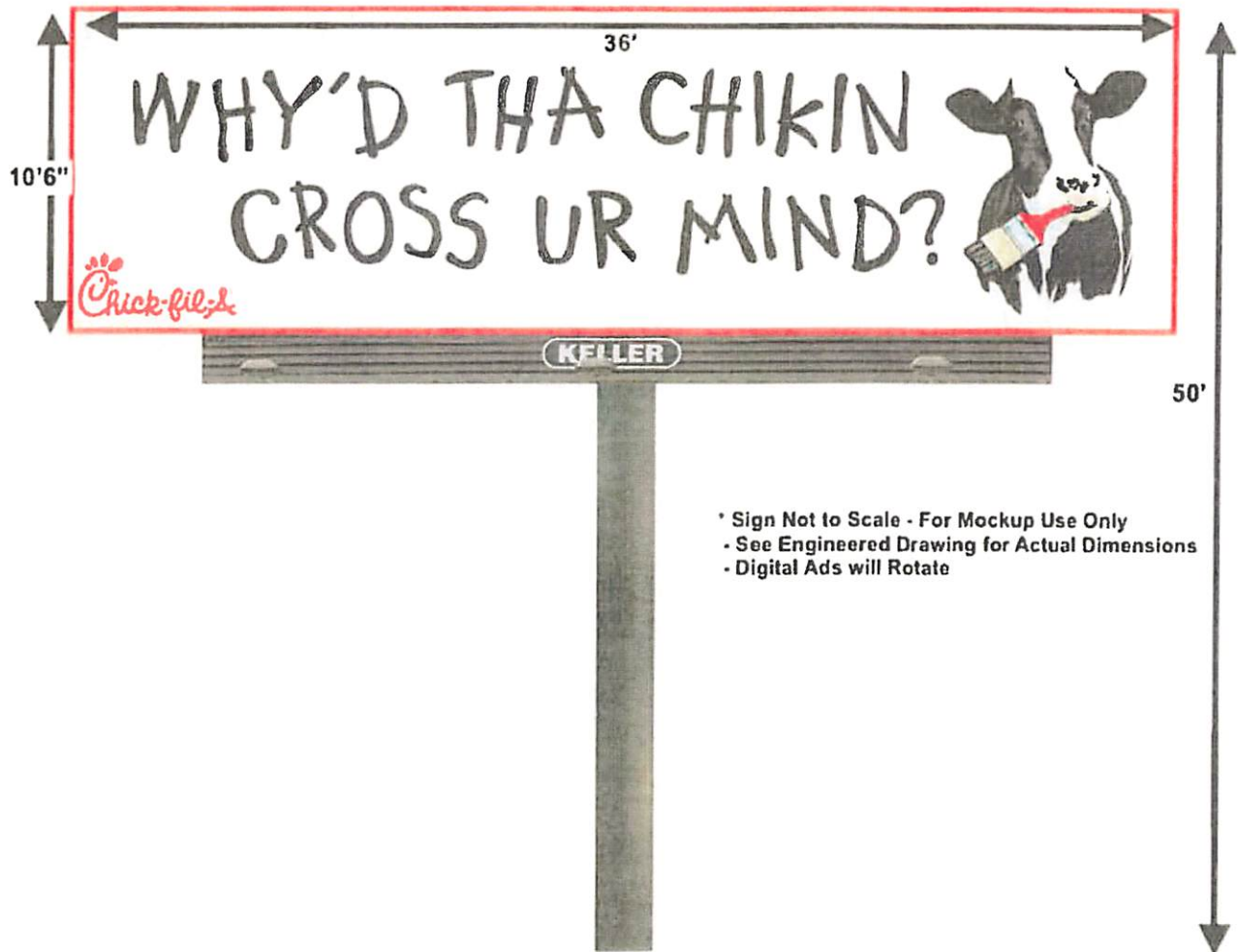
- * Sign Not to Scale - For Mockup Use Only
- See Engineered Drawing for Actual Dimensions
- Digital Ads will Rotate













CONTRACTOR REGISTRATION FORM

City of White Settlement • Permit Department
214 Meadow Park Drive White Settlement, TX 76108
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SELECT REGISTRATION TYPE

- ☒ General Contractor * ☐ Mechanical Heat and Air Conditioning
☐ Electrical / Sign Electrician or Master Electrician only**
☐ Plumbing / Master Plumber Only** ☐ Utility Contractor / Subcontractor

*Includes but not limited to Building Contractor, Fire Protection System Contractor, Paving Contractor, Demolition Contractor, Remodeling Contractor, Sign Contractor, Sprinkler System Contractor, Swimming Pool Contractor. ** [City Code Ch103 §103.250]

Business Name: Sign Erection Ltd dba Sign Company
Business Address: 11138 S. Pipeline Rd. Euless TX 76040 PO Box 9 Euless TX 76039
(Street) (City) (State) (Zip)

License Holder / Officer / Owner Name: Woody Barnes
Business Phone: 817 267 1554 Cell Phone: 817 917 1366 Email: woodysignco@aol.com
State License #: 18287 State License Expiration Date: 1 / 10 / 2023

Personnel authorized to obtain a permit under this company name:

(use company letterhead for additional names)

1) Woody Barnes 2) Body Keller 3) _____

The information submitted for this registration is true and accurate to the best of my knowledge. I understand that permits are required to be issued prior to commencement of any and all construction work, and that periodic inspections must be requested by myself or my staff, to be performed by the Building Inspector. The city reserves the right to hold or deny permits to contractors who fail to complete and obtain finals for each permit issued under their registration. Further the city may fine or suspend the registration of any contractor who fails to comply with applicable city, state, or federal codes and regulations. If citations are issued for violations, the city is obligated to contact any applicable licensing board.

Signature: [Signature] Date: 4/14/2022
Printed Name: Woody Barnes Title: Partner

City Use Only: Received on _____ Reviewed & Filed by _____

Rick Figueroa
Chair

Thomas F. Butler
Vice Chair



Gerald R. Callas, M.D., F.A.S.A.
Helen Callier
Joel Garza
Gary F. Wesson, D.D.S., M.S.
Nora Castañeda

Electrical Sign Contractor

SIGN ERECTION LTD DBA SIGN COMPANY

License Number: 18287

The business named above is licensed by the Texas Department of Licensing and Regulation

License Expires: JANUARY 10 2023

Brian E. Francis
Executive Director

lic-037.dif



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/30/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER
Higginbotham Insurance Agency, Inc.
600 W. 13th Street
Fort Worth TX 76102

CONTACT NAME: Carla O'Neill

PHONE: 882-226-7443

FAX: 817-882-8284

E-MAIL: cdoneill@higginbotham.net

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Employers Mutual Casualty Company

21415

INSURER B: Texas Mutual Insurance Company

22945

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED
Sign Company
Sign Erection LTD DBA
P O Box 8
Euless TX 76039-0008

SIGNCOM-02

COVERAGES

CERTIFICATE NUMBER: 128598810

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSUR LTR	TYPE OF INSURANCE	ADDL SUBR (REQD / NO REQD)	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ BOPD Ded \$1,000 ☒ Empol Benefit Liab GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:		5D23768	1/1/2022	1/1/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COM/POP AGG \$2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY		5E23768	1/1/2022	1/1/2023	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per person) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$10,000		5J23768	1/1/2022	1/1/2023	EACH OCCURRENCE \$3,000,000 AGGREGATE \$3,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	0001094003	1/1/2022	1/1/2023	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The General Liability and Automobile Liability policies include a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

The General Liability policy has a blanket Primary & Non Contributory endorsement that affords that coverage to certificate holders only where there is a written contract between the Named Insured and the certificate holder that requires such status.

The General Liability and Workers' Compensation policies include a blanket automatic waiver of subrogation provision that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it.
See Attached...

CERTIFICATE HOLDER

CANCELLATION

City of White Settlement
214 Meadow Park Drive
White Settlement TX 76106

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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RESOLUTION NO. 2022-09-014-019

**A RESOLUTION OF THE CITY OF WHITE SETTLEMENT, TEXAS,
ACKNOWLEDGING THE ANNUAL REVIEW AND APPROVAL OF
THE OFFICIAL INVESTMENT STRATEGY AND INVESTMENT
POLICY IN ACCORDANCE WITH PUBLIC FUNDS INVESTMENT
ACT (CHAPTER 2256 OF THE TEXAS GOVERNMENT CODE).**

WHEREAS, the City Council of the City of White Settlement recognizes that effective cash management is essential to good fiscal management; and

WHEREAS, the City Council shall review and adopt an Investment Strategies and Policy annually; and

WHEREAS, the attachment to this resolution otherwise known as “Attachment A” serves to satisfy the statutory requirement (specifically the Public Funds Investment Act, Chapter 2256 of the Texas Government Code) by setting forth specific investment policy and strategy guidelines for the City of White Settlement in order to achieve the goals of safety, liquidity, public trust, and yield for all investment activity; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WHITE SETTLEMENT, THAT:

Section 1

The Investment Policy, more fully described in Attachment “A” attached hereto and made a part hereof, is hereby adopted as the official Investment Policy of the City of White Settlement.

Section 2

This resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED THIS THE 6th DAY OF September, 2022.

Ronald White, Mayor

ATTEST:

Amy Arnold, TRMC, CMC
City Secretary

RESOLUTION NO. 2022-09-015-020

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

WHEREAS, the Public Funds Investment Act (the “PFIA”), Chapter 2256 of the Texas Government Code provides for the investment of public funds; and,

WHEREAS, it is in the best interest of the City to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the PFIA; and,

WHEREAS, the City desires to continue its investment program to enhance earnings on available funds, consistent with the City’s Investment Policy and the Public Funds Investment Act; and,

WHEREAS, Valley View Consulting, L.L.C., an SEC registered investment advisor, has submitted a proposal to provide non-discretionary management of the City’s investment portfolio; and,

WHEREAS, the City desires to engage Valley View Consulting, L.L.C., for such purposes; and,

WHEREAS, investment advisory service is a professional service, and as such, the bidding requirements of the Purchasing and Contracting Authority of Municipalities, Chapter 252 of the Texas Local Government Code, are not applicable; and

WHEREAS, investment related fees shall not exceed budgeted City funds for each year that investment advisory services are provided and City funds are appropriated; and,

WHEREAS, the City has complied with the applicable purchasing requirements of state and federal law including, but not limited to, Chapter 252 of the Texas Local Government Code; and

ORDINANCE 2022-09-016-23

AN ORDINANCE AMENDING ORDINANCE 2021-09-018 TO PROVIDE FOR REVISIONS TO THE CITY OF WHITE SETTLEMENT, TEXAS OPERATING BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, INCREASING COSTS IN THE GENERAL FUND

WHEREAS, as on September 7, 2021 the City Council of the City of White Settlement, Texas, approved Ordinance No. 2021-09-018 adopting the Operating Budget for the City of White Settlement, Texas, for the fiscal year beginning October 1, 2021 and ending September 30, 2022; and

WHEREAS, the City would like to increase the following departments and accounts in the Stormwater Fund for a total of \$40,000:

- Stormwater - \$40,000
 - Salaries - \$40,000;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS:

Section 1.

That the 2021-2022 City of White Settlement, Stormwater Fund stormwater budget is hereby increased by \$40,000 in expenses.

Section 2.

That this ordinance be effective immediately upon its passage, and it is accordingly so ordained.

PASSED AND ADOPTED on this the 6th day of September, 2022.

APPROVED:

Ronald White, Mayor

ATTEST:

Amy Arnold, City Secretary

WHEREAS, a contract for investment advisory services must be approved by the governing body by order, ordinance, or resolution for a term not to exceed two years, including any extensions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS:

SECTION 1.

That the Agreement attached hereto having been reviewed by the City Council of the City of White Settlement, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved, and that the City Manager is hereby authorized to execute the Agreement on behalf of the City of White Settlement, Texas.

SECTION 2.

This Resolution shall become effective immediately upon its approval and passage.

PASSED AND APPROVED THIS 6th DAY OF SEPTEMBER, 2022.

Ronald A. White, Mayor

ATTEST:

Amy Arnold, TRMC, CMC
City Secretary

APPROVED AS TO FORM:

Drew Larkin, City Attorney

ORDINANCE NO. 2022-09-017-24

AN ORDINANCE ADOPTING THE OPERATING BUDGET FOR THE CITY OF WHITE SETTLEMENT, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023.

WHEREAS, the City of White Settlement is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Manager of the City has filed with the City Secretary a budget outlining all proposed expenditures of the Government of the City for the fiscal year beginning October 1, 2022, and ending September 30, 2023, (hereinafter referred as the "Budget"); and

WHEREAS, the Budget, a copy of which is attached hereto as Exhibit "A" and incorporated herein for all purposes, specifically sets forth each of the various projects and departments for which appropriations are delineated , and the estimated amount of money carried in the Budget for each; and

WHEREAS, the Budget has been filed with the City Secretary for at least thirty (30) days before the date the City Council makes its tax levy for the fiscal year and such Budget has been available for inspection by any taxpayer; and

WHEREAS, public notice of a public hearing on the proposed Budget, stating the date, time, place and subject matter of said public hearing, was given as required by the laws of the State of Texas; and

WHEREAS, such public hearing was held on August 30, 2022, prior approval of such date being hereby ratified and confirmed by the City Council, and those wishing to speak on the Budget were heard; and

WHEREAS, the City Council has studied the Budget and listened to the comments of the taxpayers at the public hearing held thereon and has determined that the Budget attached hereto is in the best interest of the City and that same should be approved and adopted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS

Section 1.

All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

The Budget as set forth in Exhibit "A," of the revenue of the City and the expenditures / expenses of conducting the affairs thereof for the ensuing fiscal year beginning October 1, 2022 and ending September 30, 2023, is hereby adopted and approved, and there is hereby appropriated from the funds indicated therein such sums for the projects, operations, activities, purchases, accounts and other expenditures proposed in the Budget.

Section 3.

No expenditure / expense of the funds of the City shall hereafter be made except in compliance with the budget and applicable state law; provided, however, that in case of grave public necessity to meet unusual and unforeseen conditions, which could not by reasonable, diligent thought and attention have been include in the original budget or from time to time be authorized by the City Council as amendments to the original Budget.

Section 4.

The City Manager shall file or cause to be filed a true and correct copy of this ordinance, along with the approved Budget attached hereto, with the City Secretary. The City Manager shall file or cause to be filed a true and correct copy of this ordinance, along with the approved Budget attached hereto, and any amendments thereto, in the office of the County Clerk of Tarrant County, Texas, as required by State law.

Section 5.

That the City Manager, and/or Finance Director is authorized to invest any funds not needed for current use, whether operating funds or bond funds according to the adopted Investment Policy, all of which investments shall be made in accordance with the law.

Section 6.

Any and all ordinances, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this ordinance are hereby repealed and rescinded to the extent of conflict therewith.

Section 7.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 8.

The fact that the fiscal year begins October 1, 2022 requires that this Ordinance be effective upon its passage and adopted to preserve the public peace, property, health, safety, and shall be in full force and affect from and after its passage and adoption.

PASSED AND APPROVED this the 6th day of September, 2022 by the City Council of the City of White Settlement, Texas.

Approved:

Ronald White
Mayor

Attest:

Amy Arnold, TRMC, CMC
City Secretary

Attachment A

ORDINANCE NO. 2022- 09-018-25

AN ORDINANCE OF THE CITY OF WHITE SETTLEMENT, TEXAS, AFFIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023, AT A RATE OF \$0.712115 PER \$100.00 OF ASSESSED VALUE ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS FOR THE CITY OF WHITE SETTLEMENT, AS OF JANUARY 1, 2021, AND PROVIDING FOR COLLECTION OF AD VALOREM TAXES.

WHEREAS, the City of White Settlement is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of White Settlement, Texas, held a public meeting to discuss and take a record for the proposed 2022 property tax rate on August 10, 2022 of \$0.712115 upon each one hundred dollar (\$100) valuation of all taxable real and personal property within the City of White Settlement, Texas; and,

WHEREAS, all statutory and constitutional requirements concerning the levying and assessing of ad valorem taxes have been completed in due and correct time, including providing notice of and conducting a public hearing on August 24, 2022 regarding the ad valorem tax levied hereby; and

WHEREAS, the City Council of the City of White Settlement, Texas, hereby finds that the tax for the fiscal year beginning October 1, 2022 and ending September 30, 2023, hereinafter levied for the current expenditures and the general improvements of the City and its property, must be levied to provide the revenue requirements of the budget for the ensuing year; and

WHEREAS, the City Council has approved on the 7th day of September 2022, the budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS:

Section 1.

That the City Council of the City of White Settlement hereby levies and adopts the tax rate on One Hundred Dollars (\$100.00) of assessed valuation for this city for the tax year 2022 as follows:

<u>Tax Rate</u>	<u>Purpose</u>
\$0.589803	Maintenance and operations
<u>\$0.122312</u>	Interest & sinking on general obligation debt

\$0.712115 Total Tax Rate

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.77 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-26.67.

Section 2.

That the taxes herein are levied according to law and shall be due and payable on October 1, 2022, and the same shall become delinquent on February 1, 2023. Should any taxpayer fail to make payment before the date of delinquency, the penalty as provided by law shall be assessed until the unpaid taxes and penalty have been satisfied.

Section 3.

Pursuant to the authority granted by Section 33.07 of the Texas Tax Code, in the event that 2022 taxes and taxes for all subsequent years become delinquent on or after February 1st but not later than May 1st of the year in which they become delinquent, and in the event such delinquent taxes are referred to an attorney for collection, an additional amount of twenty percent (20%) of the total amount of tax, penalty and interest then due shall be added as collection costs to be paid by the taxpayer, for all taxes delinquent on or after July 1, 2023.

Section 4.

Pursuant to the authority granted by Section 33.08 of the Texas Tax Code, the City further provides that all 2022 taxes and taxes for all subsequent years that become delinquent on or after June 1st of the year in which they become delinquent shall, in order to defray the costs of collection, incur an additional 20% of the delinquent tax, penalty and interest.

Section 5.

The tax assessor/collector for Tarrant County is hereby authorized to assess and collect the Ad Valorem taxes, interest, and penalties of the City of White Settlement, Texas. All current and delinquent tax collections on the 2022 tax levy shall be deposited as provided in Section 1 of this ordinance. All interest and penalties and collections of delinquent taxes levied in prior years shall be deposited in the General Fund of the City.

Section 6.

In the event any section, sub-section, clause, sentence, or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no means affect any other section, sub-section, clause sentence, or phrase of this ordinance, but all the rest thereof shall be in full force and effect just as though the section, sub-section, sentence,

clause or phrase so declared or adjudged invalid or unconstitutional was not originally a part thereof.

Section 7.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS, on this the 6th day of September 2022.

Approved:

Ronald White
Mayor

Attest:

Amy Arnold, TRMC, CMC
City Secretary

ORDINANCE 2022-09-019-26

AN ORDINANCE RATIFYING AND APPROVING AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF WHITE SETTLEMENT, TEXAS, COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022 AND ALL OTHER ACTIONS TAKEN IN CONNECTION WITH SAID CERTIFICATES OF OBLIGATION

THE STATE OF TEXAS	§
COUNTY OF TARRANT	§
CITY OF WHITE SETTLEMENT	§

WHEREAS, on July 5, 2022, the City Council of the City of White Settlement, Texas (the “City”) passed a resolution authorizing and directing the City Secretary to give notice of intention to issue certificates of obligation (“Certificates of Obligation”), and said notice has been duly published in a newspaper of general circulation in said city, said newspaper being a “newspaper” as defined in Section 2051.044, Texas Government Code;

WHEREAS, on August 30, 2022, at a called meeting of the City Council, the City Council declared an emergency measure in accordance with Section 16 of the City’s Home Rule Charter and duly adopted a written ordinance (referred to herein as the “2022 CO Ordinance”) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF WHITE SETTLEMENT, TEXAS, COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID CERTIFICATES; APPROVING THE OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT;

WHEREAS, the City has received no petition from the qualified electors of the City protesting the issuance of the Certificates of Obligation;

WHEREAS, it is considered to be to the best interest of the City to ratify and approve all prior actions of the City Council, City staff and consultants taken in connection with the Certificates of Obligation, including, but not limited to, the adoption of the 2022 CO Ordinance;

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Chapter 551, Texas Government Code; Now, Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS:

Section 1. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

Section 2. Attached hereto as Exhibit A is a true, full and correct copy of the 2022 CO Ordinance adopted at the August 30, 2022 meeting of the City Council described in the recitals of the preamble hereof.

Section 3. The City Council hereby ratifies and approves the adoption of the 2022 CO Ordinance and all prior actions of the City Council, City staff and consultants taken in connection with the Certificates of Obligation.

Section 4. The City Council hereby authorizes and directs the Mayor, City Manager, City Secretary, Director of Finance and all other officers, employees and agents of the City, in consultation with the City Attorney, if necessary, to do and perform all such acts and to execute, acknowledge and deliver in the name and on behalf of the City such documents, agreements, certificates and other instruments, whether or not mentioned in this Ordinance, as may be necessary or desirable in order to carry out the terms, provisions and actions provided for in this Ordinance and in connection with the issuance of the Certificates of Obligation.

Section 5. In accordance with the provisions of Texas Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

(Execution page follows.)

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WHITE
SETTLEMENT, TEXAS on this _____.

ATTEST:

Mayor, City of White Settlement, Texas

City Secretary, City of White Settlement, Texas

[CITY SEAL]

EXHIBIT A

[2022 CO ORDINANCE]



To: Honorable Mayor and City Council

From: Amy Arnold, City Secretary

Date: September 6, 2022

City Manager Jeffrey J. James and Chief of Police Christopher Cook met with the Civil Service Commission on August 18, 2022 to brief members on the reorganization of the Police Department, which includes a reduction of corporals from nine (9) to six (6) and an increase in officers from sixteen (16) to nineteen (19). This ordinance allows for the reclassification of officers and provides for an effective date.

Staff recommends approval.

ORDINANCE 2022-09-020-27

AN ORDINANCE REPEALING AND REPLACING ORDINANCE 2021-11.024 PROVIDING FOR THE CLASSIFICATION OF POLICE OFFICERS AND PRESCRIBING THE NUMBER OF POSITIONS WITHIN EACH CLASSIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of White Settlement adopted provisions of Section 143 of the Local Government Code as its own Municipal Civil Service Act; and

WHEREAS, the Civil Service Commission of the City of White Settlement is required by Section 143.021 of the Texas Local Government Code to provide for the classification of police officers and the City Council of the City of White Settlement is to prescribe by ordinance the number of positions in each classification; and

WHEREAS, the total number of classified positions of the City of White Settlement Police Department will remain at thirty-four (34) positions and the budget will not be adversely affected.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS, THAT:

SECTION I.

Ordinance number 2021-11-024 is hereby repealed and replaced by this ordinance setting the City of White Settlement Police Officer Classification Schedule and the number of positions in each classification to read as follows:

TITLE	NUMBER OF EMPLOYEES
Police Officer	19
Police Corporal	6 (WSPD has 7 – Will reduce through attrition)
Police Sergeant	5
Police Lieutenant	2
Police Assistant Chief	1
Police Chief	1

SECTION II.

This Ordinance shall be in full force and effective _____, 2022.

PASSED AND APPROVED on this ____ day of _____, 2022.

APPROVED

ATTEST:

Ronald A. White, Mayor

Amy Arnold, TRMC, CMC
City Secretary

INFORMAL REPORT TO MAYOR AND COUNCIL



Interlocal Cooperation Agreement with City of Fort Worth

City Council Meeting Date: September 6, 2022

ISSUE

The City of White Settlement Police Department is requesting to enter into a revised Interlocal Cooperation Agreement between the City of Fort Worth and City of White Settlement regarding establishing concurrent enforcement jurisdiction. The current Interlocal Cooperation Agreement between the two cities only establishes enforcement related to panhandlers and homelessness issues.

DISCUSSION

This revised agreement would allow City of White Settlement Police Officers the ability to enforce traffic and criminal statutes along streets, roadways, and highways that are adjacent to the physical boundaries of the City of White Settlement. Specifically, South Loop 820/Jim Wright Freeway (both directions of north and southbound main highway lanes and service roads), West Freeway I.H. 30 (both directions of east and westbound main highway lanes and service roads), Alta Mere Drive/S.H. 183 from I.H. 30 to Westworth Village city limits, Bomber Road, Shore View Drive, and Heron Drive.

ACTION

The City of White Settlement Police Department is requesting approval of this Interlocal Cooperation Agreement.

ADDITIONAL INFORMATION

Attached:
Under separate cover:
Available in the City Secretary's Office:

Interlocal Cooperation Agreement
None
None

STAFF CONTACT(S)

Christopher Cook
Director of Public Safety
817-246-7070 x 103
ccook@WSPD.US

Jeff James
City Manager
817-246-4971
jjames@WSTX.US

the Transportation Code, Code of Criminal Procedure, Penal Code, and Health and Safety Code. White Settlement Police Officers will file fine-only misdemeanor cases within the original jurisdiction of Fort Worth, Texas with the Tarrant County Justice of the Peace Precinct 4. No arrests through immediate disposition of Subtitle C, Title 7, Transportation Code will be authorized by White Settlement Police Officers in the original jurisdiction of Fort Worth, Texas. White Settlement Police Officers will file misdemeanor and felony non-fine cases with the Tarrant County Criminal District Attorney's Office. White Settlement Police Officers will respond and assist the Fort Worth Police Department on calls for service within this Territory, as staffing allows.

3. TERMINATION

Either Party may terminate this Agreement upon thirty days' written notice to the other; provided, however, that termination shall not apply to any case pending on the effective date of termination.

4. INDEPENDENT CONTRACTOR

The Parties agree that this Agreement is not a joint enterprise and neither is an contractor, independent or otherwise, partner, or agent of the other.

5. PAYING FOR PERFORMANCE

Either Party paying for the performance of governmental functions or services under this Agreement will make those payments from current revenues available to the paying Party. This Agreement does not require an expenditure of City of Fort Worth funds; however the Parties agree that the Party paying for the performance of governmental functions or services under this Agreement has been fairly compensated.

6. RIGHT TO AUDIT

White Settlement agrees that Fort Worth shall, until the expiration of three years after final payment under this Agreement, or the final conclusion of any audit commenced during the said three years, have access to and the right to examine at reasonable times any directly pertinent books, documents, papers and records of the White Settlement involving transactions relating to this Agreement at no additional cost to Fort Worth. White Settlement agrees that Fort Worth shall have access during normal working hours to all necessary White Settlement facilities and shall be provided adequate and appropriate work space in order to conduct audits in compliance with the provisions of this section. Fort Worth shall give White Settlement reasonable advance notice of intended audits. Fort Worth and White Settlement acknowledge and agree that such access under this section is subject to the limitations and requirements under the Texas Public Information Act.

7. NOTICES

Notices required pursuant to the provisions of this Agreement shall be conclusively determined to have been delivered when (1) hand-delivered to the other Party, c/o the

designated person listed below; or (2) received by the other Party by United States Mail, registered, return receipt requested, addressed as follows:

City of Fort Worth
ATTN: Valerie R. Washington
Assistant City Manager
200 Texas Street
Fort Worth, Texas 76102-6311

City of White Settlement
ATTN: Jeffrey J. James
City Manager
214 Meadow Park Drive
White Settlement, Texas 76108

With Copy to the City Attorney
At same address

With Copy to City Attorney
At same address

8. GOVERNMENTAL POWERS/IMMUNITIES

It is understood and agreed that by execution of this Agreement, neither the City of Fort Worth nor the City of White Settlement waives or surrenders any of their governmental powers or immunities.

9. NO WAIVER

The failure of Fort Worth or White Settlement to insist upon the performance of any term or provision of this Agreement or to exercise any right granted herein shall not constitute a waiver of Fort Worth's or White Settlement's respective right to insist upon appropriate performance or to assert any such right on any future occasion.

10. GOVERNING LAW/VENUE

This Agreement shall be construed in accordance with the laws of the State of Texas. If any action, whether real or asserted, at law or in equity, is brought pursuant to this Agreement, venue for such action shall lie in state courts located in Tarrant County, Texas or the United States White Settlement Court for the Northern White Settlement of Texas, Fort Worth Division.

11. SEVERABILITY

If any provision of this Agreement is held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired

12. FORCE MAJEURE

Fort Worth and White Settlement shall exercise their best efforts to meet their respective duties and obligations as set forth in this Agreement, but shall not be held liable for any delay or omission in performance due to force majeure or other causes beyond their reasonable control, including, but not limited to, compliance with any government law, ordinance or regulation, acts of God, acts of the public enemy, fires, strikes, lockouts, natural disasters, wars, riots, material or labor restrictions by any governmental authority, transportation problems and/or any other similar causes.

13. HEADINGS NOT CONTROLLING

Headings and titles used in this Agreement are for reference purposes only, shall not be deemed a part of this Agreement, and are not intended to define or limit the scope of any provision of this Agreement.

14. APPROVAL OF AGREEMENT

The governing bodies of Fort Worth and White Settlement have approved the execution of this Agreement, and the persons signing the Agreement have been duly authorized by the governing bodies of Fort Worth and White Settlement to sign this Agreement on behalf of the governing bodies.

15. REVIEW OF COUNSEL

The Parties acknowledge that each Party and its counsel have reviewed and revised this Agreement and that the normal rules of construction to the effect that any ambiguities are to be resolved against the drafting Party shall not be employed in the interpretation of this Agreement.

16. AMENDMENTS

No amendment of this Agreement shall be binding upon a Party hereto unless such amendment is set forth in a written instrument, which is executed by an authorized representative of each Party.

17. ENTIRETY OF AGREEMENT

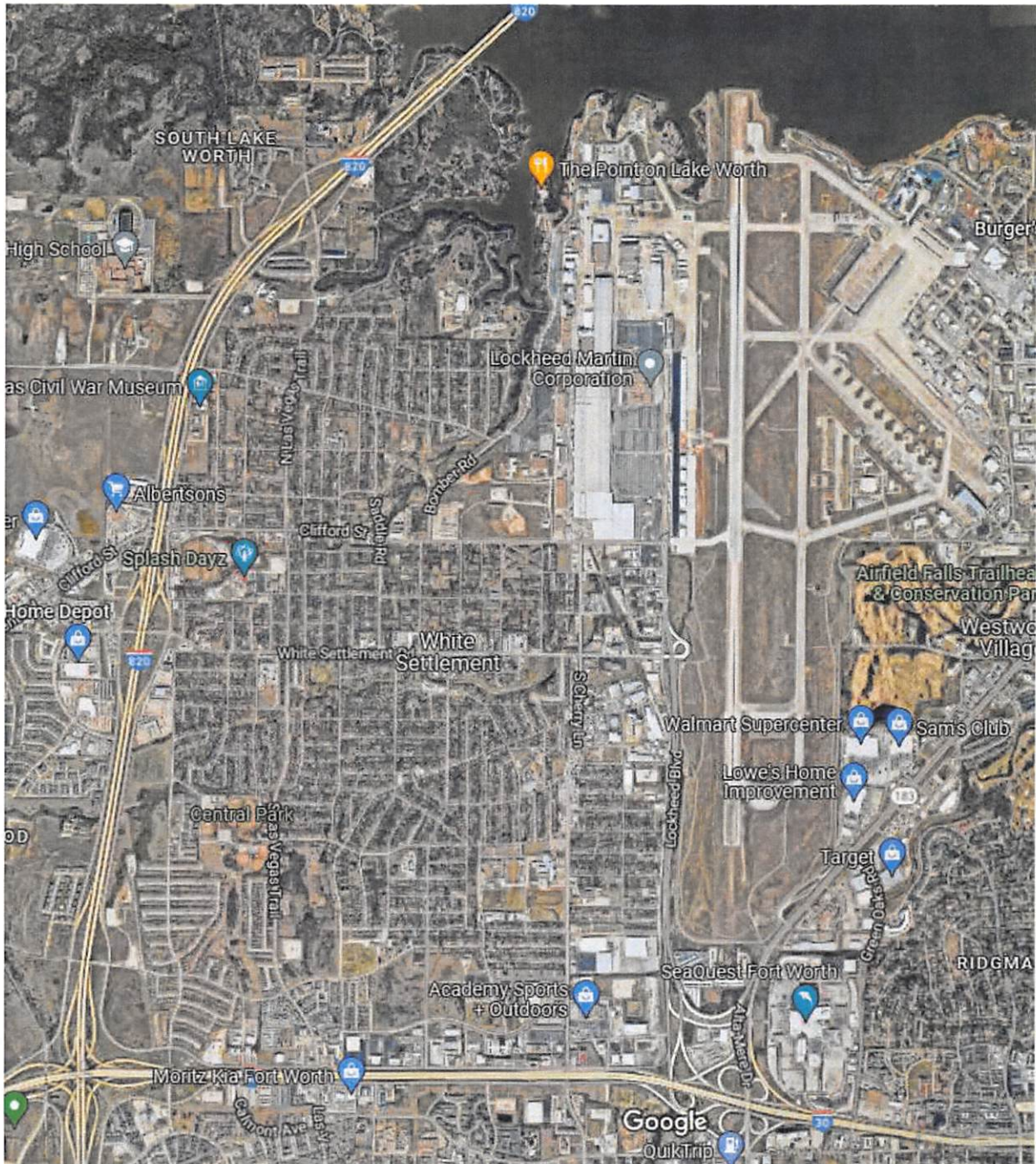
This Agreement, including Exhibit A, contains the entire understanding and agreement between Fort Worth and White Settlement, their assigns and successors in interest, as to the matters contained herein. Any prior or contemporaneous oral or written agreement is hereby declared null and void to the extent it conflicts with any provision of this Agreement.

18. COUNTERPARTS

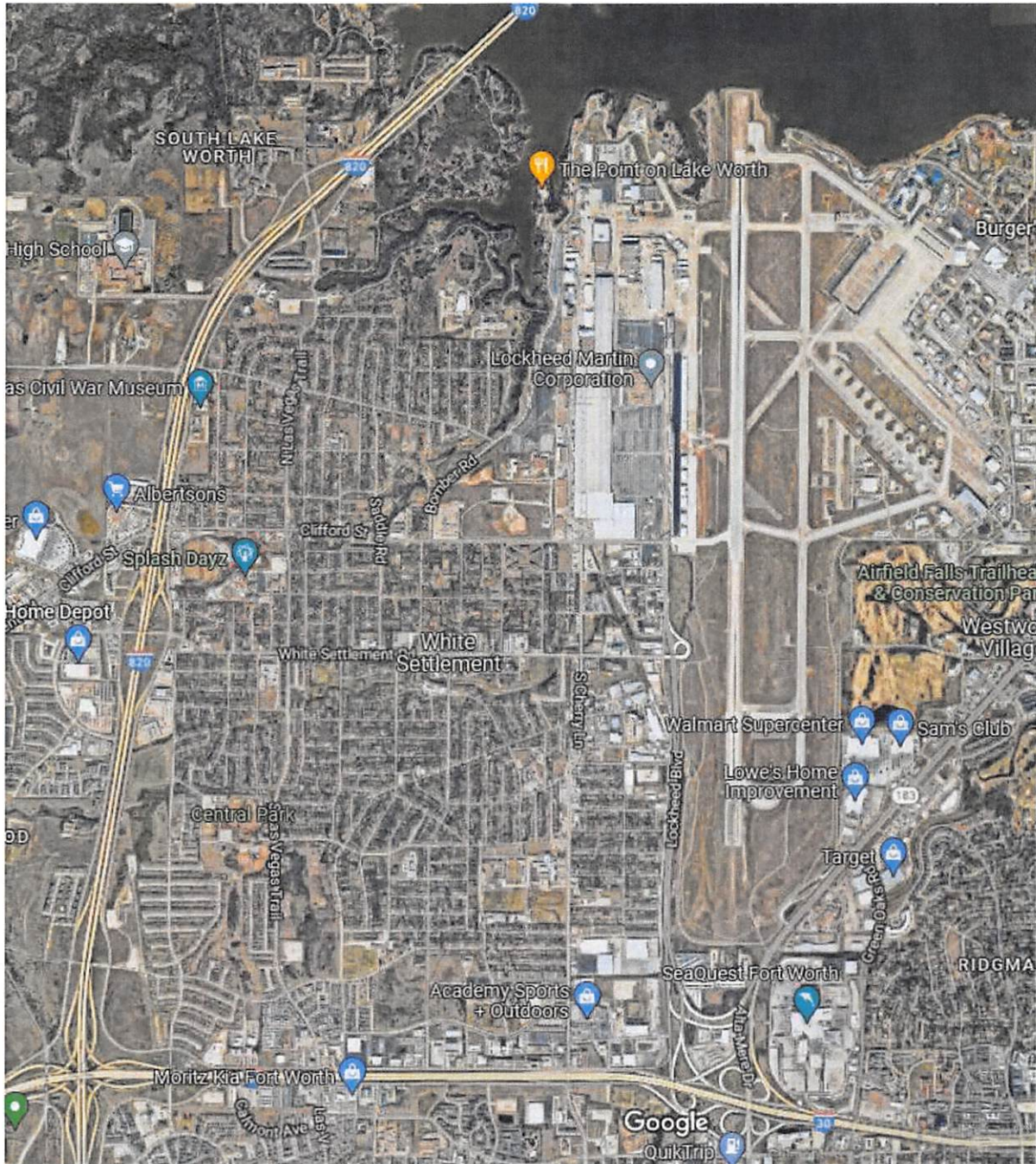
This Agreement may be executed in one or more counterparts and each counterpart shall, for all purposes, be deemed an original, but all such counterparts shall together constitute one and the same instrument.

EXHIBIT A

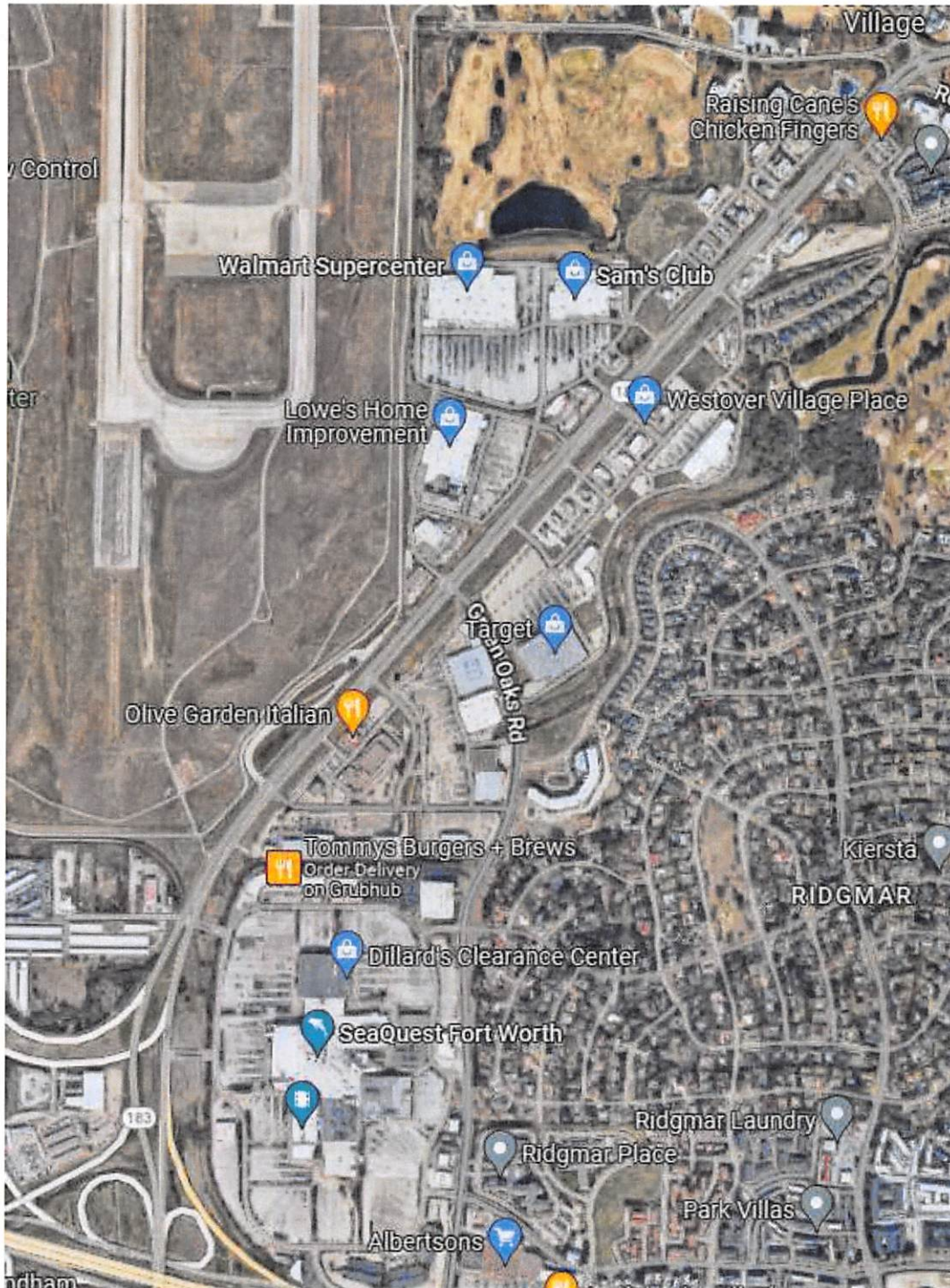
- 1) Between the 2700 block of South Loop 820 / Jim Wright Freeway and the 1400 block of North Loop 820 / Jim Wright Freeway.
 - a. Described as four land highway running north and south bound; including north and south bound access roads.
 - b. Consisting of a length of approximately 6.89 miles.



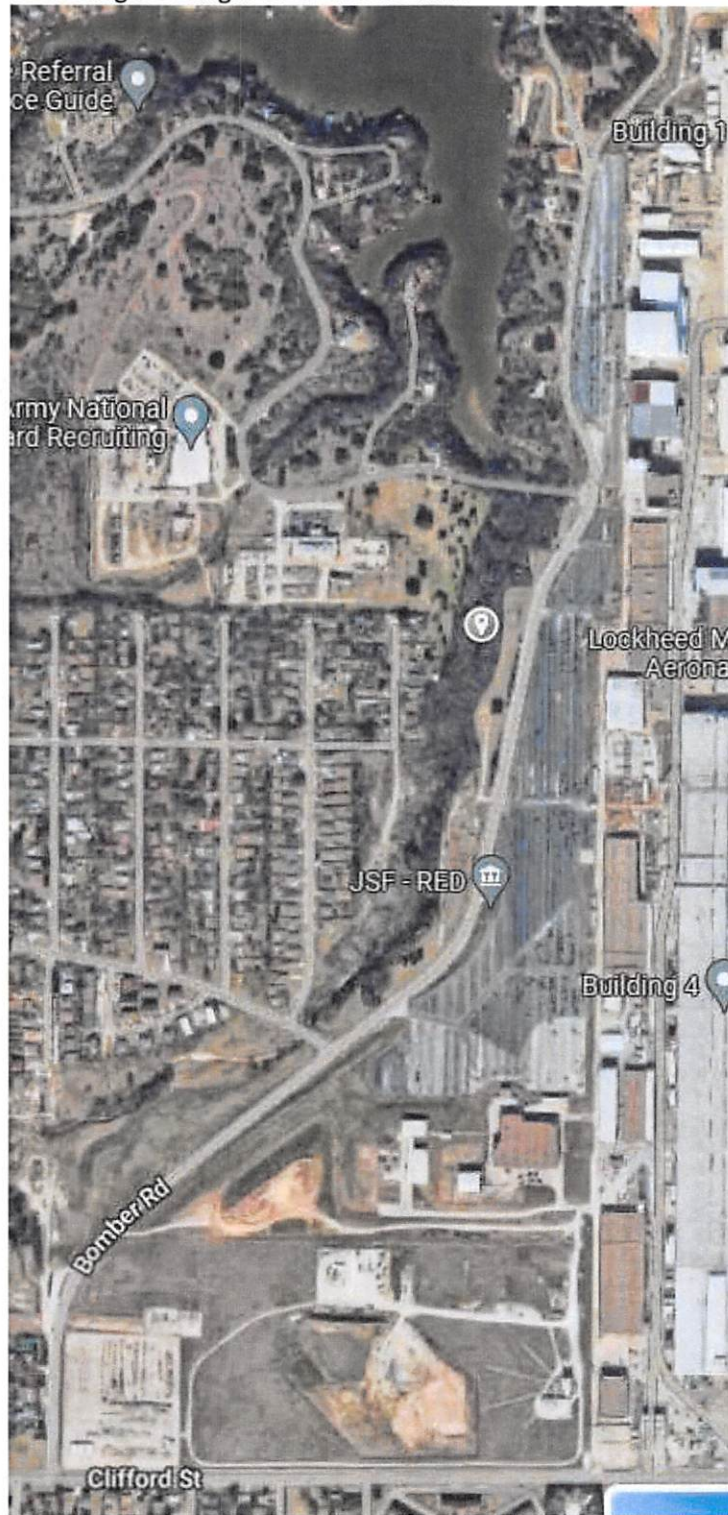
- 2) Between the 7300 block of West Freeway / Interstate 30 to the 9300 block of West Freeway / Interstate 30.
 - a. Described as a three lane highway that runs east and west; to include the two lane access roads.
 - b. Consisting length of approximately 4.8 miles.



- 3) Between the 300 block of Alta Mere Drive / State Highway 183 to the 2100 block of Alta Mere Drive / State Highway 183.
- a. Described as a four lane divided asphalt roadway that runs north and south bound.
 - b. Consisting of a length of about two miles.



- 4) Between the 500 block of Bomber Road and the 1100 block of Bomber Road.
- a. Described as a four land asphalt roadway.
 - b. Consisting of a length of about one mile.



- 5) Between 8000 block of Shore View Drive to the 8800 block of Shore View Drive.
- a. Described as a two lane asphalt roadway that runs east and west.
 - b. Consisting of a length of approximately .5 miles.



EXECUTED in multiple originals on the dates shown below.

CITY OF WHITE SETTLEMENT:

Ronald A. White
Mayor
City of White Settlement

Date: _____

ATTESTED BY:

Amy Arnold
City Secretary
City of White Settlement

Jeffrey J. James
City Manager
City of White Settlement

Date: _____

APPROVED AS TO FORM:

Drew Larkin
City Attorney
City of White Settlement



Christopher G. Cook
Chief of Police
City of White Settlement

Date: 8-22-2022

CITY OF FORT WORTH:

Neil Noakes
Chief of Police
Fort Worth Police Department

Date: _____

Fernando Costa
Assistant City Manager
City of Fort Worth

Date: _____

APPROVED AS TO FORM AND LEGALITY:

Taylor Paris
Assistant City Attorney
City of Fort Worth

Date: _____

ATTESTED BY:

Jannette Goodall
City Secretary
City of Fort Worth

Date: _____

CONTRACT COMPLIANCE MANAGER:

By signing, I acknowledge that I am the person responsible for the monitoring and administration of this contract, including ensuring all performance and reporting requirements.

Sasha Kane
Contract Compliance Specialist
City of Fort Worth

Agenda

Place 4 <place4@wstx.us>

Thu 8/11/2022 6:25 AM

To: Amy Arnold <aarnold@wstx.us>

 1 attachments (644 KB)

Screenshot_20220811-062258_Maps~2.jpg;

Amy I would like to add something to the agenda for the September 6th council meeting.

I would like to discuss dropping the speed limit from 40 to 30 in front of Veterans Park starting at the light at Easley going through to the light at 820.

Sent via the Samsung Galaxy S21 5G, an AT&T 5G smartphone

Get [Outlook for Android](#)



Search here



W



Home



Restaurants



Coffee



Jim Wright Fwy

820



Chick-fil-a

Chicken Express



Veterans Park
Softball Fields



Splash Dayz



Belzoni's Catfish Cafe'

Google



Latest in White Settlement



Explore



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Saved



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Updates

