



CITY OF LAKE WORTH

CITY COUNCIL AGENDA

**3805 ADAM GRUBB
LAKE WORTH, TEXAS 76135
TUESDAY, AUGUST 8, 2017**

REGULAR MEETING: 6:30 PM

Held in the City Council Chambers

A. CALL TO ORDER

A.1 INVOCATION AND PLEDGE OF ALLEGIANCE

A.2 ROLL CALL

A.3 SPECIAL PRESENTATION (S) AND RECOGNITION(S)

A.3.1 [Proclamation – Blood Cancer Awareness Month](#)

A.4 CITIZENS PRESENTATION / VISITOR COMMENTS

The City Council is always pleased to have citizens attend its meetings and welcomes comments during the Citizen/Visitor Comments section of the meeting; however, pursuant to the Texas Open Meetings Act, Council cannot deliberate or vote on issues not posted on the agenda. Therefore, those types of items must be posted 72 hours prior to the City Council meeting. If it is not posted, no deliberation between Council members may occur; Council may only respond with specific factual information or recite existing policy. With the exception of public hearing items, at all other times during the Council meetings, the audience is not permitted to enter into discussion or debate on matters being considered by Council. Negative or disparaging remarks about City personnel will not be tolerated. Speakers are requested to sign up with the City Secretary prior to the presiding officer calling the meeting to order. Comments will be limited to five (5) minutes per speaker.

A.5 REMOVAL OF ITEM(S) FROM CONSENT AGENDA

B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS

B.1 [Approve minutes of the July 11, 2017 City Council meeting.](#)

B.2 [Approve Finance Reports for the month of July 2017.](#)

B.3 [Approve annual Interlocal Agreement for participation in Fort Worth's Environmental Collection Center Household Hazardous Waste Program.](#)

B.4 [Approve designating the employees' floating holiday for FY 2017/2018 as Monday, February 19, 2018 \(President's Day\) and September 11, 2018 for all Fire Department employees'.](#)

C. PUBLIC HEARINGS

C.1 [Public Hearing to consider the Lake Worth Crime Control and Prevention District \(CCPD\) Proposed Budget for fiscal year beginning October 1, 2017, and ending on September 30, 2018.](#)

C.2 [Public Hearing to consider Planning & Zoning Case No. PS17-05, a proposed preliminary plat being all of a .562 acre parcel of land known as Abstract 189, Tract 73, N B Breeding Survey of the records of Tarrant County, Texas. The proposed preliminary plat's new legal description will be Block 1, Lot 1, Westbrook Addition, commonly known as 4539 Hodgkins Road, Lake Worth, Texas.](#)

C.3 [Public Hearing to consider Ordinance No. 1092, Planning & Zoning Case No. PZ17-05, an ordinance amending Ordinance No. 500, the Comprehensive Zoning Ordinance of the City of Lake Worth, so as to change the zoning designation of an approximately 0.612 acre tract of land, legally known as Block 1, Lot\(s\) 4, 5, & 6, Lake Worth Addition and Abstract 188, Tract\(s\) 2bbbbb and 2XXX, John Breeding Survey, Lake Worth, Tarrant County, Texas, being that all of the certain called 0.612 acre tract of land recorded in the deed records of Tarrant County, Texas, from a zoning district change and land use designation from "SF1" Single Family Residential \(vacant land\) and "PC" – Planned Commercial for the use of a Donut Shop to a zoning district change and land use designation of "PC" – Planned Commercial for the use of Retail Lease Space and Food Establishments, and by amending the Official Zoning Map and the Future Land Use Map of the Comprehensive Land Use Plan to reflect such change. The property to be considered for re-zoning is generally described as a 0.612 acre tract of land located at 6932 and 7000 Foster Drive, Lake Worth, Texas.](#)

D. PLANNING AND DEVELOPMENT

No items for this category.

E. PUBLIC WORKS

No items for this category.

F. GENERAL ITEMS

- F.1 [Discuss and consider a proposed maximum tax rate for FY 2017-2018; scheduling August 22, 2017, for public hearings on the budget and tax rate, and September 5, 2017, for the second public hearing on the tax rate; and scheduling September 12, 2017, for the adoption of said budget and tax rate.](#)
- F.2 [Discussion and consider Ordinance No. 1091, calling/ordering the November 7, 2017 Special Election for Voters to Vote For or Against the Reallocation of Sale and Use Tax from the Economic Development Corporation and the Street Maintenance Tax and authorize the City Manager to execute a Joint Election Agreement and Contract with Tarrant County Election Administration to administer the Election, and authorizing other Election provisions as necessary.](#)
- F.3 [Discuss and consider a request by the Northwest Lion's Club to hold a rodeo and carnival at the Lake Worth City Park, to allow the sale of alcohol during the event, and to occupy Lake Worth Park past 11:00 p.m. and authorize the City Manager to approve the temporary use/event permit application with Kelly Clark Chute 2 Productions.](#)
- F.4 [Discuss and consider a Professional Services Contract between the City of Lake Worth and PRP Service, LLC d/b/a Municipal Mosquito for the 2017 mosquito season.](#)

G. MAYOR AND COUNCIL ITEM(S)

- G.1 Update on Tarrant County Mayor's Council by Mayor Bowen

H. STAFF REPORT(S) / ANNOUNCEMENT(S)

- H.1 Assistant City Manager/Finance Director Report(s):
1. Reminder Budget Workshop on Friday, August 11th at the Multi-Purpose Facility at 9:00 a.m.
- H.2 Planning and Zoning Administrator Report(s):
1. Reminder City is currently taking board member applications for the Planning and Zoning Commission and Board of Adjustment.
- H.3 Human Resources/Risk Management Report(s):
1. Update on City Blood Drive
- H.4 Fire Chief Report(s):
1. Update on Fire Station 2nd Floor Finish out.

- H.5 Public Works Director Report(s):
1. Update on City Projects

I. EXECUTIVE SESSION

The City Council may enter into closed Executive Session as authorized by Chapter 551, Texas Government Code. Executive Session may be held at the end of the Regular Session or at any time during the meeting that a need arises for the City Council to seek advice from the city attorney (551.071) as to the posted subject matter of this City Council meeting.

The City Council may confer privately with its attorney to seek legal advice on any matter listed on the agenda or on any matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Texas Government Code.

J. EXECUTIVE SESSION ITEMS – CITY COUNCIL MAY TAKE ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION LISTED ON THE AGENDA.

K. ADJOURNMENT

Certification

I do hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, 3805 Adam Grubb, City of Lake Worth Texas in compliance with Chapter 551, Texas Government Code on Friday, August 4, 2017 at 4:00 p.m.

City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (817) 237-1211 ext. 105 for further information.



Office of the Mayor
City of Lake Worth

PROCLAMATION

WHEREAS, in the United States, an estimated 1,237,824 people are living with, or are in remission from, leukemia, lymphoma, myeloma or other form of blood cancer, with an estimated 171,550 new cases expected to be diagnosed in 2017; and

WHEREAS, leukemia, lymphoma, myeloma and other blood cancers will kill an estimated 58,320 people in the United States this year alone; and

WHEREAS, The Leukemia & Lymphoma Society (LLS), exists to find cures and ensure access to treatments for blood cancer patients; and

WHEREAS, LLS maintains an office in North Texas to help improve the quality of life for blood cancer patients and their families in the State of Texas.

NOW, THEREFORE, BE IT RESOLVED, that I, Walter Bowen, Mayor of the City of Lake Worth, do hereby proclaim that the City of Lake Worth joins with LLS in designating the month of September 2017 as:

“BLOOD CANCER AWARENESS MONTH”

to enhance the understanding of blood related cancers and to encourage participation in voluntary activities to support education programs and the funding of research programs to find a cure for them.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Lake Worth to be affixed this the 8th day of August 2017.

Walter Bowen, Mayor

Lake Worth Regular City Council Meeting – August 8, 2017

Agenda Item No. B.1

FROM: Monica Solko, City Secretary

ITEM: Approve minutes of the July 11, 2017 City Council meeting.

SUMMARY:

The minutes are listed on the consent agenda and approved by majority vote of Council at the City Council meetings.

The City Secretary's Office prepares action minutes for each City Council meeting. The minutes for the previous meeting are placed on the consent agenda for review and approval by the City Council, which contributes to a time efficient meeting. Upon approval of the minutes, an electronic copy will be uploaded to the City's website.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. July 11, 2017 City Council minutes

RECOMMENDED MOTION OR ACTION:

Approve minutes of the July 11, 2017 City Council meeting.

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS
HELD IN CITY HALL, COUNCIL CHAMBERS, 3805 ADAM GRUBB
TUESDAY, JULY 11, 2017**

REGULAR MEETING: 6:30 PM

A. CALL TO ORDER.

Mayor Walter Bowen called the Council meeting to order at 6:31 p.m.

A.1 INVOCATION AND PLEDGE OF ALLEGIANCE.

Pastor Zac Hatton with Lake Worth Baptist Church gave the invocation. Attendees recited the pledge of allegiance.

Mayor Bowen welcomed student Caitlyn McGee with Tarrant County College Capstone Business Leadership class, who was in attendance.

A.2 ROLL CALL.

Present:	Walter Bowen	Mayor
	Geoffrey White	Mayor Pro Tem, Place 2
	Jim Smith	Council, Place 1
	Gene Ferguson	Council, Place 3
	Ronny Parsley	Council, Place 4
	Pat O. Hill	Council, Place 5
	Gary Stuard	Council, Place 6
	Clint Narmore	Council, Place 7
Staff:	Stacey Almond	City Manager
	Debbie Whitley	Assistant City Manager/Finance Director
	Monica Solko	City Secretary
	Drew Larkin	City Attorney
	Mike Christenson	Fire Chief
	Steve Carpenter	Interim Police Chief
	Sean Densmore	Public Works Director
	Barry Barber	Building Development Director

A.3 SPECIAL PRESENTATION(S) AND RECOGNITION(S)

No items for this category.

A.4 CITIZEN PRESENTATION / VISITOR COMMENTS

There were no requests to speak from the public.

A.5 REMOVAL OF CONSENT AGENDA

No items were removed from the consent agenda.

B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS APPROVED

B.1 APPROVE MINUTES OF THE JUNE 13, 2017 CITY COUNCIL MEETING.

B.2 APPROVE MINUTES OF THE JUNE 28, 2017 SPECIAL CITY COUNCIL MEETING.

B.3 APPROVE FINANCE REPORTS FOR THE MONTH OF JUNE 2017.

B.4 APPROVE RESOLUTION NO. 1024, ANNUAL INVESTMENT POLICY AND STRATEGY.

B.5 APPROVE ORDINANCE NO. 1088, AMENDING THE FY 2016/2017 BUDGET FOR GENERAL FUND FOR THE PURCHASE OF RADIO COMMUNICATIONS EQUIPMENT AND SERVICES.

B.6 APPROVE RESOLUTION NO. 1025, REVISING THE JOB DESCRIPTION FOR THE POLICE CHIEF.

B.7 APPROVE A CONTRACT FOR THE COLLECTION OF DELINQUENT UTILITY BILLS WITH MCCREARY, VESELKA, BRAGG AND ALLEN, LLC (MVBA) AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT.

A MOTION WAS MADE BY COUNCIL MEMBER FERGUSON, SECONDED BY COUNCIL MEMBER PARSLEY, TO APPROVE THE CONSENT AGENDA.

MOTION TO APPROVE CARRIED 7-0.

C. PUBLIC HEARINGS

- C.1 PUBLIC HEARING TO CONSIDER PLANNING & ZONING CASE NO. PZ17-04, AN ORDINANCE AMENDING ORDINANCE NO. 500, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH, SO AS TO CHANGE THE ZONING DESIGNATION OF AN APPROXIMATELY 0.2249 ACRE TRACT OF LAND, LEGALLY KNOWN AS BLOCK 5, LOT 18, BROADVIEW WEST, LAKE WORTH, TARRANT COUNTY, TEXAS, BEING THAT ALL OF THE CERTAIN CALLED 0.2249 ACRE TRACT OF LAND RECORDED IN THE DEED RECORDS OF TARRANT COUNTY, TEXAS, FROM A ZONING DESIGNATION CHANGE AND LAND USE APPROVAL FROM “SF-1” – SINGLE FAMILY RESIDENTIAL TO A ZONING DESIGNATION CHANGE AND LAND USE OF “MD” – MODERATE DENSITY FOR THE USE OF A DUPLEX DWELLING UNIT, AND BY AMENDING THE OFFICIAL ZONING MAP AND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE LAND USE PLAN TO REFLECT SUCH CHANGE. THE PROPERTY TO BE CONSIDERED FOR RE-ZONING IS GENERALLY DESCRIBED AS A 0.2249 TRACT OF LAND LOCATED AT 6012 COWDEN STREET, LAKE WORTH, TEXAS – ORDINANCE NO. 1087. [THE CASE HAS BEEN WITHDRAWN BY THE APPLICANT].**

WITHDRAWN

Mayor Bowen announced that the applicant had withdrawn their application. There being no action required by Council, Mayor Bowen moved to the next item.

DUE TO THE APPLICANT WITHDRAWING REQUEST, NO ACTION IS NECESSARY BY THE CITY COUNCIL.

D. PLANNING AND DEVELOPMENT

There were no items for this category.

E. PUBLIC WORKS

- E.1 DISCUSS AND CONSIDER ACCEPTING THE BID FROM ACME FENCE SERVICES, INC. FOR THE 2017 LAKE WORTH PARK BALL FIELD #1 AND #2 FENCE REPLACEMENT IN AN AMOUNT NOT TO EXCEED \$123,300.00, AND AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT.**

Public Works Director, Sean Densmore presented the item. The item is to consider accepting the bid for the 2017 Lake Worth Park ball field #1 and #2 fence replacement. The City requested sealed proposals and received four (4) bids for the project. After reviewing the bids, Acme Fence Services, Inc. was the lowest bidder. The total base bid submitted was for \$123,300.00. The contract is to remove old existing fence on ball fields #1 and #2 and install 1820 LF of 10' fence, four (4) dugouts with shade covering, and two (2) 16' backstops. This project will also include concrete work and an

additional entrance gate for field #3 per ADA. Staff recommends accepting the bid from Acme Fence Services, Inc. for the 2017 Lake Worth Park ball field #1 and #2 fence replacement in an amount not to exceed \$123,300.00 and authorize the City Manager to execute the contract.

A MOTION WAS MADE BY COUNCIL MEMBER STUARD, SECONDED BY COUNCIL MEMBER FERGUSON, TO AWARD THE BID TO ACME FENCE SERVICES, INC. FOR AN AMOUNT NOT TO EXCEED \$123,300.00 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT.

MOTION TO APPROVE CARRIED 7-0.

F. GENERAL ITEMS

F.1 DISCUSS AND CONSIDER RESOLUTION NO. 1026, TO DENY THE RATE APPLICATION AND CONSOLIDATION PROPOSED BY ONCOR ELECTRIC DELIVERY COMPANY, LLC.

APPROVED

City Manager Stacey Almond presented the item. The Council is being asked to approve Resolution No. 1026, denying the rate application and consolidation proposed by Oncor Electric Delivery Company, LLC. On March 17, 2017, Oncor filed an application to change rates with cities retaining original jurisdiction. In the filing, the Company seeks to increase system-wide transmission and distribution rates by \$317 million or approximately 7.5% over present revenues. The Company asks the City to approve an 11.8% increase in residential rates and a 0.5% increase in street lighting rates. If approved, a residential customer using 1000 kWh per month would see a bill increase of about \$6.68 per month. In March, the Steering Committee engaged the services of three consultants, Mr. Lane Kollen, Mr. Richard Baudino, and Mr. Karl Nalepa, to review the Company's filing. The consultants identified numerous unreasonable expenses and propose significant reductions to the Company's request. Accordingly, the Steering Committee's attorneys recommend that all members adopt a Resolution denying the rate change. Once the resolution is adopted, Oncor will have 30 days to appeal the decision to the Public Utility Commission of Texas where the appeal will be consolidated with Oncor's Filing currently pending at the Commission. Staff recommends approval of Resolution No. 1026, denying Oncor's request.

A MOTION WAS MADE BY COUNCIL MEMBER PARSLEY, SECONDED BY MAYOR PRO TEM WHITE, TO APPROVE RESOLUTION NO. 1026 TO DENY THE RATE APPLICATION AND CONSOLIDATION PROPOSED BY ONCOR ELECTRIC DELIVERY COMPANY, LLC.

MOTION TO APPROVE CARRIED 7-0.

F.2 DISCUSS AND CONSIDER APPROVAL OF UPGRADES TO THE VERIZON ANTENNAS ON THE LAKE WORTH WATER TOWER, LOCATED AT 4200 BOAT CLUB ROAD.

APPROVED

City Manager Stacey Almond summarized the item. This item was pulled from the regular council meeting in June due to a conflict in the plans provided. The Public Works Department requested no additional drilling in the tower and the plans provided reflect that request.

Verizon contacted staff about upgrades to their antennas located on the water tower. In 2012 Verizon added three (3) new antennas, making a total of nine (9). The current request is for three (3) additional, for a total of twelve (12). Per the City's contract with Verizon the lessee reserves the right to replace the equipment with similar and comparable equipment provided said replacement does not increase tower loading of said tower. Furthermore, Verizon shall have the right to replace, repair, add or otherwise modify its equipment or any portion thereof, whether the equipment is specified or not during the term of the agreement. The plans and specifications have been reviewed by the City Engineer, for extra loading purposes, and were approved accordingly. Staff recommends approval of the upgrades to the Verizon antennas on the Lake Worth water tower, located at 4200 Boat Club Road.

A MOTION WAS MADE BY COUNCIL MEMBER FERGUSON, SECONDED BY MAYOR PRO TEM WHITE, TO APPROVE UPGRADES TO THE VERIZON ANTENNAS ON LAKE WORTH TOWER, LOCATED AT 4200 BOARD CLUB ROAD.

MOTION TO APPROVE CARRIED 7-0.

F.3 DISCUSS AND CONSIDER APPROVAL OF A PROFESSIONAL SERVICE AGREEMENT WITH DUNAWAY & ASSOCIATES, LP FOR THE FUTURE LAND USE PLAN, IN THE AMOUNT NOT TO EXCEED \$30,000.00 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT.

APPROVED

City Manager Stacey Almond presented the item. The City of Lake Worth has a Future Land Use Plan (FLUP) that was developed in April of 1995. Lake Worth is an established community with very strong commercial/retail base. This makes Lake Worth a large participant in the forecasted growth for the Northwest Tarrant region and the 820 corridors. Planning for the future of Lake Worth and an update to the FLUP is necessary. The current plan has been in place for over two decades and has served the city well. If approved, it's estimated that the update process and associated plan will be complete and ready for consideration by the Council in six (6) months, approximately March 2018.

Ms. Almond introduced Mr. Barry Hudson with Dunaway & Associates, LP. Mr. Hudson presented a Powerpoint presentation discussing the mission and core values for the future land use plan and the planning approach.

After a brief discussion and questions from Council on funding and why it is necessary to upgrade the current city map, Ms. Almond explained that the project is a working document that will continually change as the city grows and redevelops. This plan would give Council and future Councils and residents an opportunity to set a vision for the city. This project will include community participation (meetings, surveys, etc.), an updated map and a future plan. The funding would be split between this year's funds (FY 2016/2017) and next year's (FY 2017/2018). Staff recommends approval of a professional service agreement with Dunaway & Associates, LP for the Future Land Use Plan, in an amount not to exceed \$30,000 and authorize the City Manager to execute the contract.

A MOTION WAS MADE BY COUNCIL MEMBER FERGUSON, SECONDED BY MAYOR PRO TEM WHITE, TO APPROVE A PROFESSIONAL SERVICE AGREEMENT WITH DUNAWAY & ASSOCIATES, LP FOR THE FUTURE LAND USE PLAN, IN AN AMOUNT NOT TO EXCEED \$30,000 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT.

MOTION TO APPROVE CARRIED 4-2-1, WITH COUNCIL MEMBERS FERGUSON, PARSLEY, STUARD AND MAYOR PRO TEM WHITE VOTING IN FAVOR, COUNCIL MEMBERS SMITH AND NARMORE VOTING AGAINST AND COUNCIL MEMBER HILL ABSTAINING.

F.4 DISCUSS AND CONSIDER ORDINANCE NO. 1089, AMENDING AND REPEALING CHAPTER 2 ANIMAL CONTROL AND REPLACING ITS ENTIRETY WITH CHAPTER 2 ANIMAL CARE AND CONTROL OF THE CODE OF ORDINANCES.

APPROVED

Interim Police Chief Steve Carpenter presented the item. Council is being asked to approve Ordinance No. 1089, amending and repealing Chapter 2 Animal Control and replacing its entirety with Chapter 2 Animal Care and Control in the City's Code of Ordinances. The current animal care and control ordinance is outdated and doesn't comply with Texas Health and Safety Code (Section 823.005, Advisory Committee).

The Chapter 2 replacement will encompass the following major changes from the existing ordinance:

1. Create an animal shelter advisory committee pursuant to the Texas Health and Safety Code, § 823.005.
 - The purpose of the committee shall be to assist the animal shelter located within the city limits regarding compliance with Chapter 823 of the Health and Safety Code. Additionally, upon request of the city council, the committee may: (i) provide recommendations to the city regarding its compliance with

the Texas Rabies Control Act and (ii) recommend ways to improve the efficiency and cost effectiveness of the city's animal control program.

2. Municipal Judge to rule on determination and delivery or seizure of dangerous animals.

- If the animal control authority determines that an animal is a dangerous animal, the animal control officer shall give the owner written notification of this determination. Once the investigation has determined that the animal is dangerous, a court hearing should be held in the municipal courts and a ruling administered by the municipal judge.

3. Update schedule of animal shelter fees as follows:

Dogs, Cats and Other Small Animals	Fee's	Each Additional Day
City Registration & Tags – 1 year tag	\$3.00	
City Registration & Tags – 3 year tag	\$6.00	
Dangerous Animal Registration & tag (annual)	\$100.00	
Owner Animal Surrender	\$25.00	
Multi Pet -	\$25.00	
1 ST IMPOUND	\$35.00	\$0.00
2 ND IMPOUND	\$50.00	\$0.00
3 RD OR MORE IMPOUNDS	\$100.00	\$0.00
Animal Quarantine – Resident	\$150.00	
Animal Quarantine – Non-Resident	\$200.00	
Micro Chip - Resident	\$10.00	
Micro Chip – Non-Resident	\$20.00	

A MOTION WAS MADE BY COUNCIL MEMBER STUARD, SECONDED BY MAYOR PRO TEM WHITE TO APPROVE ORDINANCE NO. 1089 AMENDING AND REPEALING CHAPTER 2 ANIMAL CONTROL AND REPLACING ITS ENTIRETY WITH CHAPTER 2 ANIMAL CARE AND CONTROL OF THE CITY CODE OF ORDINANCES.

MOTION TO APPROVE CARRIED 7-0.

F.5 DISCUSS AND CONSIDER APPROVAL OF ORDINANCE NO. 1090 AUTHORIZING THE ISSUANCE AND SALE OF CITY OF LAKE WORTH, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017 AND LEVYING A TAX IN PAYMENT THEREOF.

APPROVED

Assistant City Manager/Finance Director Debbie Whitley presented the item. During the June 13th City Council meeting, Council consensus was to move forward with the Scenario 3 option which provided the lowest interest rate, the largest savings and would pay off the debt five (5) years earlier than originally scheduled. The original amount of debt issued with the 2008 CO's was \$10,300,000. Of that amount, \$8,680,000 remains

unpaid and is eligible to be called and refunded. The current average interest rate on the 2008 CO's is 5.294%. The true interest cost for the refunding debt is estimated to be 2.81% for an approximate savings of \$3,100,000 over the remaining life of the debt. Ms. Whitley announced that pricing was closed today and the savings was calculated at \$3,563,184.34. She introduced Mr. Nick Builach with FirstSouthwest. Mr. Builach gave a brief summary on the final pricing results and savings analysis. The City received a rating from Standard and Poor's of AA- rating.

The City Council is requested to approve Ordinance No. 1090, authorizing the issuance and sale of City of Lake Worth, Texas, General Obligation refunding bonds, Series 2017 and levying a tax in payment thereof.

A MOTION WAS MADE BY COUNCIL MEMBER NARMORE, SECONDED BY COUNCIL MEMBER HILL, TO APPROVE ORDINANCE NO. 1090 AUTHORIZING THE ISSUANCE AND SALE OF CITY OF LAKE WORTH, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017 AND LEVYING A TAX IN PAYMENT THEREOF.

MOTION TO APPROVE CARRIED 7-0.

F.6 DISCUSS AND CONSIDER SELECTION OF THE MEDSTAR SUBSIDY RATE FOR THE CITY OF LAKE WORTH FOR FY 2017/2018.

APPROVED

City Manager Stacey Almond presented the item. The interlocal cooperative agreement requires that each member city make a selection of a price/subsidy option by July 31st of each year. In years past the City has chosen not to make any subsidy payments. The estimated average bill for transport for the current fiscal year is \$1,448.00. If the Council chooses to maintain a \$0.00 subsidy the estimated average bill for transport for FY 2017/2018 will remain the same.

A MOTION WAS MADE BY COUNCIL MEMBER PARSLEY, SECONDED BY COUNCIL MEMBER NARMORE, TO PROVIDE NO SUBSIDY PAYMENT (\$0.00) FOR FY 2017/2018 MEDSTAR SUBSIDY RATE SELECTION.

MOTION TO APPROVE CARRIED 7-0.

Matt Zavadsky with MedStar presented a PowerPoint presentation. Mr. Zavadsky updated Council on their service enhancements including updated patient care reporting system, a new computer-aided dispatch system, mobile integrated healthcare and average response times. He thanked Council for their continued support and ongoing partnership.

F.7 DISCUSSION ON FISCAL YEAR 2017/18 BUDGET CALENDAR AND COUNCIL GOALS AND PRIORITIES.

APPROVED

City Manager Stacey Almond presented the item. The purpose of this agenda item is to provide an overview of the FY 2017-2018 budget process and to obtain Council goals and priorities for the next budget year. These goals and priorities will aide in the development of the proposed budget that will be presented at the August 11, 2017 work shop. The proposed budget will be filed for public review with the City Secretary on Friday, July 31, 2017.

There were no questions from Council.

NO ACTION IS NECESSARY BY THE CITY COUNCIL.

G. MAYOR AND COUNCIL ITEMS.

G.1 UPDATE ON TARRANT COUNTY MAYOR'S COUNCIL BY MAYOR BOWEN.

Mayor Walter Bowen had nothing to report regarding the Tarrant County Mayor's Council.

H. STAFF REPORT(S) / ANNOUNCEMENT(S)

H.1 ASSISTANT CITY MANAGER/DIRECTOR OF FINANCE REPORT(S):

- 1. Announce date on senior center vision screening**
- 2. Announce date on senior center and library family bingo.**

Assistant City Manager/Finance Director Debbie Whitley announced the Senior Center upcoming events.

- Financial Literacy Bingo provided by Frost Bank on Tuesday, July 18th from 9:00 a.m. to 11:00 a.m.
- Vision Screening/presentation from Dr. Crabtree O.D. on Friday, July 21st at 1:00 p.m.
- The Senior Center and Mary Lou Reddick Library have partnered to host Family Bingo on Tuesday, July 25th from 9:00 a.m. to 11:00 a.m.
- Zumba Gold class will resume in August.

H.2 HUMAN RESOURCES/RISK MANAGEMENT REPORT(S):

- 1. Announce date of blood drive.**
- 2. Announce dates on harassment and sensitivity training.**

Human Resources/Risk Management Danielle Hackbusch announced the City of Lake Worth is hosting a blood drive on Monday, July 17th from 10:00 a.m. to 2:00 p.m. at the Multi-Purpose facility.

The City is offering Harassment and Sensitivity Training for all employees and Council is also invited to join the training at the Multi-Purpose facility. In order to accommodate everyone there will be three sessions offered:

- Tuesday, August 1st from 1:30 p.m. to 3:30 p.m.
- Wednesday, August 2nd from 3:00 p.m. to 5:00 p.m. or
- Thursday, August 3rd from 8:00 a.m. to 10:00 a.m.

H.3 POLICE CHIEF REPORT(S)

- 1. Recognition of Officer Watson.**
- 2. Update on Safe Exchange Zone.**
- 3. Update on CVS Pharmacy Medical Disposal Box for Safer Communities Program.**

Assistant Police Chief Carpenter recognized Officer Watson. On Monday, June 19, 2017 Officer Watson conducted a traffic stop that led to an arrest and fifteen pounds of marijuana being removed from the streets. The street value of the marijuana is estimated at around \$14,000.

The Safe Exchange Zone is almost complete, the signs have been installed and the parking spaces designated near the flag poles at city hall. The cameras were recently installed but will need to be moved for a more accurate recording of exchanges.

The CVS Pharmacy Medical Disposal Box for safer communities program has been successful with 21 pounds of drugs dropped off this month. The only issue thus far has been unacceptable items found in the box such as liquids and needles. These types of items are not accepted by the program but the city is currently working with other agencies on how the city can properly destroy the items and get them off the streets.

H.4 FIRE CHIEF REPORT(S):

- 1. Update on Tarrant County Fire alarm Dispatch Center.**

Fire Chief Mike Christenson announced that the Fire Department had received a grant for \$19,999.75 from Fire House Subs for three Motorola tri-band radios.

On July 3rd at 8:00 a.m., the transition to Tarrant County Fire Alarm Dispatch Center was launched and all things are running smoothly with the Police Dispatchers. There have been no concerns at this time with the transition.

H.5 PUBLIC WORKS DIRECTOR REPORT(S)

1. Update on City Projects.

Public Works Director Sean Densmore reported the following:

- Sewer lift station - pumps have arrived and the station has been taken off line. The pumps are being bypassed and the installation of new steel pipes with a protective spray liner will be installed. It will be approximately 3-4 weeks for completion.
- Concrete Rehabilitation project – the street projects have been completed and they are now working at the Lake Worth Park finishing the sidewalk on the west side.
- Sewer line project - lines A and B are complete and they will be moving onto J.
- Fencing project - the Lake Worth Park ball fields #1 and #2 will be begin in approximately 30 days.

I. EXECUTIVE SESSION

As authorized by Chapter 551 of the Texas Government Code, the City Council reserves the right to convene into executive session as necessary during the course of this meeting to discuss the following:

There was no Executive Session.

J. EXECUTIVE SESSION ITEMS – CITY COUNCIL MAY TAKE ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION LISTED ON THE AGENDA.

There was no Executive Session.

K. ADJOURNMENT

Mayor Walter Bowen adjourned the meeting at 7:30 p.m.

APPROVED

By: _____
Walter Bowen, Mayor

ATTEST:

Monica Solko, City Secretary

Lake Worth Regular City Council Meeting – August 8, 2017

Agenda Item No. B.2

From: Debbie Whitley, ACM/ Director of Finance

Item: Approve Finance reports for the month of July 2017.

Summary:

Finance reports are prepared and presented to Council for approval each month. The purpose of the reports is to keep the Council informed on the status of the City's revenues and expenses as related to the current year budget projections for major funds and on the cash and investment balances for all funds.

Fiscal Impact:

N/A

Attachments:

1. Cash Position Report- all funds
2. Cash and investment summary-all funds
3. Expenditure Report-General Fund, EDC and Water/Sewer Fund
4. Revenue Report-General Fund, EDC, Water/Sewer Fund and Debt Service Fund
5. Sales Tax Revenue Report-General Fund
6. Revenue, Expense and Cash Position Report-Park Improvement Fund
7. Revenue and Expense Report-Street Maintenance Fund
8. Revenue and Expense Report-Crime Control & Prevention District

Recommended Motion or Action:

Approve finance reports for the month of July 2017.

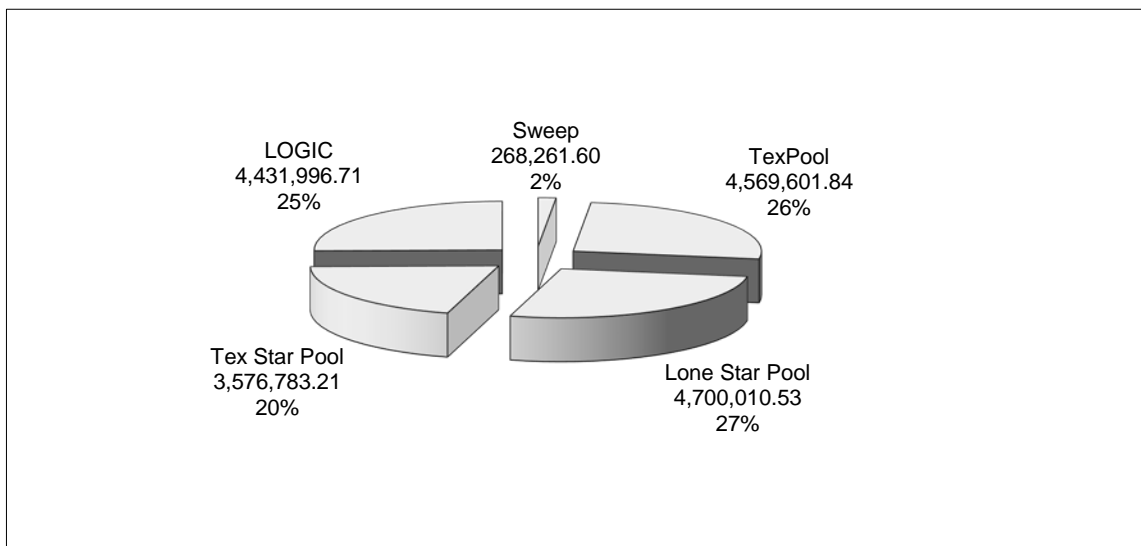
**CITY OF LAKE WORTH
CASH POSITION
As of July 31, 2017**

	Checking Account	TexPool	Lone Star Pool	TexStar	LOGIC	Total
General Fund	52,478.87	1,494,053.32	1,490,833.69	1,554,464.43	1,316,317.28	5,908,147.59
Park Fund	9,607.39	187,345.16			217,335.43	414,287.98
Child Safety Fund	16,752.47					16,752.47
Court Technology	15,456.14					15,456.14
Court Security Fund	21,418.65				41,373.44	62,792.09
Confiscated Property Fund	5,869.68					5,869.68
Street Maintenance	26,356.47	536,443.86	558,665.56	537,275.00	547,193.99	2,205,934.88
Crime Control	25,598.79	173,554.29	145,732.75	185,576.80		530,462.63
Economic Development		1,504,116.20	1,425,132.00		1,463,697.04	4,392,945.24
PEG Fund					63,266.18	63,266.18
Water/Sewer Fund	71,295.42	315,803.01	202,264.72		420,112.82	1,009,475.97
Debt Service	8,031.36	358,188.93	538,870.59			905,090.88
2008 CO Series		97.07		1,203,319.75		1,203,416.82
Hotel/Motel Tax Fund	15,396.36		338,511.22	96,147.23	362,700.53	812,755.34
Total All Cash & Invstments	268,261.60	4,569,601.84	4,700,010.53	3,576,783.21	4,431,996.71	17,546,653.89

CITY OF LAKE WORTH INVESTMENT ACTIVITY *As of July 31, 2017*

The Public Funds Investment Act requires the Finance Officer to submit not less than quarterly a list of investments, their net asset value (NAV) and their weighted average maturity (WAM). Listed below are the City's investments, their respective NAV and WAM or collateral status.

Total Funds Held In Checking Accounts Subject To Overnight Sweep	\$268,261.60
<i>(Funds covered by FDIC and Pledged Collateral by Bank of Texas)</i>	
Total Funds Held In TexPool	\$4,569,601.84
<i>(NAV \$1.00 per share, 4,569,602 shares; WAM 1 day)</i>	
Total Funds Held In Lone Star Pool	\$4,700,010.53
<i>(NAV \$1.00 per share, 4,700,011 shares; WAM 1 day)</i>	
Total Funds Held In TexStar Pool	\$3,576,783.21
<i>(NAV \$1.00 per share, 3,576,783 shares; WAM 1 day)</i>	
Total Funds Held In LOGIC	\$4,431,996.71
<i>(NAV \$1.00 per share, 4,431,997 shares; WAM 1 day)</i>	
Total All Funds	\$17,546,653.89



Prepared By: *Debbie Whitley*

Date: August 2, 2017

**CITY OF LAKE WORTH
EXPENDITURE REPORT
July 2017**

CATEGORY	BUDGETED	CURRENT MONTH	YEAR TO DATE	UNEXPENDED BALANCE	% EXPENDED
GENERAL FUND					
Mayor/Council	15,163.00	378.22	12,987.08	2,175.92	86%
Administration	1,984,208.00	97,415.56	903,536.17	1,080,671.83	46%
Police	2,247,687.00	139,270.09	1,688,088.61	559,598.39	75%
Fire	1,808,577.00	120,912.26	1,370,547.46	438,029.54	76%
Street	600,127.00	83,402.69	442,283.50	157,843.50	74%
Library	240,265.00	18,704.64	196,066.42	44,198.58	82%
Parks	375,348.00	25,047.23	276,528.05	98,819.95	74%
Maintenance Dept	186,742.00	5,647.53	145,096.32	41,645.68	78%
Senior Citizens	113,992.00	8,762.77	90,379.27	23,612.73	79%
Municipal Court	217,247.00	14,903.07	176,673.13	40,573.87	81%
Animal Control	88,256.00	7,277.68	66,270.86	21,985.14	75%
Emergency Management	14,554.00	0.00	10,806.75	3,747.25	74%
Permits & Inspections	355,300.00	25,649.76	277,985.01	77,314.99	78%
Information Technology	476,951.00	19,861.78	340,016.01	136,934.99	71%
Total General Fund	8,724,417.00	567,233.28	5,997,264.64	2,727,152.36	69%
EDC					
Administration	1,528,102.00	3,071.19	780,105.98	747,996.02	51%
Lake Worth Area Museum	7,309.00	75.38	5,030.18	2,278.82	69%
Total EDC	1,535,411.00	3,146.57	785,136.16	750,274.84	51%
WATER/SEWER FUND					
Administration	1,185,097.00	12,619.86	782,741.28	402,355.72	66%
Water Supply	970,140.00	15,095.55	584,363.70	385,776.30	60%
Water Distribution	372,376.00	29,003.92	237,738.93	134,637.07	64%
Sewer Department	1,178,103.00	44,871.96	761,865.08	416,237.92	65%
Total Water/Sewer	3,705,716.00	101,591.29	2,366,708.99	1,339,007.01	64%
TOTAL EXPENDITURES	13,958,235.00	671,895.76	9,144,079.61	4,814,155.39	66%

**CITY OF LAKE WORTH
REVENUE REPORT
July 2017**

(Numbers in UNRECEIVED BALANCE WITH (-) INDICATES REVENUE RECEIVED OVER BUDGETED AMOUNT)

CATEGORY	BUDGETED	CURRENT MONTH	YEAR TO DATE	UNRECEIVED BALANCE	% RECEIVED
GENERAL FUND					
Property Taxes	760,494.00	18,576.51	761,362.12	-868.12	100%
Franchise Fees	455,000.00	9,934.20	342,120.57	112,879.43	75%
Sales and Beverage Taxes	4,152,469.00	422,250.59	3,289,097.74	863,371.26	79%
Fines and Warrants	429,810.00	45,330.64	411,438.37	18,371.63	96%
License & Permits	132,310.00	11,587.61	148,442.52	-16,132.52	112%
Sanitation/Animal Control	184,685.00	15,908.37	157,068.92	27,616.08	85%
Investment Income & Misc	641,058.00	82,784.84	417,941.42	223,116.58	65%
Due From Other Funds	1,107,369.00		553,688.00	553,681.00	50%
Use of Prior Year Reserves	814,872.00			814,872.00	0%
Total General Fund	8,678,067.00	606,372.76	6,081,159.66	2,596,907.34	70%
EDC					
Sales Tax	1,985,000.00	207,943.12	1,635,376.65	349,623.35	82%
Interest Income & Miscellaneous	9,250.00	3,171.25	21,084.54	-11,834.54	228%
Use of Prior Year Reserves				0.00	
Total EDC	1,994,250.00	211,114.37	1,656,461.19	337,788.81	83%
WATER/SEWER FUND					
Water Sales	1,462,840.00	130,661.94	1,073,596.24	389,243.76	73%
Water Tap Fees	1,500.00	500.00	1,705.00	-205.00	114%
Water Service Charge	70,000.00	4,451.39	51,233.30	18,766.70	73%
Sewer Charges	975,000.00	82,093.82	780,600.41	194,399.59	80%
Sewer Tap Fees	4,500.00	1,500.00	5,275.00	-775.00	117%
Miscellaneous	49,250.00	4,082.21	43,306.51	5,943.49	88%
Transfers In	825,490.00		265,038.00	560,452.00	32%
Use of Prior Year Reserves	317,136.00			317,136.00	0%
Total Water/Sewer Fund	3,705,716.00	223,289.36	2,220,754.46	1,484,961.54	60%
DEBT SERVICE FUND:					
Property Tax Revenue	1,210,702.00	29,511.61	1,188,862.87	21,839.13	98%
Investment Income & Misc	3,000.00	631.77	3,157.29	-157.29	105%
Transfers In	508,092.00		254,048.00	254,044.00	50%
Use of Prior Year Reserves	42,500.00			42,500.00	0%
Total Debt Service	1,764,294.00	30,143.38	1,446,068.16	318,225.84	82%
TOTAL ALL FUNDS	16,142,327.00	1,070,919.87	11,404,443.47	4,737,883.53	71%

**CITY OF LAKE WORTH
GF SALES TAX ANALYSIS
FOR JULY 2017 REVENUE**

		Current % Incr or Decrease
Current Month Receipts	415,886.25	
Same Month, Last Year	368,050.95	13.00%
Same Month, 2 Years Ago	361,246.33	15.13%
Current YTD Total	3,270,753.33	
YTD, Last Year	3,058,532.20	6.94%
YTD, 2 Years Ago	2,835,937.70	15.33%

Current Year Budget is \$4,128,469

CITY OF LAKE WORTH
PARK FUND
As of July 31, 2017

REVENUE SOURCE:

UTILITY DONATIONS	8,523.00
DONATIONS - KIDS & TREES	0.00
DONATIONS - NAVAJO PARK	0.00
DONATIONS - RAYL PARK	5,000.00
DONATIONS - LAKE WORTH PARK	0.00
INVESTMENT INCOME	2,055.41
EDC CONTRIBUTIONS	125,000.00
MISCELLANEOUS	142.25
Total Revenue	<u>140,720.66</u>

EXPENDITURE CATEGORY:

MISCELLANEOUS	730.60
PARK MAINTENANCE	8,653.27
CHARBONNEAU PARK	831.09
LAKE WORTH PARK	28,702.67
NAVAJO PARK	86.97
GRAND LAKE PARK	73.50
REYNOLDS PARK	0.00
RAYL PARK	2,263.74
TELEPHONE ROAD PARK	0.00
DAKOTA PARK	472.56
EQUIPMENT PURCHASE/IMPROVEMENTS	1,272.94
Total Expenditure	<u>43,087.34</u>

REVENUE OVER EXPENDITURES 97,633.32

<u>CASH POSITION</u>	
CHECKING	9,607.39
INVESTMENTS	<u>404,680.59</u>
TOTAL CASH	414,287.98

**CITY OF LAKE WORTH
STREET MAINTENANCE
July 2017**

Revenue

(Numbers in UNRECEIVED BALANCE WITH (-) INDICATES REVENUE RECEIVED OVER BUDGETED AMOUNT)

CATEGORY	BUDGETED	CURRENT MONTH	YEAR TO DATE	UNRECEIVED BALANCE	% RECEIVED
Sales Tax	990,000.00	103,971.56	817,688.33	172,311.67	83%
Interest & Misc Income	4,750.00	1,673.69	39,464.00	-34,714.00	831%
Use of Prior Yr Rsrvs					
Total Revenue	994,750.00	105,645.25	857,152.33	137,597.67	86%

Expenditures

CATEGORY	BUDGETED	CURRENT MONTH	YEAR TO DATE	UNEXPENDED BALANCE	% EXPENDED
Salaries	259,974.00	19,561.43	208,686.30	51,287.70	80%
Supplies	29,250.00	4,894.35	17,623.12	11,626.88	60%
Maintenance	414,629.00	32,494.34	142,056.76	272,572.24	34%
Services	11,739.00	90.78	8,167.30	3,571.70	70%
Equipment	34,350.00		164.08	34,185.92	0%
Transfers Out	112,244.00		56,122.00	56,122.00	50%
Total Expenditures	862,186.00	57,040.90	432,819.56	429,366.44	50%

CITY OF LAKE WORTH
CCPD
July 2017

Revenue

(Numbers in UNRECEIVED BALANCE WITH (-) INDICATES REVENUE RECEIVED OVER BUDGETED AMOUNT)

CATEGORY	BUDGETED	CURRENT MONTH	YEAR TO DATE	UNRECEIVED BALANCE	% RECEIVED
Sales Tax	983,477.00	103,177.45	806,706.54	176,770.46	82%
Interest & Misc Income	800.00	369.84	18,553.35	-17,753.35	2319%
Use of Prior Yr Rsrvs					
Total Revenue	984,277.00	103,547.29	825,259.89	159,017.11	84%

Expenditures

CATEGORY	BUDGETED	CURRENT MONTH	YEAR TO DATE	UNEXPENDED BALANCE	% EXPENDED
Salaries	617,160.00	40,139.51	483,378.19	133,781.81	78%
Supplies	17,950.00	8,063.58	10,426.51	7,523.49	58%
Maintenance	34,175.00	3,516.77	25,944.55	8,230.45	76%
Services	64,243.00	645.80	48,534.80	15,708.20	76%
Equipment	65,920.00	314.95	46,735.35	19,184.65	71%
Transfers Out	171,314.00		85,658.00	85,656.00	50%
Total Expenditures	970,762.00	52,680.61	700,677.40	270,084.60	72%

Lake Worth City Council Meeting – August 8, 2017

Agenda Item No. B.3

From: Stacey Almond, City Manager

Item: Approve of annual Interlocal Agreement for participation in Fort Worth's Environmental Collection Center Household Hazardous Waste Program.

Summary:

Council is being asked to consider the annual Interlocal Agreement with the City of Fort Worth to participate in the Environmental Collection Center Household Hazardous Waste Program.

The City of Lake Worth has had an ongoing agreement with the City of Fort Worth which allows residents to dispose of Household Hazardous Waste materials at the Environmental Collection Center (ECC) located at 6400 Bridge Street, Fort Worth, Texas 76112.

Staff is asking Council to approve the agreement effective October 1, 2017 and will be self-renewing. This agreement allows Lake Worth residents to dispose of their household hazardous waste at no charge to the resident, but they will need to show either a Lake Worth water bill or a driver's license with a Lake Worth address. In this agreement, Lake Worth agrees to pay the City of Fort Worth \$50.00 per household per visit plus any additional reimbursement should Fort Worth would have to repackage any items or clean up spills for the Lake Worth participants.

Records indicate this program has been utilized by less than 10 residents of Lake Worth.

Fiscal Impact:

1. \$250-\$500 (depending upon use)

Attachments:

1. ILA for Fort Worth's Environmental Collection Center HHW Program

Recommended Motion or Action:

Approve the annual Interlocal Agreement for participation in Fort Worth's Environmental Collection Center Household Hazardous Waste Program.

INTERLOCAL AGREEMENT FOR PARTICIPATION IN FORT WORTH'S
ENVIRONMENTAL COLLECTION CENTER
HOUSEHOLD HAZARDOUS WASTE PROGRAM
FY2018

INTERLOCAL AGREEMENT FOR PARTICIPATION IN FORT WORTH'S
ENVIRONMENTAL COLLECTION CENTER
HOUSEHOLD HAZARDOUS WASTE PROGRAM

THIS AGREEMENT is entered into by and between the City of Fort Worth, Texas, a home-rule municipal corporation situated in Tarrant, Denton, Parker, and Wise Counties, Texas, hereinafter called "Fort Worth," acting by and through Fernando Costa, its duly authorized Assistant City Manager and the City of _____, hereinafter referred to as "Participating City" and located in _____ County, Texas acting herein by and through _____ its duly authorized _____.

(Title) (Name)

DELIVERY OF NOTICES

Any notices required to be given under this Agreement shall be delivered as follows:

If to Fort Worth:

German Vazquez, Solid Waste Superintendent
Rex Johnson, Environmental Supervisor
Code Compliance – Solid Waste
City of Fort Worth
4100 Columbus Trail
Fort Worth, Texas 76133

If to Participating City:

OPERATIONAL CONTACTS

Participating City's Operational Contact Persons:

Designated person is: _____ telephone number: _____
Mobile phone number (24-hour) where he/she can be reached: _____
Email Address: _____

Alternate person is _____ telephone number: _____
Mobile phone number (24-hour) where he or she can be reached: _____
Email Address: _____

VOUCHER UTILIZATION

The Participating City:

_____ DOES wish to use a voucher system for its residents visiting the ECC or a mobile event.

_____ DOES NOT wish to use a voucher system for its residents visiting the ECC or a mobile event.

If a voucher system is used only residents with an official voucher provided by Participating City will be allowed to drop wastes off at the ECC or at mobile events in Participating City. **A copy of the official voucher must be attached to this agreement.**

INVOICE DELIVERY

Invoices to Participating City shall be delivered to:

Name

Department (if applicable)

Street Address or PO Box

City, State, ZIP

email address for billing questions and correspondence

Participating City shall notify Fort Worth in writing if the above contact information changes during the term of this Agreement.

WITNESSETH

WHEREAS, Texas Government Code, Chapter 791, authorizes the formulation of interlocal cooperation agreements between and among local governments; and

WHEREAS, Texas Government Code, §791.011 provides that a local government may contract with another local government to perform governmental functions and services, and §791.003(3)(H) defines waste disposal as a governmental function and service; and

WHEREAS, Texas Government Code, §791.025 provides that a local government may agree with another local government to purchase services; and

WHEREAS, Fort Worth and Participating City desire to enter into an interlocal agreement whereby Fort Worth will purchase the services of a waste disposal/recycling firm or firms and will administer a household hazardous waste collection program; and

WHEREAS, Fort Worth and Participating City mutually desire to be subject to the provisions of Texas Government Code, Chapter 791, also known as the Interlocal Cooperation Act.

NOW THEREFORE, it is agreed as follows:

1. DEFINITIONS

- A. Unless a provision in this Agreement explicitly states otherwise, the following terms and phrases, as used in this Agreement, shall have the meanings hereinafter designated.

Act of God means an act occasioned by the direct, immediate, and exclusive operation of the forces of nature, uncontrolled or uninfluenced by the power of humans and without human intervention.

Bill of Lading lists the contents of the mobile collection unit.

Environmental Collection Center (ECC) means the City of Fort Worth Code Compliance-Environmental Management Division facility located at 6400 Bridge Street, Fort Worth, Texas, which is to be used by Fort Worth for the aggregation of household hazardous wastes that have been brought to the facility by participating cities' households for subsequent recycling, disposal, and/or reuse.

Environmental damages means all claims, judgments, damages, losses, penalties, fines, liabilities (including strict liability), encumbrances, liens, costs, and expenses of investigation and defense of any claim, whether or not such claim is ultimately defeated, and of any good faith settlement or judgment, of whatever kind or nature, contingent or otherwise, matured or un-matured, foreseeable or unforeseeable, including without limitation reasonable attorney's fees and disbursements and consultant's fees, any of which are incurred subsequent to the execution of this Agreement as a result of the handling, collection, transportation, storage, disposal, treatment, recovery, and/or reuse of waste pursuant to this Agreement, or the existence of a violation of environmental requirements pertaining to same, and including without limitation:

- (a) Damages for personal injury and death, or injury to property or natural resources;
- (b) Fees incurred for the services of attorneys, consultants, contractors, experts, laboratories and all other costs incurred in connection with the investigation or remediation of such wastes or violation of environmental requirements including, but not limited to, the preparation of any feasibility studies or reports or the performance of any cleanup, remediation, removal, response, abatement, containment, closure, restoration or monitoring work required by any federal, state or local governmental agency or political subdivision, or otherwise expended in connection with the existence of such wastes or violations of environmental requirements, and including without limitation any attorney's fees, costs and expenses incurred in enforcing this Agreement or collecting any sums due hereunder; and
- (c) Liability to any third person or governmental agency to indemnify such person or agency for costs expended in connection with the items referenced in subparagraph (b) herein.

Environmental requirements means all applicable present and future statutes, regulations, rules, ordinances, codes, licenses, permits, orders, approvals, plans, authorizations, concessions, franchises, and similar items, of all governmental agencies, departments, commissions, boards, bureaus, or instrumentalities of the United States, states, and political subdivisions thereof and all applicable judicial, administrative, and regulatory decrees, judgments, and orders relating to the protection of human health or the environment, including without limitation:

- (a) All requirements, including but not limited to those pertaining to reporting, licensing, permitting, investigation, and remediation of emissions, discharges, releases, or threatened releases of hazardous materials, pollutants, contaminants, or hazardous or toxic substances, materials, or wastes whether solid, liquid, or gaseous in nature, into the air, surface water, groundwater, storm water, or land, or relating to the manufacture, processing, distribution, use, treatment, storage, disposal, transport, or handling of pollutants, contaminants, or hazardous or toxic substances, materials, or wastes, whether solid, liquid, or gaseous in nature; and
- (b) All requirements pertaining to the protection of the health and safety of employees or the public.

Force majeure means decrees of or restraints by a governmental instrumentality other than the Parties, acts of God, work stoppages due to labor disputes or strikes, failure of Fort Worth's contractor(s) to perform pursuant to their agreements with Fort Worth for the conduct of the collection of household hazardous waste, fires, explosions, epidemics, floods, extreme weather, riots, war, rebellion, and sabotage.

Household hazardous waste (HHW) means any solid waste generated in a household by a consumer which, except for the exclusion provided for in 40 CFR § 261.4(b)(1), would be classified as a hazardous waste under 40 CFR Part 261.

Manifest means the uniform hazardous waste manifest form(s) that must accompany shipments of municipal hazardous waste or Class 1 industrial solid waste.

Mobile collection event means a household hazardous waste collection event by Participating City utilizing a mobile collection unit.

Mobile Collection Unit (MCU) means a non-self-propelled vehicle used for the periodic collection of household hazardous waste by Participating City, off-site of the ECC, which is transported to the ECC to dispose of the household hazardous waste collected at the mobile collection event. Mobile Collection Units owned by Fort Worth are designed to hold the hazardous waste of approximately 50 to 75 households.

Participating City means the municipality which has entered into this agreement with the City of Fort Worth.

Participating Entities, when used in the plural, means Fort Worth, Participating City, and all other entities which have entered into interlocal agreements with Fort Worth for the ECC household hazardous waste collection program.

Person means an individual, corporation, organization, government, or governmental subdivision or agency, business trust, partnership, association, or any other legal entity.

Waste has the same meaning as "solid waste" as that term is defined in Texas Health and Safety Code §361.003, and including hazardous substances.

- B. Unless a provision in this Agreement explicitly states otherwise, the following abbreviations, as used in this Agreement, shall have the meanings hereinafter designated.

CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act, its amendments, associated case law, and state counterparts.

CPR - cardiopulmonary resuscitation

DOT - United States Department of Transportation

ECC – Fort Worth Environmental Collection Center

EPA - United States Environmental Protection Agency

HAZCAT - hazardous categorization

HAZWOPER - hazardous waste operations and emergency response and the training, certification, and legal requirements associated therewith

HM - hazardous materials

HHW - household hazardous waste

MCU - Mobile Collection Unit

TCEQ – Texas Commission on Environmental Quality

2.
PURPOSE

The purpose of this interlocal agreement (hereafter “Agreement”) is the provision of services by Fort Worth to Participating City whereby, subject to the terms and conditions specified below, Fort Worth will administer and supervise a regional household hazardous waste collection program, which will be available to households within Participating City as described herein.

3.
TERM

This Agreement shall be effective from October 1, 2017 or the date the last party has signed this Agreement. This agreement will be self-renewing infinitely. This agreement will be binding for both parties until one or more parties terminate the agreement. Termination of the agreement shall be provided to both parties 45 days prior to the completion date. However, the duties and responsibilities of the Parties for events which occurred during the term of the contract shall survive.

4.
SERVICES OF FORT WORTH

Fort Worth agrees to perform the following services for Participating City in connection with the ECC household hazardous waste collection program:

- A. Fort Worth will administer a regional household hazardous waste collection program. This program will include the operation of the Environmental Collection Center, which will accept for disposal and/or recycling household hazardous waste from households located within Participating City. Fort Worth shall not accept compressed flammable gas containers; radioactive materials; explosives or potentially shock sensitive materials; biological, etiologic, or infectious materials; wastes from businesses; or any other wastes that Fort Worth has determined are unacceptable. Commercial waste is never accepted by Fort Worth.
- B. Fort Worth will employ or retain personnel to provide the services necessary to perform Fort Worth's obligations in this Agreement.
- C. Fort Worth will enter into a contract(s) with a waste disposal/recycling firm(s) for the handling, collection, transportation, storage, disposal, treatment, recovery, and/or reuse of household hazardous waste that is collected at the ECC or during mobile collection events.
- D. Fort Worth will, if requested in writing by Participating City, provide Participating City with copies of waste manifests for shipments of waste from the ECC.
- E. Fort Worth will, if requested in writing by Participating City, provide Participating City a monthly report of the Participating City's households who disposed of household hazardous waste at the Environmental Collection Center or a mobile collection event.
- F. Fort Worth will issue a report and an invoice at the end of each quarter detailing the number of Participating City's households that disposed of household hazardous waste at the Environmental Collection Center or at mobile collection events.

G. Fort Worth will act under this Agreement in accordance with all applicable state and federal laws.

H. Mobile Collection Events

Participating City may schedule a mobile collection event to be operated by Fort Worth personnel using one of Fort Worth's MCUs or conduct their own mobile collection events using either Participating City's MCU or Fort Worth's Reserve MCU (as available). State regulations require notification to the Texas Commission on Environmental Quality (TCEQ) at least 45 days prior to conducting the event.

1. Fort Worth Operated Events:

If Participating City would like to schedule a mobile collection event with the Fort Worth Mobile Collection Unit, Participating City shall contact the ECC as soon as possible for a list of available dates. The time and location shall be agreeable to both parties. Participating City may schedule one mobile collection event each contract year. Fort Worth will file notification of the event with TCEQ as required by 30 TAC §335.403.

(a) Scheduling Events

Fort Worth will begin scheduling mobile collection events for each calendar year on the first scheduled working day after the New Year begins. To ensure proper notification to TCEQ, events must be scheduled at least sixty (60) days ahead of the proposed date. Participating City acknowledges that Fort Worth contracts with other municipalities and that Fort Worth will be accommodating each Participating City's request on a first come first served basis. Therefore, Participating City acknowledges that its chosen date to schedule a mobile collection event may be reserved by another city and Participating City will have to then choose another date. Participating City will, in no event, be entitled to any damages or recovery of any costs, except as provided herein. Only one mobile collection event using Fort Worth staff and equipment per city is entitled under this contract. Additional events may be accommodated if feasible.

(b) Location

If Participating City chooses to hold the Mobile Collection Event on private property, Participating City shall obtain a signed waiver from the owner of the property sixty (60) days prior to the event. The waiver shall be in the form of Exhibit B or similar form approved by Fort Worth. The signed waiver must be sent to Fort Worth sixty (60) days before the Mobile Collection Event. If the signed waiver is not sent to Fort Worth sixty (60) days before the Mobile Collection Event, Fort Worth will not send the Fort Worth Mobile Collection Unit to the event and Participating City will, in no event, be entitled to any damages or recovery of any costs, except as provided herein. All events must be held on an impervious surface.

(c) At the Mobile Collection Event, Participating City acknowledges and agrees that Fort Worth shall accept household hazardous waste from the first 50 households that show proof of residency at the Mobile Collection Event. After the first 50 households, Fort Worth will determine in its sole discretion how

much more waste it can accept for proper transport back to the ECC. If more households arrive at the event than Fort Worth can accept, Participating City will in no event be entitled to any damages or recovery of any costs, except as provided herein.

- (d) Due to limited storage space at the ECC, Participating City acknowledges and agrees that if it requests the Fort Worth Mobile Collection Unit at a mobile collection event, a Participating City's MCU shall not also be at the event.
- (e) Fort Worth, in its sole discretion, will determine whether to send the Fort Worth Mobile Collection Unit to Participating City's Collection Event during adverse weather, the threat of adverse weather, or other hazardous conditions including but not limited to sleet, snow, rain, mist, or hail. In the event Fort Worth determines not to send the Fort Worth Mobile Collection Unit, Fort Worth shall attempt to notify persons listed herein as an "Operational Contact" by the Participating City and shall attempt to send a Fort Worth employee to the Participating City's event to tell any residents that come to dispose of household hazardous waste that the Fort Worth Mobile Collection Unit will not be coming to the event, but the resident can go to the ECC to dispose of the waste. A map with directions to the ECC also will be provided.
- (f) The Participating City agrees to collect collection data at the MCU and provide Fort Worth with a list of total MCU participants and total quantities of wastes listed in an Excel spreadsheet in a template provided by Fort Worth as Exhibit C, within ten (10) days of the mobile collection event. No vouchers, sign-in sheets, or copies of either will be accepted by Fort Worth.

2. Participating City Mobile Collection Unit:

- (a) Fort Worth agrees to accept household hazardous waste from mobile collection events conducted by Participating City using Participating City's MCU in accordance with the terms of this Agreement.
- (b) Fort Worth agrees to restock the items it removes from Participating City's MCU, however, Fort Worth shall only restock items listed in Exhibit "A," attached and incorporated herein as if set forth.

3 Loan of the Reserve Mobile Collection Unit

The reserve MCU is a specially designed and equipped thirty-six (36) foot gooseneck box-trailer and one (1) ton pickup owned by Fort Worth. Participating City may request the loan of Fort Worth's Reserve MCU free of charge for use in a Household Hazardous Waste collection event when available. Participating City may use the Reserve MCU to transport HHW to Fort Worth's ECC or another collection center that may lawfully receive HHW. Participating City shall provide Fort Worth with a written request, facsimile or e-mail, at least sixty (60) days prior to the event date for which the request is made. Fort Worth shall have sole determination whether the Reserve MCU is available for use by Participating City and shall notify Participating City as soon as is reasonably practicable of such decision. Fort Worth shall not participate in nor be responsible for

any part of the Participating City's HHW Collection Event unless and except by written mutual agreement.

- (a) Fort Worth shall disclose any known problems the Reserve MCU may have in performing the tasks necessary for the HHW Collection Event. Prior to issuance of the Reserve MCU, a pre-trip inspection for potential maintenance problems will be performed by Fort Worth. Also, both parties will complete a pre-trip aesthetic assessment. Participating City shall be responsible for all certifications and insurance necessary for the proper operation of the Reserve MCU.
- (b) Participating City agrees to maintain and return the Reserve MCU in as good condition as it was in when Participating City took possession for use. Participating City shall return the Reserve MCU to Fort Worth in a timely manner and as mutually agreed upon.
- (c) Participating City shall be responsible for all property damage, personal injury, or death caused by Participating City's employees, volunteers, contractors, or agents and arising out of the use of the Reserve MCU during the term of this Agreement.
- (d) It is expressly understood and agreed that, in the execution of this Agreement, neither of the parties waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement the parties do not intend to create any obligations, expressed or implied, other than those set forth herein and this Agreement shall not create any rights in parties not signatories hereto.

5.

DUTIES OF PARTICIPATING CITY

Participating City agrees to perform the following duties in connection with the household hazardous waste collection program:

- A. Participating City will designate one of its employees, and another as an alternate, to act as its household hazardous waste collection Operational Contact to interact with Fort Worth as designated on the signature page to this contract.
- B. Participating City will coordinate and fund all program advertising targeted to its own citizens, as it deems necessary. Such advertising shall include the type of wastes that will be accepted at the ECC, the requirement of proof of residency, and weather cancellation information.
- C. Participating City shall notify its residents of the ECC hours of operation and dates it is closed as provided in Section 9 "The Environmental Collection Center Hours of Operation."
- D. Participating City may choose to utilize a voucher system for its residents in order for them to bring HHW to the ECC. If Participating City chooses to use such a system, it shall designate so

herein and include a copy of the official voucher. In addition, if a citizen from a Participating City that utilizes a voucher system comes to the ECC or a mobile collection event without a voucher, Participating City acknowledges and agrees that Fort Worth will not accept the household hazardous waste until Participating City authorizes the acceptance in writing.

- E. Participating City may submit a written request for a monthly report listing the number of its city's households that have disposed of household hazardous waste at the ECC or a mobile collection event.
- F. Participating City shall provide traffic control and signage for the mobile collection event, and shall provide personnel to assist Fort Worth with the offloading of material, surveys, and screening of persons dropping off household hazardous waste. Prior to the event, the parties shall agree upon the details of the traffic control, signage, and personnel assistance.
- G. If a Participating City resident presents waste that was collected from multiple households, Fort Worth reserves the right to charge the Participating City based on the total number of households from which the waste originated even if the resident has only one voucher.
- H. Participating City shall provide a means for disposing of solid waste (e.g. boxes, trash, containers) on site during a mobile collection event.
- I. Mobile Collection Events using Participating City's MCU or Reserve MCU
 - 1. Participating City is responsible for proper notification to TCEQ as required by 30 TAC §335.403.
 - 2. Participating City shall advise the ECC at least 72 hours in advance of its mobile collection events. Participating City shall collect only HHW during a mobile collection event. Wastes from commercial, agricultural, and industrial sources shall not be accepted. Participating City shall not accept compressed flammable gas containers; radioactive materials; explosives or potentially shock sensitive materials; biological, etiologic, or infectious materials; or any other wastes that Fort Worth has determined are unacceptable.
 - 3. In accordance with the latest DOT requirements, Participating City's MCU operators will properly categorize, package, mark, label, and load into the MCU, all wastes received at the mobile collection event. Recyclable products (used oil, used oil filters, latex paint, recyclable anti-freeze, lead-acid batteries, and fluorescent lights) will be segregated into containers for recyclables.
 - 4. After accepting wastes, Participating City's MCU operators shall thoroughly check each container for proper labeling and identification. If a container is properly identified, the material will be segregated according to hazard class and prepared for packaging. If a container does not have adequate labeling to permit identification, the MCU operators shall then attempt to identify the material from its physical characteristics using HAZCAT analysis and from information provided by the household presenting the waste.

5. The Participating City's MCU operators shall package all hazardous materials in accordance with DOT requirements, EPA requirements, and all other applicable federal and state requirements. After all the wastes have been properly identified and segregated, the MCU operators will reexamine the wastes for compatibility, list them on the container content sheets, and pack them into drums. Oil-based paints and latex paints shall be bulked separately in 55-gallon drums, or if the paint is left in its container, the paint can be packed in a lined cubic yard box, and packed and labeled according to federal and state regulations. Participating City shall not transport waste that is not HHW to the ECC. Participating City agrees to make its own arrangements to dispose of any non-HHW waste collected at the event.
6. Prior to transporting the HHW from the collection event site, Participating City's MCU operators shall complete a Bill of Lading, and shall keep the Bill of Lading in the cab of the truck hauling the MCU during transportation of the HHW to the ECC. Participating City shall require that a minimum of one copy of the latest North American Emergency Response Guidebook be kept within the cab of the truck.
7. During transportation, Participating City's MCU operators shall placard the MCU for transportation of hazardous waste in accordance with federal and state law.
8. Upon the return of the MCU to the ECC, Participating City's MCU operators shall follow the instructions of Fort Worth regarding the placement of the MCU for unloading. Fort Worth shall take possession of the MCU from Participating City after the MCU has been properly parked for unloading in accordance with Fort Worth's instructions and all required documents have been delivered to the ECC manager or his/her designee at the ECC. Fort Worth shall, within a reasonable amount of time, unload the HHW from the Participating City's MCU and store the unit at the ECC. After being contacted, Participating City shall pickup their unit within 10 days.
9. If Fort Worth, in its sole discretion, determines that Participating City's MCU operators improperly packaged any of the HHW delivered to the ECC, Fort Worth shall repackage such waste, and Participating City shall reimburse Fort Worth as set forth herein.
10. If a spill emanating from the Participating City's MCU or the Reserve MCU occurs at the ECC while the MCU is still in Participating City's possession, Fort Worth shall take control of the spill response and Participating City will reimburse Fort Worth for its response costs as set forth herein.

6.

USE OF WASTE DISPOSAL/RECYCLING FIRMS FOR HOUSEHOLD HAZARDOUS WASTE

- A. Fort Worth will enter into a contract(s) with a waste disposal/recycling firm(s) for the handling, collection, transportation, storage, disposal, treatment, recovery, and/or reuse of household hazardous waste, from the ECC.
- B. Such firm(s) shall be required pursuant to the contract(s) to assume generator status for the waste collected, (excluding used oil, lead-acid batteries and antifreeze) to choose a disposal site for the waste subject to Fort Worth's approval, and to indemnify Fort Worth and participating

cities against any and all environmental damages and the violation of any and all environmental requirements resulting from the handling, collection, transportation, storage, disposal, treatment, recovery, and/or recycling of waste collected pursuant to this agreement, when said environmental damages or the violation of said environmental requirements was the result of any act or omission of contractor, its officers, agents, employees, or subcontractors, or the joint act or omission of contractor, its officers, agents, employees, or subcontractors and any other person or entity.

- C. **THE PARTIES RECOGNIZE THAT ALTHOUGH THE FIRM (S) WILL BE REQUIRED TO ASSUME GENERATOR STATUS, THIS ASSUMPTION WILL NOT RELIEVE PARTICIPATING CITY OF LIABILITY FOR THE WASTE UNDER FEDERAL LAW AND STATE LAW.** Fort Worth will arrange for recycling vendors for used oil, batteries, antifreeze, and other materials, as it deems appropriate.

7.

REUSE OF COLLECTED MATERIALS

- A. From time-to-time Fort Worth will make available to residents and businesses of Fort Worth, as well as, Participating City residents and businesses of Participating City for their use, collected household hazardous waste materials that are suitable for reuse, such as paint, fertilizer, motor oil, and antifreeze. Fort Worth shall not charge for any materials that are picked up for reuse.
- B. Some materials made available for reuse may have been consolidated and filtered by Fort Worth prior to being made available. Used antifreeze will have been consolidated in a barrel, filtered, and pH balanced, and new antifreeze may have been added to the barrel.
- C. In regards to materials accepted by Participating City, its employees, residents, or any other person **FORT WORTH MAKES NO REPRESENTATIONS, WARRANTIES, OR GUARANTIES THAT:**
1. the container contents are what the label indicates;
 2. the container contents are those originally placed into the container by the manufacturer;
 3. the product is of the quality intended for its use;
 4. the contents of the container have been stored properly;
 5. the instructions on the container label for use, storage, and first aid are current or correct;
 6. the container is in unimpaired condition;
 7. the product is still approved for use (i.e., it has not been banned or recalled); and
 8. the product can be used without risk to persons, property or the environment.

FURTHERMORE, ALL WARRANTIES, EXPRESS AND IMPLIED, ARE SPECIFICALLY DENIED. PARTICIPATING CITY SHALL NOTIFY RECIPIENTS OF THESE TERMS AND CONDITIONS.

- D. Participating City shall contact the ECC manager to arrange a pickup time to obtain materials. Participating City agrees that it shall not return to Fort Worth, directly or indirectly, any materials it obtains from Fort Worth under this paragraph.

E. **INDEMNIFICATION REGARDING REUSED OR RECYCLED MATERIALS.**

1. IN REGARDS TO REUSED OR RECYCLED MATERIALS ACCEPTED BY PARTICIPATING CITY, PARTICIPATING CITY DOES HEREBY WAIVE ALL CLAIMS, INCLUDING PRODUCTS LIABILITY CLAIMS, AND RELEASES, AND HOLDS HARMLESS THE CITY OF FORT WORTH, AND ALL OF ITS OFFICIALS, OFFICERS, EMPLOYEES, AGENTS, AND VOLUNTEERS, IN BOTH THEIR PUBLIC AND PRIVATE CAPACITIES, FROM ANY AND ALL LIABILITY, CLAIMS, SUITS, DEMANDS, EXPENSES OF LITIGATION, OR CAUSES OF ACTION WHICH MAY ARISE BY REASON OF INJURY TO PERSONS, LOSS OF PROPERTY, DAMAGE TO PROPERTY, OR LOSS OF USE OF ANY PROPERTY , OCCASIONED BY THE TRANSPORTATION, STORAGE, HANDLING, USE, AND DISPOSAL BY PARTICIPATING CITY OF ANY MATERIALS ACCEPTED BY PARTICIPATING CITY UNDER THIS AGREEMENT FROM FORT WORTH.

2. IF THE PARTICIPATING CITY DOES NOT AGREE TO THE INDEMNIFICATION AND WAIVER IN PARAGRAPH E ABOVE, THEN THE PARTICIPATING CITY SHALL NOT ACCEPT, NOR ALLOW ANY OTHER PERSON TO ACCEPT ANY OF THE REUSED OR RECYCLED MATERIALS AND SHALL NOT BE REQUIRED TO AGREE TO THE WAIVER IN PARAGRAPH E. Initial here to reject term 7.E.1. and accept alternate term 7.E.2. _____.

- F. In regards to materials accepted by residents or businesses of Participating Cities, FORT WORTH MAKES NO REPRESENTATIONS, WARRANTIES OR GUARANTIES THAT:

1. the container contents are what the label indicates;
2. the container contents are those originally placed into the container by the manufacturer;
3. the product is of the quality intended for its use;
4. the contents of the container have been stored properly;
5. the instructions on the container label for use, storage, and first aid are current or correct;
6. the container is in unimpaired condition;
7. the product is still approved for use (i.e., it has not been banned or recalled); and
8. the product can be used without risk to persons, property or the environment.

FURTHERMORE, ALL WARRANTIES, EXPRESS AND IMPLIED, ARE SPECIFICALLY DENIED.

- G. Participating City shall attempt to inform its residents and businesses that if they go to the Environmental Collection Center to pick up household hazardous waste for reuse, a release of liability must be signed to accept the household hazardous waste for reuse.

8.

RIGHT TO REFUSE WASTE

Participating City agrees that Fort Worth shall have the right to refuse to accept waste at the ECC from Participating City or Participating City's resident, if in the reasonable judgment of Fort Worth:

- A. The waste is not household hazardous waste;
- B. The waste fails to meet other established criteria established by this Agreement, or that have been established by Fort Worth subsequent to the execution of the Agreement;
- C. The individual does not have sufficient identification to establish that he/she is in fact a resident of Participating City;
- D. Participating City has implemented a voucher system for its residents to dispose of waste, and the individual does not have a valid voucher; or
- E. The waste or the individual presents a hazard to the ECC or to persons or property at the ECC.

9.

ENVIRONMENTAL COLLECTION CENTER HOURS AND DAYS
OF OPERATION

- A. Hours of Operation

During the term of the Agreement, the ECC's hours of operation are as follows:

Thursday and Friday 11:00 a.m. - 7:00 p.m.

Saturday 9:00 a.m. - 3:00 p.m.

- B. Days the Environmental Collection Center will be closed

During the term of the agreement, the ECC will be closed on the following holidays that are observed on days the ECC would otherwise be open to the public:

New Year's Day
Martin Luther King Jr. Day
Thanksgiving holiday, Thursday and Friday
Memorial Day
Independence Day
Labor Day
Christmas Day

In addition to the above closures Fort Worth employees may not be available to conduct mobile collection events on other dates to conduct mobile collections within the City of Fort Worth,

although the ECC will remain open on those days. The ECC may close due to furlough days or other causes, and the City of Fort Worth does not represent to Participating City that the ECC will be open on any particular days. If additional closures due to any cause are necessary Fort Worth will notify Participating City prior to the closure unless due to an unforeseeable event.

C. Notifying Residents

Participating City agrees to notify its residents of the ECC's hours of operation and dates it will be closed. Participating City also may advertise the 24-hour Environmental Collection Center telephone number: 817-392-1234.

10.
COMPENSATION

As fair compensation for the services provided by Fort Worth pursuant to this Agreement:

- A. Participating City agrees to pay Fort Worth the sum of **\$50.00** per household per visit to the ECC (or per participating household in a Mobile Collection Event) to dispose of household hazardous waste. If a Participating City resident presents waste that was collected from multiple households, Fort Worth reserves the right to charge the Participating City based on the total number of households from which the waste originated.
- B. If Fort Worth determines that Participating City's MCU operators improperly packaged any of the HHW delivered to the ECC, Fort Worth shall repackage such waste, and Participating City shall reimburse Fort Worth for its staff time at \$20.00 an hour and the cost of supplies.
- C. If a spill emanating from the Participating City's MCU or the Reserve MCU occurs at the ECC while the MCU is still in Participating City's possession, Fort Worth shall take control of the spill response and Participating City will reimburse Fort Worth for its response costs for City staff time (\$60.00 per hour) plus the cost of supplies and the actual costs for the spill response and remediation incurred by the City of Fort Worth for third party contractors and responding governmental agencies.
- D. The amount due to Fort Worth for services provided under this Section, Paragraphs A, B, and C, shall be billed to Participating City quarterly. Participating City shall pay Fort Worth within 30 days of receiving a bill from Fort Worth. If Fort Worth does not receive payment within 30 days, Fort Worth shall inform Participating City in writing that it will not accept any household hazardous waste from Participating City's residents and that Fort Worth will not participate in a mobile collection event or provide a mobile collection unit until paid.
- E. At the end of the term of this Agreement, Fort Worth shall provide a final accounting to Participating City, which will include the total number of Participating City's households which participated in the program, repackaging fees, if any, and the total cost of spill response charged to Participating City, if any.

- F. Pursuant to the requirements of Government Code §791.011 (a)(3), the amount due to Fort Worth under Subparagraph D. above shall be paid from revenues currently available to Participating City in the present fiscal year.

11.

ARTWORK, "CAPTAIN CRUD AND THE CRUDDIES," AND PROMOTIONAL MATERIALS
LICENSE AGREEMENT

Fort Worth is the owner of "**Captain Crud**" and the Cruddies ("**Bloomer**," "**Otto**," "**Pestie**," "**Scrub**," and "**Van Goo**") and the recycling buddies ("**Scrappy**," "**Juggles**," and "**Cana Nana**"), "**Conquer Your Crud**," and "**Crud Cruiser**", and therefore all ownership rights belong to Fort Worth. Fort Worth has registered these marks as service marks with the Secretary of State.

- A. Fort Worth hereby grants to Participating City a non-transferable, non-exclusive license to use all the artwork and promotional materials that may be provided by Fort Worth to be used solely in the conduct of the business of Participating City's disposal and recycling of household hazardous waste programs. If Participating City wishes to use to Licensed Art and/or Promotional Materials in other limited situations, Participating City must first obtain express written consent from Fort Worth.
- B. Fort Worth may provide licensed Artwork and Promotional Materials to Participating City pursuant to the terms of this Agreement. Participating City acknowledges that by virtue of this License, Participating City acquires only the right to use the original and permitted duplicate copies of the Licensed Artwork and Promotional Materials and does not acquire any rights of ownership in the Licensed Artwork and Promotional Materials, which rights shall remain exclusively with Fort Worth. If Participating City wants to modify or change the artwork and/or promotional materials in any manner, Participating City hereby agrees to contact Fort Worth in writing to obtain written consent before modifying or changing any artwork and/or promotional materials.

12.

IMMUNITY

It is expressly understood and agreed that, in the execution of this Agreement, none of the Participating Cities waives, nor shall be hereby deemed to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions, and that the services described in this Agreement are a governmental function.

13.

FORCE MAJEURE

A delay or failure of Fort Worth to perform services pursuant to this Agreement shall be excused to the extent that the delay or failure to perform resulted from a force majeure event, and the delay or failure was beyond the control of Fort Worth and not due to its fault or negligence. Participating City shall not have, and hereby waives, any claim whatever for any damages resulting from delays or failure to perform caused by a force majeure event.

14.
TERMINATION

The parties shall each have the right to terminate the Agreement for any reason, with or without cause, upon thirty (30) days written notice to the other party. Upon termination, the parties shall be released from all contractual obligations to the other party excluding "USE OF WASTE DISPOSAL/RECYCLING FIRMS FOR HOUSEHOLD HAZARDOUS WASTE" "REUSE OF COLLECTED MATERIALS" and ARTWORK, "CAPTAIN CRUD AND THE CRUDDIES," AND "PROMOTIONAL MATERIALS LICENSE AGREEMENT" and any terms and conditions arising from events occurring during the term of the contract .

15.
ENTIRETY

This Agreement contains all commitments and Agreements of the parties hereto, and no other oral or written commitments shall have any force or effect if not contained herein, except that this Agreement can be amended or modified by the parties if such amendment or modification is in writing and signed by Participating City and Fort Worth.

16.
SEVERABILITY

In the event anyone or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provisions had never been contained herein.

17.
VENUE

Should any action, real or asserted, at law or in equity, arise out of the terms and conditions of this Agreement, venue for said action shall be in Tarrant County, Texas.

18.
AUTHORITY

This Agreement is made for Fort Worth and Participating City as an Interlocal Agreement, pursuant to Texas Government Code, Chapter 791.

19.
AUTHORIZATION

The undersigned officers and/or agents of the parties hereto are 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 such authority have been duly passed and are now in full force and effect.

SIGNATURE PAGE

INTERLOCAL AGREEMENT FOR PARTICIPATION IN FORT WORTH'S
ENVIRONMENTAL COLLECTION CENTER
HOUSEHOLD HAZARDOUS WASTE PROGRAM

CITY OF FORT WORTH

CITY OF _____

By:

By:

Fernando Costa
Assistant City Manager
Date: _____

Printed name: _____
Title: _____
Date: _____

APPROVED AS TO FORM
AND LEGALITY:

APPROVED AS TO FORM
AND LEGALITY:

Christa Reynolds
Sr. Assistant City Attorney

City Attorney / Assistant City Attorney

ATTEST:

ATTEST:

Mary J. Kayser
City Secretary

Witness

Contract Authorization No.

CITY OF FORT WORTH
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.

Rex Johnson
Environmental Supervisor – Environmental Collection Center

Exhibit "A"

RESTOCKING LIST FOR THE MOBILE COLLECTION UNIT

Material	Amount Restocked	Special Needs	Remarks
55 gallon open top drums (open top for loose packs)	Amount taken off the trailer		
55 gallon drums (closed top) (oil, antifreeze, bulk flammable materials and one extra)	Amount taken off the trailer		
Fiber drums (55 or 30 gallon) Aerosols, acids, bases and oxidizers)	Amount taken off the trailer		
Gaylord box liners (plastic)	Amount taken off the trailer		
55 gallon drum liners	Amount taken off the trailer		
5 gallon buckets (filters/haz chemicals)	Amount taken off the trailer		
Survey Forms	Amount taken off the trailer		
Labels/drum placard	Amount taken off the trailer		
Gaylord boxes	Amount taken off the trailer		
Absorbent pads	Amount taken off the trailer		
Vermiculite	Amount taken off the trailer		
Oil dry	Amount taken off the trailer		
Promotional Materials & Brochures	Amount needed		

Exhibit "B"

WAIVER AND RELEASE OF LIABILITY FOR COLLECTION OF HOUSEHOLD
HAZARDOUS WASTE

I being the owner of property located at _____
have been asked by the City of _____ to allow a mobile collection event on
my property to collect household hazardous waste on the _____, 20____. I hereby give my
permission to the City of _____ and the City of Fort Worth, to hold a household
hazardous waste collection event on my property in which the City of _____
has asked the City of Fort Worth to send its mobile collection unit to collect the household hazardous
waste that is brought to the event.

Therefore, I hereby RELEASE, DISCHARGE, HOLD HARMLESS, INDEMNIFY the City of Fort Worth or its
officers, agents, and employees and the City of _____ and its officers, agents,
and/or employees for any and all claims, demands, liability, causes of action, actions or suits of any
character that I may have against the City of Fort Worth or its officers, agents, and/or employees and
the City of _____ or its officers, agents, and/or employees for any property loss
or damage, for any and all personal injury including death or any other damage of any kind or character
which may arises or that arises from allowing the City of _____ to hold a household
hazardous waste collection event, in which the City of Fort Worth sends its mobile collection unit on my
property.

I have read this Waiver and Release and fully understand its terms and conditions. I have not been
influenced in any extent whatsoever by any representation or statements not contained in this
Agreement.

Signature

Date

Witness

Date

Exhibit "C"

MOBILE COLLECTION DATA FORMAT

[illegible][illegible]

Lake Worth City Council Meeting – August 8, 2017

Agenda Item No. B.4

From: Stacey Almond, City Manager

Item: Approve designating the employees' floating holiday for FY 2017/2018 as Monday, February 19, 2018 (President's Day) and September 11, 2018 for all Fire Department employees'.

Summary:

One floating holiday per calendar year approved by City Council; staff is requesting the following:

1. Presidents Day, February 19, 2018, for city employees; and
2. In accordance with Section 142.0013(c) of the Texas Local Government Code, the Floating Holiday shall be designated as September 11th for firefighter personnel.

Fiscal Impact:

N/A

Attachments:

1. 2017-2018 Pay Calendar

Recommended Motion or Action:

Approve designating the employees' floating holiday for FY 2017/2018 as Monday, February 19, 2018 (President's Day) and September 11, 2018 for all Fire Department employees'.

OCTOBER 1, 2017- SEPTEMBER 30, 2018 PAY CALENDAR

2017-2018

OCTOBER 2017							NOVEMBER 2017							DECEMBER 2017						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7				1	2	3	4						1	3
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30
														31						

Thanksgiving Day & the day after

Christmas Eve & Christmas Day

JANUARY 2018							FEBRUARY 2018							MARCH 2018						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28				25	26	27	28	29	30	31

New Years Day

President's Day-Floater for non FD personnel

Good Friday

APRIL 2018							MAY 2018							JUNE 2018						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7			1	2	3	4	5						1	2
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
29	30						27	28	29	30	31			24	25	26	27	28	29	30

Memorial Day

JULY 2018							AUGUST 2018							SEPTEMBER 2018						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7				1	2	3	4							1
8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8
15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22
29	30	31					26	27	28	29	30	31		23	24	25	26	27	28	29
														30						


Independence Day

Labor Day & Floater for FD Personnel

 PAY PERIOD END

 HOLIDAYS

 PAY DAY

 A/P CHECK WRITE

 LAST DAY TO TURN IN INVOICES FOR CHECK WRITE

Lake Worth City Council Meeting – August 8, 2017

Agenda Item No. C.1

From: Stacey Almond, City Manager

Item: Public Hearing to consider the Lake Worth Crime Control and Prevention District's proposed budget for the fiscal year beginning on October 1, 2017, and ending on September 30, 2018.

Summary:

The Lake Worth Crime Control and Prevention District held a public hearing on Tuesday, July 11, 2017, and adopted its budget. On July 12, 2017, the LWCCPD submitted its budget to the City.

Section 363.205 of the Local Government Code requires the following:

- a. Not later than the 45th day before the date each fiscal year begins, the government body of the political subdivision that created the district shall hold a public hearing on the budget adopted by the board and submitted to the governing body.
- b. The governing body must publish notice of the hearing in a newspaper with general circulation in the district not later than the 10th day before the date of the hearing.
- c. Any resident of the district is entitled to be present and to participate at the hearing.
- d. Not later than the 30th day before the date the fiscal year begins, the governing body shall approve or reject the budget submitted by the board. The governing body may not amend the budget.
- e. If the governing body rejects the budget submitted by the board, the governing body and the board shall meet and together amend and approve the budget before the beginning of the fiscal year.
- f. The budget may be amended after the beginning of the fiscal year on approval by the board and the governing body.

Fiscal Impact:

N/A

Attachments:

1. LWCCPD proposed budget for fiscal year beginning October 1, 2017, and ending September 30, 2018.

Recommended Motion or Action:

Move to approve the proposed LWCCPD budget for fiscal year beginning October 1, 2017 and ending September 30, 2018.

**CITY OF LAKE WORTH
CRIME CONTROL AND PREVENTION
DISTRICT (CCPD)
NOTICE OF PUBLIC HEARINGS**

Public Hearings/Meetings have been scheduled regarding the City of Lake Worth's Crime Control and Prevention District (CCPD) Budget on the 2017-2018 proposed annual budget and 2016-2017 revised budget during a meeting to be held:

- Public Hearing/Meeting of the CCPD Board for the CCPD Budget:
CCPD Public Hearing/Meeting on
Tuesday, July 11, 2017 at 6:00 pm located at the
Council Chambers, 3805 Adam Grubb
- City Council Public Hearing/Meeting for the CCPD Budget:
City Council Public Hearing/Meeting on
Tuesday, August 8, 2017 at 6:30 pm located at the
Council Chambers, 3805 Adam Grubb

The proposed budget is available for review in the office of the City Secretary at City Hall between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday. It is also available for review online at www.lakeworthtx.org.

Written comments from interested persons should be received no later than one week prior to each Public Hearing/Meeting date. Please submit written comments to: Monica Solko, City Secretary, City of Lake Worth, 3805 Adam Grubb, Lake Worth, Texas 76135.



**CRIME CONTROL AND PREVENTION DISTRICT
PROPOSED BUDGET FOR FISCAL YEAR
ENDING SEPTEMBER 30, 2018**



**BUDGET WORKSHOP JULY 11, 2017 AT 5:30 PM
CITY COUNCIL CHAMBERS-3805 ADAM GRUBB**

**CITY OF LAKE WORTH
CRIME CONTROL AND PREVENTION DISTRICT
PROPOSED BUDGET FOR FYE SEPTEMBER 30, 2018**

EXPENSES

The budget includes the following eight (8) positions:

- Detective (1)
- Patrol Officers (4)
- School Resource Officer (1)
- Professional Standards Officer (1)
- Telecommunicator (1)

An approved patrol officer position is being added back to the budget after being left vacant due to budget constraints for the last five (5) years.

Capital included in the budget:

- One new patrol vehicle - \$43,000 (108 805 510)
- New jail board - \$90,000 (108 802 510)

REVENUES

Included in the budget is revenue in the amount of \$42,860. This amount will be reimbursed to CCPD from LWISD and represents one-half (1/2) of the budgeted cost of the School Resource Officer. This will be the first year the school district will participate in that cost.

**CITY OF LAKE WORTH
CRIME CONTROL & PREVENTION DISTRICT
2017/2018 PROPOSED BUDGET**

(DETAILED LINE ITEMS ARE ATTACHED FOR REVIEW AND DISCUSSION)

CATEGORY	2012/2013 ACTUAL	2013/2014 ACTUAL	2014/2015 ACTUAL	2015/2016 ACTUAL	2016/2017 CURRENT	2016/2017 ESTIMATED	2017/2018 PROPOSED
REVENUE							
SALES TAX	(868,482)	(898,580)	(927,204)	(1,017,341)	(983,477)	(1,035,000)	(1,075,000)
INVESTMENT & MISC INCOME	(5,639)	(2,291)	(512)	(3,705)	(800)	(18,602)	(45,860)
USE OF PRIOR YEAR RESERVES							
TOTAL REVENUE	(874,121)	(900,871)	(927,716)	(1,021,046)	(984,277)	(1,053,602)	(1,120,860)
EXPENDITURES							
SALARIES (100 SERIES)	534,786	566,315	651,848	619,038	617,160	611,141	704,631
SUPPLIES (200 SERIES)	15,292	16,329	21,220	16,032	17,950	17,950	23,950
MAINTENANCE (300 & 400 SERIES)	11,069	12,731	14,720	15,989	34,175	34,175	23,175
SERVICES (500 SERIES)	48,405	55,182	62,837	60,650	64,243	64,243	60,690
MISCELLANEOUS (600 SERIES)							
EQUIPMENT (700 SERIES)				453	1,000	1,000	1,000
CAPITAL (800 SERIES)	48,437	47,845	18,349	52,418	64,920	64,920	159,000
TRANSFERS OUT (900 SERIES)	169,520	197,690	165,683	171,936	171,314	171,314	175,851
TOTAL EXPENDITURES	827,509	896,092	934,657	936,516	970,762	964,743	1,148,297
VARIANCE-(SURPLUS)/DEFICIT	(46,612)	(4,779)	6,941	(84,530)	(13,515)	(88,859)	27,437

**CITY OF LAKE WORTH
CRIME CONTROL & PREVENTION DISTRICT
BUDGET WORKSHEET
BUDGET REQUESTS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2018**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FYE 2017				FYE 2018
		ADOPTED BUDGET	CURRENT BUDGET	YTD TOTAL	ESTIMATED YR-END TOTAL	BUDGET REQUEST
108-4011-000-000	STATE SALES TAX	(970,000.00)	(983,477.00)	(703,529.09)	(1,035,000.00)	(1,075,000.00)
	Subtotal	(970,000.00)	(983,477.00)	(703,529.09)	(1,035,000.00)	(1,075,000.00)
108-4800-000-000	INTEREST INCOME	(500.00)	(500.00)	(1,477.20)	(1,900.00)	(2,500.00)
108-4804-000-000	AUCTION			(2,950.00)	(2,950.00)	
108-4805-000-000	SRO REIMBURSEMENT					(42,860.00)
108-4806-000-000	DONATIONS			(2,000.00)	(2,000.00)	
108-4825-000-000	INSURANCE PROCEEDS			(10,237.03)	(10,237.00)	
108-4880-000-000	MISCELLANEOUS INCOME	(300.00)	(300.00)	(1,515.25)	(1,515.00)	(500.00)
	Subtotal	(800.00)	(800.00)	(18,179.48)	(18,602.00)	(45,860.00)
108-4996-000-000	USE OF PRIOR YR RESTRICTED FB					
	Subtotal	0.00	0.00	0.00	0.00	0.00
	Total Revenues	(970,800.00)	(984,277.00)	(721,708.57)	(1,053,602.00)	(1,120,860.00)

**CITY OF LAKE WORTH
CRIME CONTROL & PREVENTION DISTRICT
BUDGET WORKSHEET
BUDGET REQUESTS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2018**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FYE 2017				FYE 2018
		ADOPTED BUDGET	CURRENT BUDGET	YTD TOTAL	ESTIMATED YR-END TOTAL	BUDGET REQUEST
108-0100-510-000	SALARIES	406,112.00	413,972.00	298,334.61	413,197.00	462,253.00
108-0101-510-000	OVERTIME	30,000.00	12,880.00	7,271.24	12,152.00	17,500.00
108-0102-510-000	LONGEVITY PAY	3,665.00	4,120.00	4,120.00	4,120.00	3,670.00
108-0108-510-000	FICA EXPENSE	27,827.00	26,504.00	18,541.72	26,283.00	30,487.00
108-0109-510-000	MEDICARE EXPENSE	6,508.00	6,166.00	4,336.39	6,147.00	7,130.00
108-0110-510-000	UNEMPLOYMENT TAX	1,710.00	1,710.00	63.00	90.00	1,881.00
108-0111-510-000	TMRS EXPENSE	59,885.00	59,066.00	43,329.07	57,843.00	66,498.00
108-0112-510-000	HMO EXPENSE	87,182.00	70,182.00	51,304.99	70,097.00	89,828.00
108-0113-510-000	DENTAL BENEFITS	1,214.00	1,281.00	945.28	1,281.00	1,653.00
108-0114-510-000	LIFE INSURANCE	502.00	672.00	483.51	672.00	935.00
108-0115-510-000	WORKERS' COMPENSATION	9,892.00	10,130.00	7,452.21	9,936.00	11,544.00
108-0116-510-000	OTHER BENEFITS	960.00	960.00	608.00	912.00	1,026.00
108-0117-510-000	VISION INSURANCE	504.00	504.00	361.16	485.00	546.00
108-0118-510-000	CERTIFICATION PAY	6,800.00	6,800.00	4,175.00	5,713.00	8,300.00
108-0120-510-000	UNIFORM ALLOWANCE	2,250.00	1,313.00	1,312.50	1,313.00	
108-0122-510-000	HSA CONTRIBUTION		900.00	600.00	900.00	1,380.00
	Subtotal	645,011.00	617,160.00	443,238.68	611,141.00	704,631.00
108-0208-510-000	GAS & OIL	7,500.00	7,500.00		7,500.00	7,500.00
108-0210-510-000	MISCELLANEOUS SUPPLIES	1,000.00	1,000.00	128.18	1,000.00	1,000.00
108-0213-510-000	OFFICE SUPPLIES	500.00	500.00	486.60	500.00	500.00
108-0214-510-000	POSTAGE	300.00	200.00	9.40	200.00	200.00
108-0215-510-000	PRINTING	500.00	250.00		250.00	250.00
108-0220-510-000	UNIFORM ACCESSORIES	3,000.00	2,000.00	378.27	2,000.00	3,000.00
108-0223-510-000	TRAINING SUPPLIES	7,000.00	5,500.00	405.00	5,500.00	5,500.00
108-0295-510-000	SPECIAL EVENT SUPPLIES	2,000.00	1,000.00	955.48	1,000.00	6,000.00
	Subtotal	21,800.00	17,950.00	2,362.93	17,950.00	23,950.00

**CITY OF LAKE WORTH
CRIME CONTROL & PREVENTION DISTRICT
BUDGET WORKSHEET
BUDGET REQUESTS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2018**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FYE 2017				FYE 2018
		ADOPTED BUDGET	CURRENT BUDGET	YTD TOTAL	ESTIMATED YR-END TOTAL	BUDGET REQUEST
108-0300-510-000	BUILDING MAINTENANCE	7,000.00	7,000.00	1,764.61	7,000.00	10,000.00
108-0320-510-000	LANDSCAPING MAINTENANCE	175.00	175.00	41.40	175.00	175.00
	Subtotal	7,175.00	7,175.00	1,806.01	7,175.00	10,175.00
108-0403-510-000	OTHER EQUIPMENT MAINTENANCE	3,000.00	7,000.00	5,528.96	7,000.00	3,000.00
108-0404-510-000	RADIO MAINTENANCE	1,000.00				
108-0406-510-000	VEHICLE MAINTENANCE	10,000.00	20,000.00	13,539.06	20,000.00	10,000.00
	Subtotal	14,000.00	27,000.00	19,068.02	27,000.00	13,000.00
108-0502-510-000	COMPUTER SOFTWARE CONTRACTS	40,000.00	35,000.00	23,523.00	35,000.00	35,000.00
108-0518-510-000	INSURANCE-BLDG & GEN LIABILITY	60.00	71.00	53.04	71.00	80.00
108-0521-510-000	INSURANCE-VEHICLES	4,625.00	4,372.00	3,278.64	4,372.00	4,810.00
108-0527-510-000	PUBLICATIONS	100.00	100.00		100.00	100.00
108-0531-510-000	SCHOOLS/DUES	1,500.00	1,000.00		1,000.00	1,000.00
108-0535-510-000	TELEPHONE	1,200.00	1,200.00	756.84	1,200.00	1,200.00
108-0537-510-000	TRAVEL/LODGING	3,000.00	1,000.00		1,000.00	2,000.00
108-0590-510-000	FW RADIO TRUNKING					11,000.00
108-0597-510-000	HUMAN RESOURCE SERVICES	500.00	500.00		500.00	500.00
108-0599-510-000	OTHER SERVICES	20,000.00	21,000.00	20,014.04	21,000.00	5,000.00
	Subtotal	70,985.00	64,243.00	47,625.56	64,243.00	60,690.00
108-0702-510-000	MINOR EQUIPMENT-OFFICE	1,000.00	1,000.00	50.27	1,000.00	1,000.00
	Subtotal	1,000.00	1,000.00	50.27	1,000.00	1,000.00

**CITY OF LAKE WORTH
CRIME CONTROL & PREVENTION DISTRICT
BUDGET WORKSHEET
BUDGET REQUESTS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2018**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FYE 2017				FYE 2018
		ADOPTED BUDGET	CURRENT BUDGET	YTD TOTAL	ESTIMATED YR-END TOTAL	BUDGET REQUEST
108-0801-510-000	COMPUTER HARDWARE	6,000.00	6,265.00	783.15	6,265.00	6,000.00
108-0802-510-000	EQUIPMENT	10,000.00	10,000.00	8,742.64	10,000.00	100,000.00
108-0805-510-000	MOTOR VEHICLES		37,800.00	32,125.25	37,800.00	43,000.00
108-0811-510-000	BUILDING IMPROVEMENTS	10,000.00	10,000.00	3,864.00	10,000.00	10,000.00
108-0820-510-000	DONATION EXPENDITURES		855.00	855.09	855.00	
	Subtotal	26,000.00	64,920.00	46,370.13	64,920.00	159,000.00
108-0904-510-000	TRANSFER OUT - GF SALARIES	105,197.00	105,197.00	52,598.00	105,197.00	105,197.00
108-0905-510-000	TRANS OUT - ADMIN FEE	66,117.00	66,117.00	33,060.00	66,117.00	70,654.00
	Subtotal	171,314.00	171,314.00	85,658.00	171,314.00	175,851.00
	Total Expenses	957,285.00	970,762.00	646,179.60	964,743.00	1,148,297.00
	Deficit/(Surplus)	(13,515.00)	(13,515.00)		(88,859.00)	27,437.00

**CITY OF LAKE WORTH
CRIME CONTROL & PREVENTION DISTRICT
ESTIMATED FUND BALANCE
AS OF 09/30/18**

Fund Balance as of 10/01/16

Unrestricted	391,636	
Non-Spendable	1,908	
Restricted-Sr Thanksgiving	104	
Restricted-Nat'l Night Out		
Total		393,648

Fund balance is 40.80% of 2017 estimated expenses

Estimated Activity for FYE Setpember 2017

Revenues	1,053,602	
Expenses	964,743	
Effect on Fund Balance	88,859	

Estimated Fund Balance 09/30/17 482,507

Estimated fund balance is 42.02% of 2018 budgeted expenses

Estimated Activity for FYE Setpember 2018

Revenues	1,120,860	
Expenses	1,148,297	
Effect on Fund Balance	-27,437	

Estimated Fund Balance 09/30/17 455,070

Estimated fund balance is 39.63% of 2018 budgeted expenses

Lake Worth City Council Meeting – August 8, 2017

Agenda Item No. C.2

From: Suzanne Meason, Planning & Zoning Administrator

Item: Public Hearing to consider Planning & Zoning Case No. PS17-05, a proposed preliminary plat being all of a .562 acre parcel of land known as Abstract 189, Tract 73, N B Breeding Survey of the records of Tarrant County, Texas. The proposed preliminary plat's new legal description will be Block 1, Lot 1, Westbrook Addition, commonly known as 4539 Hodgkins Road, Lake Worth, Texas. .

Property Description:

0.562 acres of property, located at 4539 Hodgkins Road

Property Owner(s):

Lee E Westbrook, 1205 Pepperidge Lane, Fort Worth, Texas 76131

Applicant:

Lee E Westbrook

Engineer/Surveyor:

Engineer: Huffman Consulting Engineers, Jace Huffman, 6716 Azle Avenue, Lake Worth, Texas 76135

Surveyor: Coombs Land Surveying, Inc., Ron Coombs, PO Box 11370, Fort Worth, Texas 76110

Current Zoning:

"SF-1" – Single Family Residential

Proposed Use:

"SF-1" – Single Family Residential

Existing Road(s):

Hodgkins Road

Surrounding Zoning:

North: The property to the north is currently zoned "SF-1" – Single Family Residential.

South: The property to the south is currently zoned "SF-1" – Single Family Residential.

East: The property to the east is currently zoned "SF-1" – Single Family Residential.

West: The property to the west is currently zoned "SF-1" – Single Family Residential.

Summary:

Mr. Westbrook purchased the above mentioned vacant property in May 2016 with the intent to build a residence on the property. The property is still in abstract/tract form and requires platting

Agenda Item No. C.2

in order for a structure to be built on the property. Therefore, Mr. Westbrook hired a surveyor to prepare a preliminary plat for approval, along with an engineer who has provided the utility layout and drainage study for the property. City utilities (water/sewer) are already in place and the property will just hook to the existing services upon construction. The preliminary plat and plans submitted comply with the City of Lake Worth requirements and are ready for approval. Once the preliminary plat has been approved by the Planning & Zoning Commission and City Council, a final plat will be prepared and brought back to the Commission/Council for final approval and then filing with Tarrant County. Once this has been done, a building permit for construction can be issued.

On July 18, 2017 the case was heard by the Planning & Zoning Commission and was recommended for approval, by a vote of 5 to 0.

Public Input:

On Friday, June 30, 2017, as required by State law, the City mailed out twenty one (21) letters of Notification for a Public Hearing to all property owners within two hundred (200) feet of the subject site. Notice was also published in the City's paper of record, the Fort Worth Star Telegram on Friday, June 30, 2017. We have received the following in favor/opposition to the request:

1. FOR – no comment forms received.
2. AGAINST – One (1) comment form received, owner is against, advised not enough information given, but did not leave a contact number for staff to reach out. (Owner came to P&Z Public Hearing to get more information and was fine with request.)

Fiscal Impact:

N/A

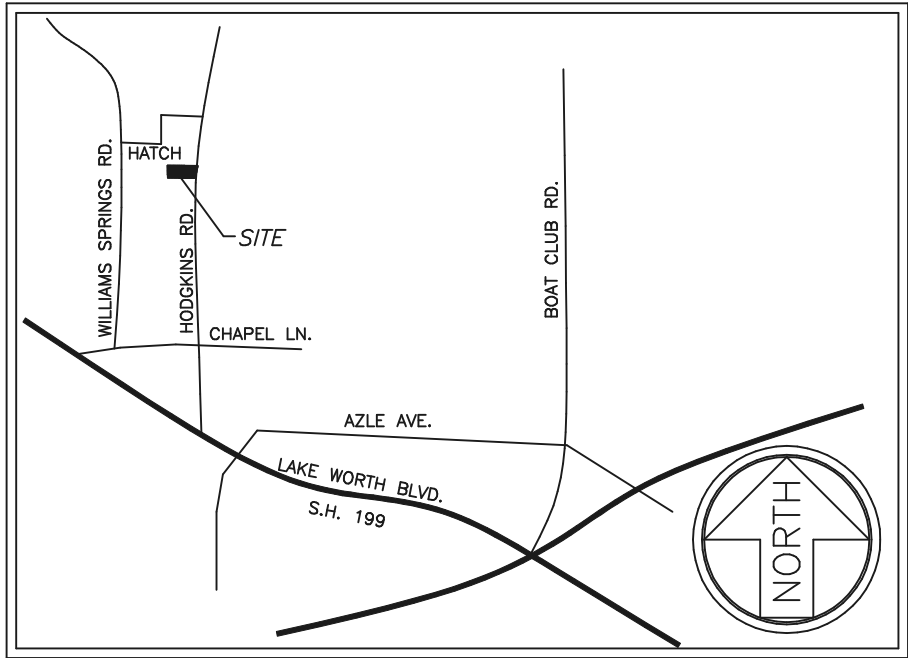
Attachments:

1. Preliminary Plat Application
2. Preliminary Plat/Water & Sanitary Sewer Layout/Drainage Study
3. Vicinity Map
4. Public Hearing Notice
5. Public Hearing Notifications (within 200' of subject property)
6. Returned Public Comment Forms

Recommended Motion or Action:

Staff recommends approval of Planning & Zoning Case No. PS17-05 as presented.

Fee: \$ 310.00		Date Paid: 5-2-17		Receipt #: P17-0360	
PZ #: PS17-05	Ownership Verified: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Taxes Paid: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Liens Paid: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
P & Z Meeting Date: 7.18.17			City Council Meeting Date: 8.8.17		
Plat Approved: <input type="checkbox"/> YES <input type="checkbox"/> NO		Date Approved: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		Date Plat Filed: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
				Instrument #:	



VICINITY MAP
NOT TO SCALE

CONSTRUCTION PROHIBITED OVER EASEMENTS

"NO PERMANENT BUILDINGS OR STRUCTURES SHALL BE CONSTRUCTED OVER ANY EXISTING OR PLATTED WATER, SANITARY SEWER, DRAINAGE, GAS, ELECTRIC, CABLE OR OTHER UTILITY EASEMENT OF ANY TYPE."

EASEMENT RESTRICTION STATEMENT

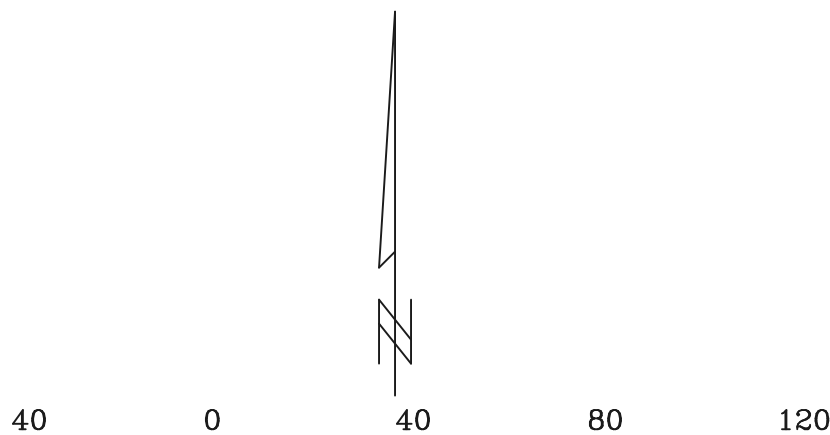
"ANY PUBLIC UTILITY, INCLUDING THE CITY OF LAKE WORTH, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCES, TREES, SHRUBS, OTHER CROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THE PLAT; AND ANY PUBLIC UTILITY, INCLUDING THE CITY OF LAKE WORTH, SHALL HAVE THE RIGHT AT ALL TIMES OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.."

FLOOD PLAIN

NO PORTION OF THIS PROPERTY LIES WITHIN A 100-YEAR FLOOD BOUNDARY LINE ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP FOR THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, COMMUNITY PANEL No. 48439C0305 K, MAP REVISED SEPTEMBER 25, 2009

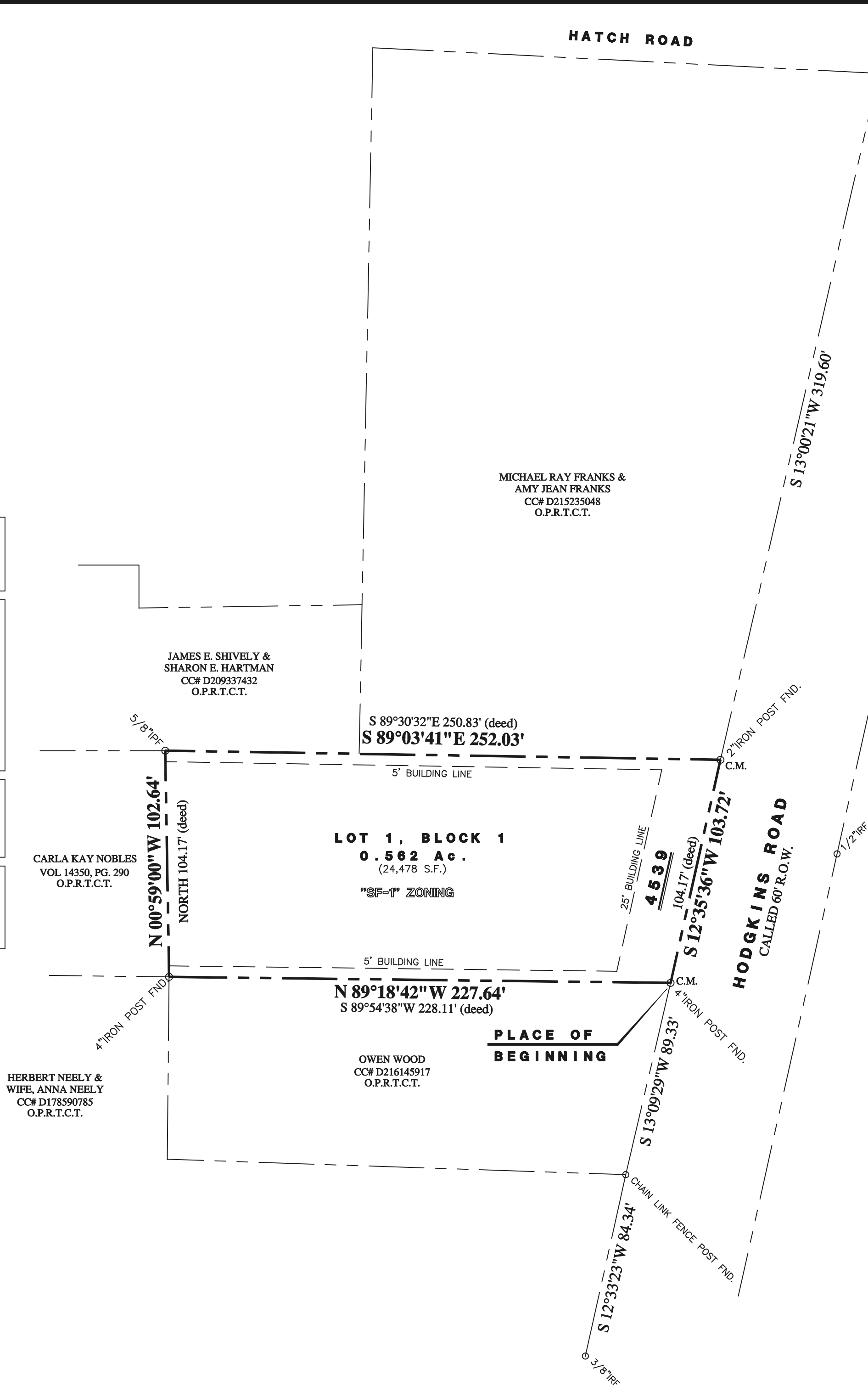
RIGHT TO REQUIRE MINIMUM FINISH FLOOR ELEVATIONS

"THE CITY OF LAKE WORTH RESERVES THE RIGHT TO REQUIRE MINIMUM FINISH FLOOR ELEVATIONS ON ANY LOT CONTAINED WITHIN THIS SUBDIVISION. THE MINIMUM ELEVATIONS SHOWN ARE BASED ON THE MOST CURRENT INFORMATION AVAILABLE AT THE TIME THE PLAT IS FILED AND MAY BE SUBJECT TO CHANGE."

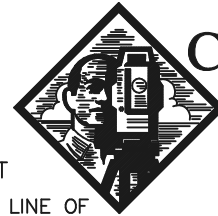


GRAPHIC SCALE - FEET

SCALE: 1" = 40'



IRF DENOTES IRON ROD FOUND
IRS DENOTES IRON ROD SET
W/ORANGE PLASTIC CAP STAMPED
"R. W. COOMBS RPLS 5294"
C.M. DENOTES CONTROLLING MONUMENT
BASIS OF BEARINGS: WEST RIGHT-OF-WAY LINE OF
HODGKINS ROAD ACCORDING TO DEED RECORDED
IN CKERK'S FILE No. D216116985, O.P.R.T.C.T.



Coombs Land Surveying, Inc.

P. O. Box 11370 Fort Worth, Texas 76110
(817) 920-7600 (817) 920-7617 FAX
T.B.P.L.S. FIRM No. 101110880
CLS JOB No. 17-0057

NOTE
ALL SUBJECT PROPERTY BOUNDARY
LINE BEARINGS AND DISTANCES ARE
DEED & ACTUAL UNLESS OTHERWISE
NOTED HEREON.

STATE OF TEXAS

COUNTY OF TARRANT

WHEREAS, LEE E. WESTBROOK is the sole owner of that certain tract of land located in the N. B. BREEDING SURVEY, ABSTRACT No. 189, City of Lake Worth, Tarrant County, Texas according to the deed recorded in Clerk's File No. D216116985 of the Official Public Records of Tarrant County, Texas and more particularly described by metes and bounds as follows:

BEGINNING at a 4-inch iron post found at the Southeast corner of said Westbrook Tract, being the Northeast corner of that certain tract of land described in deed to Owen Wood recorded in Clerk's File No. D216145917 OF THE Official Public Records of Tarrant County, Texas and lying in the West right-Of-way line of Hodgkins Road (a called 60-foot wide right-of-way);

THENCE N 89° 18' 42" W, 227.64 feet along the common boundary line between said Westbrook Tract and said Wood Tract to a 4-inch iron post found at the Southwest corner of said Westbrook Tract, BEING THE Southeast corner of that certain tract of land described in deed to Carla Kay Nobles recorded in Volume 14350, Page 290 of the Deed Records of Tarrant County, Texas;

THENCE N 00° 59' 00" W, 102.64 feet along the common boundary line between said Westbrook Tract and said Nobles Tract to a 5/8-inch iron pipe found at the Northwest corner of said Westbrook Tract, lying in the South boundary line of that certain tract of land described in deed to James E. Shively and Sharon E. Hartman recorded in Clerk's File NO. D209337432 of the Official Public Records of Tarrant County, Texas;

THENCE S 89° 03' 41" E, 252.03 feet along the North boundary line of said Westbrook Tract to a 2-inch iron post found at the Northeast corner thereof, being the Southeast corner of that certain tract of land described in deed to Michael Ray Franks and Amy Jean Franks recorded in Clerk's File No. D215235048 of the Official Public Records of Tarrant County, Texas and lying in the aforesaid West right-of-way line of Hodgkins Road;

THENCE S 12° 35' 36" W, 103.72 feet along the East boundary line of said Westbrook Tract with the said West right-of-way line of Hodgkins Road to the PLACE OF BEGINNING, containing 0.562 acre (24,478 square feet) of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT LEE E. WESTBROOK does hereby adopt this plat designating the hereinabove described real property as LOT 1, BLOCK 1, WESTBROOK ADDITION to the City of Lake Worth, Tarrant County, Texas and do hereby dedicate to the public's use the streets and easements shown thereon.

WITNESS MY HAND at Fort Worth, Tarrant County, Texas this the ____ day of _____, 2017.

LEE E. WESTBROOK

STATE OF TEXAS

COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared LEE E. WESTBROOK, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ____ day of _____, 2017.

NOTARY PUBLIC

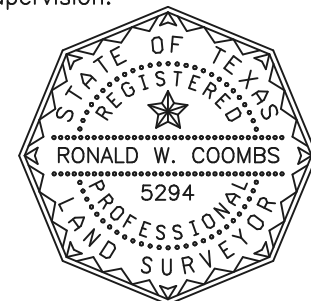
STATE OF TEXAS

SURVEYOR'S STATEMENT

THIS is to certify that I, Ronald W. Coombs, a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground and that all lot corners, angle points and points of curve shall be properly marked on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

RONALD W. COOMBS, R.P.L.S.

Texas Registration No. 5294



PRELIMINARY PLAT

LOT 1, BLOCK 1
WESTBROOK ADDITION

TO THE CITY OF LAKE WORTH, TARRANT COUNTY, TEXAS
BEING 0.562 ACRE OF LAND LOCATED IN THE
N. B. BREEDING SURVEY, ABSTRACT No. 189,
CITY OF LAKE WORTH, TARRANT COUNTY, TEXAS

SURVEYOR:

COOMBS LAND SURVEYING, INC.
P.O. BOX 11370
FORT WORTH, TEXAS 76110
(817) 920-7600
(831) 920-7617 FAX
e-mail: ron.coombs@sbcglobal.net

OWNER:

LEE E. WESTBROOK
1205 PEPPERIDGE LANE
FORT WORTH, TEXAS 76131
(817) 781-6627
e-mail: leewestbrook@yahoo.com
CC# D216116985, O.P.R.T.C.T.

1 LOT

0.562 ACRE

JUNE 20, 2017

JAMES E. SHIVELY &
SHARON E. HARTMAN
CC# D209337432
O.P.R.T.C.T.

FULL DEPTH PAVEMENT SAW CUT FOR PROPOSED DRIVEWAY
CONNECTION AND STREET CURB AND GUTTER REPAIR.
(FINAL DWY LOCATION PER BLDG PLANS)

PROPOSED 3/4 INCH WATER METER AND SERVICE

S 89°03'41" E 252.03'

CARLA KAY NOBLES
VOL 14350, PG. 290
O.P.R.T.C.T.

LOT 1, BLOCK 1
WESTBROOK ADDITION
0.562 ACRES (24,478 S.F.)
"SF-1" ZONING

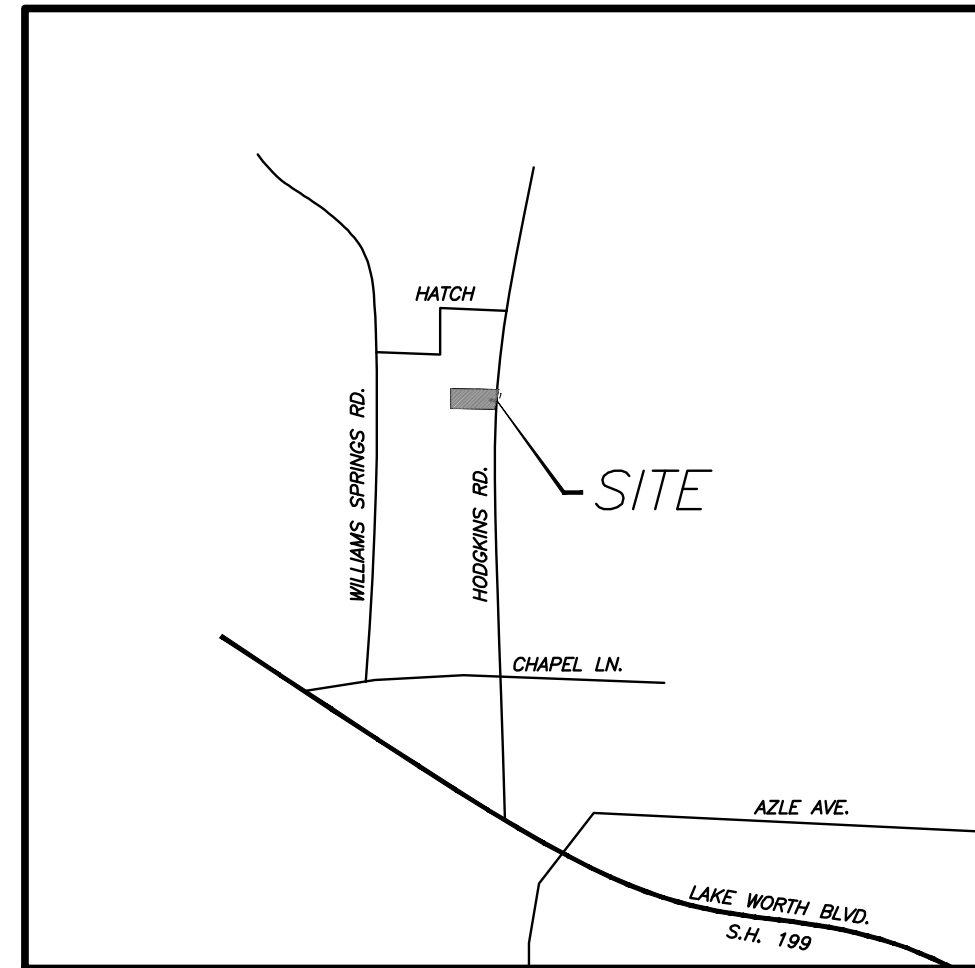
PROPOSED
2,775 S.F.
RESIDENCE

4539 HODGKINS ROAD
(60' R.O.W. / CONCRETE STREET)

N 89°18'42" W 227.64'

PROPOSED 4 INCH DIA. SDR 26 SS SERVICE • MINIMUM 2% GRADE

P.O.B.



VICINITY MAP

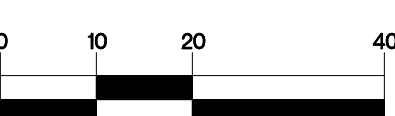
SCALE: 1" = 1000'

LEGEND

- PROPERTY CORNER - IRON ROD FOUND
- PROPERTY CORNER - IRON ROD SET
- STREET LIGHT
- TRAFFIC SIGNAL POLE
- UTILITY POLE
- GUY WIRE
- TELEPHONE MANHOLE
- GAS METER
- SIGN
- SANITARY SEWER CLEANOUT
- EXISTING / PROPOSED SANITARY SEWER MANHOLE
- GRATE INLET
- STORM SEWER MANHOLE
- EXISTING / PROPOSED FIRE HYDRANT
- WATER METER
- EXISTING / PROPOSED WATER VALVE
- CHAIN LINK FENCE
- WIRE FENCE
- WOOD FENCE
- OVERHEAD ELECTRIC LINE-EXISTING
- OVERHEAD ELECTRIC LINE-PROPOSED
- UNDERGROUND ELECTRIC LINE-EXISTING
- UNDERGROUND ELECTRIC LINE-PROPOSED
- WATER LINE-EXISTING
- WATER LINE-PROPOSED
- SANITARY SEWER LINE-EXISTING
- SANITARY SEWER LINE-PROPOSED
- NATURAL GAS LINE-EXISTING
- NATURAL GAS LINE-PROPOSED
- TELEPHONE LINE-EXISTING
- TELEPHONE LINE-PROPOSED
- SILT FENCE
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED CEMENT TREATED FLEX BASE PAVEMENT
- PROPOSED GRAVEL AREA
- PROPOSED CONCRETE SIDEWALK

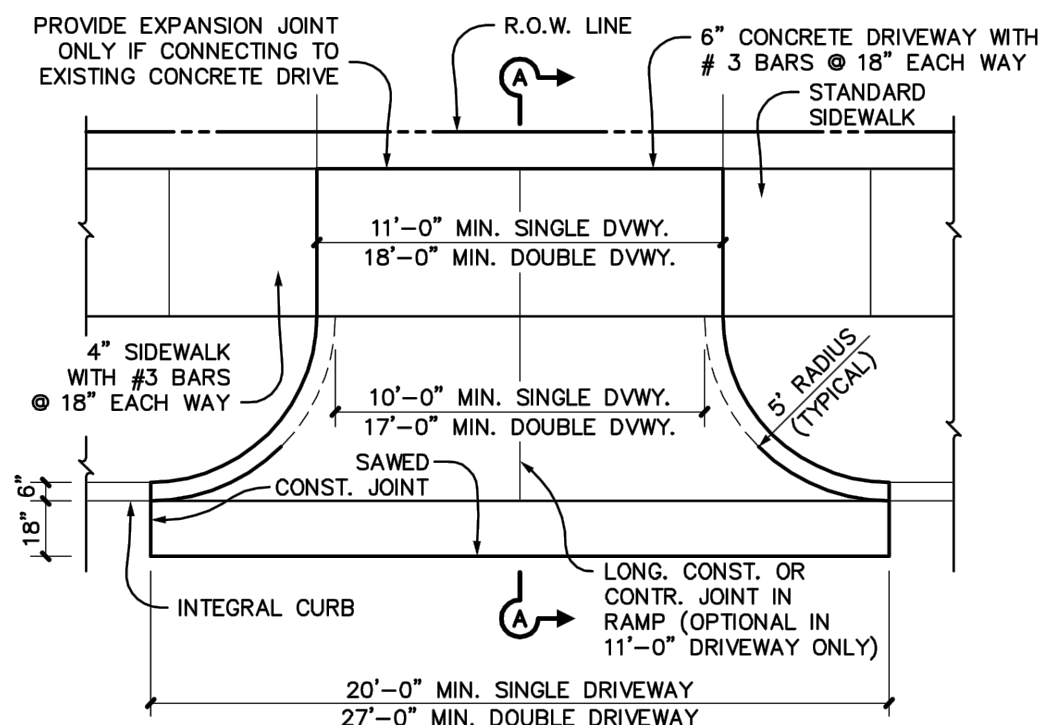


GRAPHIC SCALE

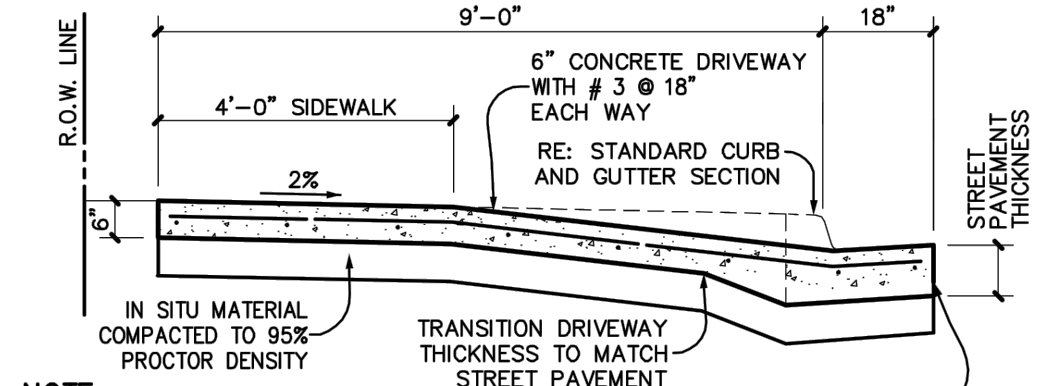


Half Size: 1 inch = 40 ft.
Full Size: 1 inch = 20 ft.

CONCRETE SHALL BE CLASS 'A'
IN ACCORDANCE WITH ITEM 303
(PER NCTCOG)



NOTE: EXISTING CURB AND GUTTER SHALL BE VERTICALLY SAWCUT.
HORIZONTAL SAWCUTTING OF CURB NOT ALLOWED.



NOTE: SIDEWALK SECTION THROUGH DRIVEWAY SHALL
BE POURED SAME THICKNESS AS DRIVEWAY
APPROACH (EXISTING SIDEWALK, IF ANY,
SHALL BE REMOVED AND REPLACED)

SECTION A-A



PAVING CONSTRUCTION DETAILS
RESIDENTIAL DRIVEWAY

REVISED MAY 2006
SCALE: N.T.S.
SHEET: P-5A

HUFFMAN CONSULTING ENGINEERS
TEXAS REGISTERED ENGINEERING FIRM P-12488

6716 AZLE AVENUE
PORT WORTH, TEXAS 76155
Phone: (817) 357-5354
Fax: (817) 887-1940
Email: JHUFFMAN@H-C-ENG

REVISIONS	NUMBER	REVISION	DATE
1	1	REVISED PER CITY COMMENTS	6/20/2017
2	2		
3	3		
4	4		
5	5		
6	6		

PROPOSED IMPROVEMENTS OF
WESTBROOK RESIDENCE
FOR
LOT 01, BLK 01 - WESTBROOK ADDITION
LAKE WORTH, TEXAS

HUFFMAN CONSULTING ENGINEERS



SITE PLAN

DATE: 06/20/17

DESIGN BY: JYH DRAWN BY: AMR

REVIEW BY: HCE

SHEET NO. C1



6716 Azle Avenue
Fort Worth, TX 76135
Phone: 817.357.5354
Fax: 817.887.1940
E-mail: jhuffman@h-c-e.net

Comment Responses for
Plans 1st Review – 06/08/17

Date: 170620

Project Name: Westbrook Residence – Lot 1, Blk 1 – Westbrook Addition / Lake Worth, Texas

Public Works Review Comments:

1. Proposed water meter and service revised to show $\frac{3}{4}$ ".

Kimley-Horn Review Comments

1. Proposed driveway saw cut and pavement repair labelled on sheet C1. City detail for residential driveway construction shown on sheet C1.
2. A weighted coefficient "C" was created for DA1 to reflect the existing open space (0.30) for the Westbrook lot and the pre-development calcs were revised. The post-development "TC" values for DA1B and DA1C were adjusted to be the same as DA1. A note regarding the storm water management for the proposed development is shown. All changes are shown on sheet C2.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Jace Y. Huffman', is written in a cursive style.

Jace Y. Huffman, P.E.



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

**CITY OF LAKE WORTH
NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
AND CITY COUNCIL**

**PRELIMINARY PLAT REQUEST
PLANNING & ZONING CASE #PS17-05**

The Planning and Zoning Commission of the City of Lake Worth, Texas, will conduct the first of two public hearings at **6:30 p.m. on Tuesday, July 18, 2017**, at Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135 to hear public comment and consider recommendations to the City Council regarding the proposed preliminary plat being all of a .562 acre parcel of land known as Abstract 189, Tract 73, N B Breeding Survey of the records of Tarrant County, Texas. The proposed preliminary plat's new legal description will be Block 1, Lot 1, Westbrook Addition, commonly known as 4539 Hodgkins Road, Lake Worth, Texas. The City Council will conduct a second Public Hearing at **6:30 p.m. on Tuesday, August 8, 2017**, at Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135 to hear public comment and consider. All interested parties are encouraged to attend.

Wanda S Gilbreath
4516 Williams Spring Road
Lake Worth, Texas 76135

Michael Ray & Amy Jean Franks
1527 Grand Avenue
San Diego, CA 92109

Terry D Boyd
4548 Hodgkins Road
Lake Worth, Texas 76135

Daniel B Hudgens
4520 Williams Spring Road
Lake Worth, Texas 76135

Lee E Westbrook
1205 Pepperidge Lane
Fort Worth, Texas 76131

Herbert Neely
4524 Williams Spring Road
Lake Worth, Texas 76135

Owen Wood
4529 Hodgkins Road
Lake Worth, Texas 76135

Carla Kay Nobles Estate
4604 Williams Spring Road
Lake Worth, Texas 76135

JJ & Antonia Martinez
4525 Hodgkins Road
Lake Worth, Texas 76135

Marshall D Looney
4608 Williams Spring Road
Lake Worth, Texas 76135

Jerry & Susan Flippen
J & S Flippen Trust
1549 Flying Jib Drive
Azle, Texas 76020-4973

James Shively & S E Hartman
4917 Mandevilla Drive
Austin, Texas 78739

Joseph Douglas Quiroga
4528 Hodgkins Road
Lake Worth, Texas 76135

Lauriva Day
4113 German Pointer Way
Fort Worth, Texas 76123-3553

Judy Pack
4532 Hodgkins Road
Lake Worth, Texas 76135

Tracy L Elliott
6933 Hatch Road
Lake Worth, Texas 76135

Michele & Danny Pruitt
4536 Hodgkins Road
Lake Worth, Texas 76135

Juan Lopez
710 N Ector Drive
Euless, Texas 76039-3236

Don Stuart
4540 Hodgkins Road
Lake Worth, Texas 76135

Deborah K Lasater
4836 Williams Spring Road
Fort Worth, Texas 76135-1622

Mark Shields
4544 Hodgkins Road
Lake Worth, Texas 76135

**CITY OF LAKE WORTH
PUBLIC COMMENT FORM
(Please type or use black ink)**

Planning & Zoning Department at 3805 Adam Grubb, Lake Worth, Texas 76135

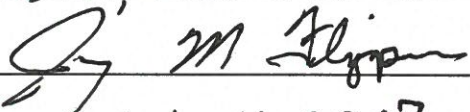
- ☐ I am **FOR** the proposed zoning case as explained on the attached public notice for Zoning Case #PS17-05.
- ☒ I am **AGAINST** the proposed zoning case as explained on the attached public notice for Zoning Case #PS17-05.

Date, Time and Location of Planning & Zoning Commission Meeting: **Tuesday, July 18, 2017 at 6:30 pm. - Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135**

Date, Time and Location of City Council Meeting: **Tuesday, August 8, 2017 at 6:30 pm. - Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135**

Name: JERRY M. FLIPPEN
(Please print)

Mailing Address: 1549 FLYING JIB DR.
AZLE, TX. 76020

Signature: 

Date: July 4, 2017

Property Address(s): 4521 HODGKINS RD.

COMMENTS:

See ATTACHED FOR COMMENTS

PLEASE TURN IN PUBLIC COMMENT FORM NO LATER THAN
WEDNESDAY, JULY 12, 2017 TO BE INCLUDED IN THE AGENDA PACKET

RECEIVED
JUL 07 2017

July 4, 2017

City of Lake Worth

Planning & Zoning Dept.

RE: Zoning Case #PS17-05

Gentlemen,

I am against the proposed zoning change for the simple fact that you don't go far enough to explain the need for the change. To say that you simply want to change a parcel of land presently known as Abstract 189, Tract 73, N.B. Breeding survey to Lot 1, Blk. 1, Westbrook Addition is not enough. What will this property be used for? Commercial? Multifamily? Apartment complex or Condos? HUD Section 8 housing such as that crap they are building at the top of the hill in Lake Worth. I know that is city of Ft. Worth property and out of your control but do you realize how many indigents that will bring to your city. What will it do to your crime rate?

You tell me why this change is necessary. My family has owned the property at 4521 Hodgkins Rd. since 1944. I moved there when I was four years old. I grew up there and my son currently lives there. Hodgkins Rd. has always been part of the N.B. Breeding survey and a nice quiet neighborhood to raise a family. I don't want to see that change!



Jerry M. Flippen

1549 Flying Jib Dr.

Azle, TX. 76020

Agenda Item No. C.3

From: Suzanne Meason, Planning & Zoning Administrator

Item: Public Hearing to consider Ordinance No. 1092, Planning & Zoning Case No. PZ17-05, an Ordinance amending Ordinance No. 500, the Comprehensive Zoning Ordinance of the City of Lake Worth, so as to change the zoning designation of an approximately 0.612 acre tract of land, legally known as Block 1, Lot(s) 4, 5, & 6, Lake Worth Addition and Abstract 188, Tract(s) 2bbbb and 2XXX, John Breeding Survey, Lake Worth, Tarrant County, Texas, being that all of the certain called 0.612 acre tract of land recorded in the deed records of Tarrant County, Texas, from a zoning district change and land use designation from “SF1” Single Family Residential (vacant land) and “PC” – Planned Commercial for the use of a Donut Shop to a zoning district change and land use designation of “PC” – Planned Commercial for the use of Retail Lease Space and Food Establishments, and by amending the Official Zoning Map and the Future Land Use Map of the Comprehensive Land Use Plan to reflect such change. The property to be considered for re-zoning is generally described as a 0.612 acre tract of land located at 6932 and 7000 Foster Drive, Lake Worth, Texas.

Property Description:

0.612 acres of property, located at 6932 and 7000 Foster Drive

Property Owner(s):

Do Jung Kwon & Mi Yeun Jeong, 8709 Vista Royale Drive, Fort Worth, Texas 76108

Applicant:

Rouum Design & Build/JNF Associates, Jay Woo, 12200 Ford Road, #A270, Dallas, Texas 75234

Engineer/Surveyor:

ND & Associates, LLC, Naim Khan, P.E., CFM, 2105 Canyon Creek Drive, Garland, Texas 75042

Current Zoning:

“SF-1” – Single Family Residential & “PC” – Planned Commercial

Proposed Use:

“PC” – Planned Commercial for the use of Retail Lease Space and Food Establishments

Existing Road(s):

Foster Drive & Lake Worth Blvd. (Jacksboro Hwy.)

Surrounding Zoning:

North: The property to the north is currently zoned “SF-1” – Single Family Residential.

Agenda Item No. C.3

South: The property to the south is currently zoned “PC” – Planned Commercial and “SF-1” – Single Family Residential.

East: The property to the east is state highway.

West: The property to the west is currently zoned “SF-1” – Single Family Residential (some vacant lots).

Summary:

The above mentioned properties were purchased by Do Jung Kwon & Mi Yeun Jeong in December 2015 and February 2017, with the intent to develop the property commercially with a retail lease center with food establishments as well. The property is currently three (3) platted lots, and two (2) tracts of land, which total the 0.612 acres of land to be developed. Lot 6 and Tract 2bbb are currently zoned “SF-1” Single Family Residential and Lots 4 & 5 and Tract 2XXX are zoned “PC” Planned Commercial, but only for the use of a Donut Shop as was previously approved for a different property owner. This request is to change the zoning of all the properties in question to “PC” Planned Commercial and approve the land use designation of Retail Lease Space and Food Establishment(s) on the property. A development plan is being submitted with the Zoning Change and Land Use Designation Ordinance, to show a general layout for the development of the property. However, the properties will have to come back to the Planning & Zoning Commission and City Council for approval of a Preliminary & Final Plat to plat all the land into one (1) large lot and also come back for approval of the site plan and civil construction plans prior to construction being allowed.

On July 18, 2017 the case was heard by the Planning & Zoning Commission and was recommended for approval as presented, by a vote of 5 to 0.

Public Input:

On Friday, June 30, 2017, as required by State law, the City mailed out twelve (12) letters of Notification for a Public Hearing to all property owners within two hundred (200) feet of the subject site. Notice was also published in the City’s paper of record, the Fort Worth Star Telegram on Friday, June 30, 2017. We have received the following in favor/opposition to the request:

1. FOR – no comment forms received.
2. AGAINST – no comment forms received.

Fiscal Impact:

N/A

Attachments:

1. Ordinance No. 1092
2. Development Plan
3. Zoning Change Application

Agenda Item No. C.3

4. Vicinity Map
5. Public Hearing Notice
6. Public Hearing Notifications (within 200' of subject property)

Recommended Motion or Action:

Staff's recommendation is zoning is at the discretion of the City Council.

ORDINANCE NO. 1092

AN ORDINANCE AMENDING ORDINANCE NO. 500, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE WORTH, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF APPROXIMATELY 0.612 ACRES, BEING GENERALLY DESCRIBED AS A 0.612 ACRE TRACT OF LAND BEING ALL THAT CERTAIN TRACT DESCRIBED AS BLOCK 1, LOTS 4, 5, & 6, LAKE WORTH ADDITION AND ABSTRACT 188, TRACTS 2bbb & 2XXX, JOHN BREEDING SURVEY, LOCATED IN THE CITY OF LAKE WORTH, TARRANT COUNTY, TEXAS, FROM A ZONING DESIGNATION OF "SF-1" SINGLE FAMILY RESIDENTIAL AND "PC" PLANNED COMMERCIAL, TO A ZONING DESIGNATION OF "PC" PLANNED COMMERCIAL FOR THE USE OF RETAIL LEASE SPACE AND FOOD ESTABLISHMENTS, AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; AND BY FURTHER AMENDING THE FUTURE LAND USE MAP OF THE CITY OF LAKE WORTH TO REFLECT A CHANGE IN ZONING FOR THE 0.612 ACRE TRACT DESCRIBED HEREIN FROM "LOW DENSITY RESIDENTIAL", TO A ZONING DESIGNATION OF "COMMERCIAL"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND NAMING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth 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, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, and providing for a method to amend said ordinance and map for promoting the public health, safety, morals and general welfare; and

WHEREAS, the owner of a 0.612 acre tract of land located in Lake Worth, Texas, has initiated an application on the hereinafter described property to re-zone same; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Lake Worth on July 18, 2017, and by the City Council of the City of Lake Worth on August 8, 2017, with respect to the zoning described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City of Lake Worth, Texas, does hereby deem it advisable and in the public interest to amend Ordinance No. 500, as amended, and to amend the Official Zoning Map of the City, and to also amend the Future Land Use Map of the Lake Worth Comprehensive Plan, as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS:

**SECTION 1.
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.
ORDINANCE 500 AMENDED**

Ordinance No. 500, as amended, is hereby amended by approving a change to the zoning designation from "SF-1" – Single Family Residential and "PC" - Planned Commercial to a zoning designation change and land use of ""PC" - Planned Commercial for the use of Retail Lease Space and Food Establishment(s) and by amending the Official Zoning Map and the Future Land Use Map of the Comprehensive Land Use Plan to reflect such change for the property hereinafter described below:

Zoning Case No. PZ17-05

Owner:	Do Jung Kwon & Mi Yeun Jeong, 8709 Vista Royale Drive Fort Worth, Texas 76108
Applicant:	Do Jung Kwon & Mi Yeun Jeong 8709 Vista Royale Drive Fort Worth, Texas 76108
Legal Description:	Block 1, Lot(s) 4, 5, & 6, Lake Worth Addition and Abstract 188, Tract(s) 2bbbb and 2XXX, John Breeding Survey Lake Worth, Tarrant County, Texas
Property Address:	6932 & 7000 Foster Drive
Property Zoning:	"PC" Planned Commercial
Permitted Use:	Retail Lease Space & Food Establishments

SECTION 3.
COMPLIANCE WITH DEVELOPMENT PLAN, SITE PLAN AND ORDINANCES

The use and development of the property shall be subject to all applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City of Lake Worth, Texas.

SECTION 4.
OFFICIAL ZONING MAP AMENDED

The City Secretary is hereby directed to amend the Official Zoning Map to reflect the changes in classification approved herein.

SECTION 5.
FUTURE LAND USE MAP OF LAKE WORTH COMPREHENSIVE PLAN AMENDED

The City Secretary is hereby directed to amend the Future Land Use Map to reflect the changes in classification approved herein from Low Density Residential to Commercial.

SECTION 6.
CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of all other ordinances of the City of Lake Worth, 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 7.
PENALTY CLAUSE

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.
SEVERABILITY

It is hereby declared to be the intention of the City Council of the City of Lake Worth 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 invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or 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 9.
SAVINGS**

All rights or remedies of the City of Lake Worth, Texas are expressly saved as to any and all violations of the provisions of any ordinance affecting zoning or land use, 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 10.
ENGROSSMENT AND ENROLLMENT**

The City Secretary of the City of Lake Worth is hereby directed to engross and enroll this Ordinance by copying the caption, publication clause and effective date clause in the minutes of the City Council and by filing the Ordinance in the Ordinance Records of the City.

**SECTION 11.
PUBLICATION**

The City Secretary of the City of Lake Worth is hereby directed to publish in the official newspaper of the City of Lake Worth, the caption, the penalty clause, publication clause, and effective date clause of this ordinance two (2) days as authorized by Section 52.013 of the Local Government Code.

**SECTION 12.
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED this 8th day of August, 2017.

CITY OF LAKE WORTH

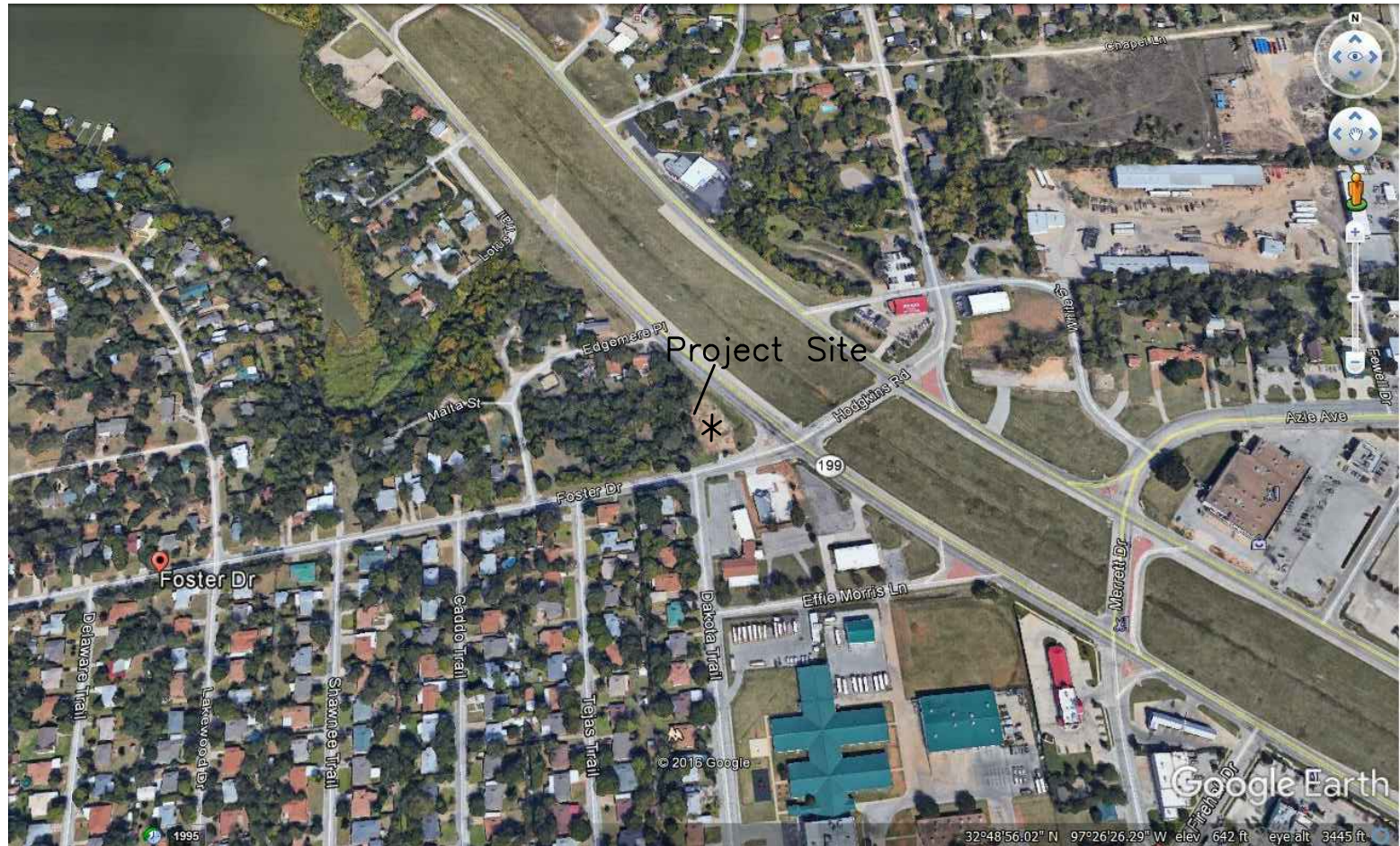
Walter Bowen, Mayor

ATTEST:

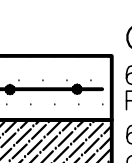
Monica Solko, TRMC
City Secretary

APPROVED AS TO FORM AND LEGALITY:

Drew Larkin, City Attorney



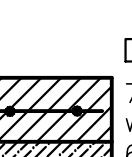
TYPICAL PAVING SECTION



CONCRETE PAVEMENT:

6" - 4000 PSI Class⁸" Concrete Pavement with #4 Bars at 18" O.C.E.W.

6" Lime Stabilized Subgrade Recompacted at 98% Standard Proctor Density at or Near Optimum Moisture Content.



DUMPSITE:

7" - 4000 PSI Class⁸" Concrete with #4 Bars at 18" O.C.E.W.

6" Lime Stabilized Subgrade Recompacted at 98% Standard Proctor Density at or Near Optimum Moisture Content.

ALL CONCRETE FOR PAVEMENT SHALL BE 4000 PSI FOR MACHINE FINISH AND 4500 PSI IF IT IS NECESSARY FOR HAND FINISH.

OFFICE USE ONLY					
Fee: \$500.00		Date Paid: 5-24-17		Receipt #: P17-0439	
PZ #: PZ17-05	Ownership Verified: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Taxes Paid: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Liens Paid: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
P & Z Meeting Date: 7.18.17			City Council Meeting Date: 8.8.17		
Zoning Change Approved: <input type="checkbox"/> YES <input type="checkbox"/> NO	Ordinance #:		Date Approved: □ □ / □ □ / □ □		

A letter of Zoning change Request for the Lake Worth Addition

I am the property owner of the corner of Forster Rd & Jacksboro Hwy (Lake Worth Addition Vol. 974, PG. 585,) a present zoning district (Single Family Residential) 1 of the 2 properties that reflect the present zoning label of the area.

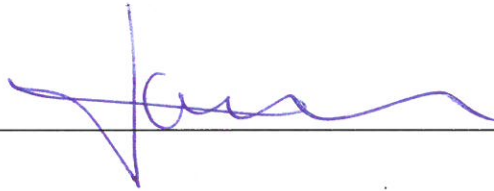
I, with this letter, am requesting amending the City Zoning Ordinance to change the current zoning(Single Family Residential) to Planned Commercial district (PC) to better reflect the existing land use of the area by develop retail space and commercial uses.

Do Jung Kwon

Owner

8707 Vista Royale Dr Fort Worth TX

817-917-7314



5-23-17



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

**CITY OF LAKE WORTH
NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
AND CITY COUNCIL**

**ZONING DISTRICT CHANGE WITH LAND USE DESIGNATION
PLANNING & ZONING CASE #PZ17-05**

You may own property within two hundred feet (200') of the property described in the notice below. The owner of the lot has made application for a zoning district change and land use designation from "SF1" Single Family Residential (vacant land) and "PC" – Planned Commercial for the use of a Donut Shop to a zoning district change and land use designation of "PC" – Planned Commercial for the use of Retail Lease Space and Food Establishment approval. Attached you will find a map of the general location of the request. You are invited to attend and participate in the following public hearings regarding this application:

The Planning and Zoning Commission of the City of Lake Worth, Texas, will conduct the first of two public hearings at **6:30 p.m. on Tuesday, July 18, 2017**, at Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135 to hear public comment and consider recommendations to the City Council regarding an Ordinance amending Ordinance No. 500, the Comprehensive Zoning Ordinance of the City of Lake Worth, so as to change the zoning designation of an approximately 0.612 acre tract of land, legally known as Block 1, Lot(s) 4, 5, & 6, Lake Worth Addition and Abstract 188, Tract(s) 2b bbb and 2XXX, John Breeding Survey, Lake Worth, Tarrant County, Texas, being that all of the certain called 0.612 acre tract of land recorded in the deed records of Tarrant County, Texas, from a zoning district change and land use designation from "SF1" Single Family Residential (vacant land) and "PC" – Planned Commercial for the use of a Donut Shop to a zoning district change and land use designation of "PC" – Planned Commercial for the use of Retail Lease Space and Food Establishments, and by amending the Official Zoning Map and the Future Land Use Map of the Comprehensive Land Use Plan to reflect such change. The property to be considered for re-zoning is generally described as a 0.612 acre tract of land located 6932 and 7000 Foster Drive, Lake Worth, Texas. The City Council will conduct a second Public Hearing at **6:30 p.m. on Tuesday, August 8, 2017**, at Lake Worth City Council Chambers, 3805 Adam Grubb, Lake Worth, Texas 76135 to hear public comment and consider the proposed zoning change for the above listed property. All interested parties are encouraged to attend.

Harry Huston Gilliam
7019 Edgemere Place
Lake Worth, Texas 76135

Murphy USA Real Est Lke #12 LP
PO Box 7300
El Dorado, AR 71731

Michael R Launi
5211 Forest Lane, Suite #101
Dallas, Texas 75244-8003

Michael R Launi
7017 Edgemere Place
Lake Worth, Texas 76135

Mark and/or Barry Edwards
4821 SE 45th Street
Oklahoma City, OK 73135-3130

Le Hung
8945 Waterchase Circle
Fort Worth, Texas 76120

Kwon Do Jung & Jeong Mi Yeun
8709 Vista Royale Drive
Fort Worth, Texas 76108

Tony & Tonie Brown
4032 Tejas Trail
Lake Worth, Texas 76135

M S Jackson & J S Seiler
4033 Dakota Trail
Lake Worth, Texas 76135

William L Cowden Real Est LLC
5760 Popken Drive
Fort Worth, Texas 76114

Fellowship of Lake Worth
4024 Dakota Trail
Lake Worth, Texas 76135

Crabtree Holdings LLC
6921 Foster Drive
Lake Worth, Texas 76135

Lake Worth City Council Meeting – August 8, 2017

Agenda Item No. F.1

From: Stacey Almond, City Manager

Item: Discuss and consider a proposed maximum tax rate for FY 2017-2018; scheduling August 22, 2017, for public hearings on the budget and tax rate, and September 5, 2017, for the second public hearing on the tax rate; and scheduling September 12, 2017, for the adoption of said budget and tax rate.

Summary:

The proposed FY 2017-2018 Annual Budget is supported by a \$0.454920 tax rate. Although the property tax rate in the proposed budget is lower than the current year adopted tax rate, the lower tax rate is expected to produce an increase in revenue.

Chapter 26 of the Property Tax Code requires municipalities to comply with truth-in-taxation laws when adopting their tax rates. The laws are designed to make taxpayers aware of tax rate proposals and to allow taxpayers, in certain cases, to roll back or limit a tax increase. The City Council must take a record vote on the maximum tax rate to be considered for the upcoming fiscal year. The adopted tax rate may not exceed this maximum rate.

The City is required to hold two public hearings on the tax rate and publish notice in the newspaper, and website before adopting the tax rate that exceeds the lower of the rollback rate or the effective tax rate.

Section 102.006 of the Local Government Code requires the City Council to fix the time and place of the public hearing on the budget and to publish notice in the official newspaper of the City, as required by law. This public hearing is in addition to the tax rate public hearing required by the State Property Tax Code.

Note: This is not officially setting the tax rate. This item is to notify the public that you intend to set a tax rate no higher than \$0.454920 at the public meetings to be held on August 22nd and September 5th. With final approval of the tax rate on September 12, 2017.

Fiscal Impact:

N/A

Attachments:

1. Publication Notice for Tax Rate
2. Publication of Budget Hearings

Recommended Motion or Action:

Move to approve a maximum tax rate of \$0.454920 per \$100 valuation for the fiscal year beginning October 1, 2017, and ending September 30, 2018; scheduling August 22, 2017, for public hearings on the budget and tax rate, and September 5, 2017, for the second public hearing on the tax rate; and scheduling September 12, 2017, for the adoption of said budget and tax rate.

NOTICE OF 2017 TAX YEAR PROPOSED PROPERTY TAX RATE FOR LAKE WORTH

A tax rate of \$0.454920 per \$100 valuation has been proposed for adoption by the governing body of Lake Worth. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of Lake Worth proposes to use revenue attributable to the tax rate increase for the purpose of employee compensation and municipal operations.

PROPOSED TAX RATE	\$0.454920 per \$100
PRECEDING YEAR'S TAX RATE	\$0.460660 per \$100
EFFECTIVE TAX RATE	\$0.440159 per \$100
ROLLBACK TAX RATE	\$0.454920 per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for Lake Worth from the same properties in both the 2016 tax year and the 2017 tax year.

The rollback tax rate is the highest tax rate that Lake Worth may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS
FOLLOWS:

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:

Ron Wright
Tarrant County Tax Assessor Collector
3805 Adam Grubb Lake Worth Texas 76135
817-237-1211 x103
dwhitley@lakeworthtx.org
www.lakeworthtx.org

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: August 22, 2017 at 6:00 PM at Lake Worth City Council Chambers 3805 Adam Grubb Lake Worth Texas 76135.

Second Hearing: September 5, 2017 at 6:00 PM at Lake Worth City Council Chambers 3805 Adam Grubb Lake Worth Texas 76135.

CITY OF LAKE WORTH
PROPOSED BUDGET FY 2017/2018
NOTICE OF PUBLIC HEARING

The City of Lake Worth City Council will hold a Public Hearing at the special City Council meeting on Tuesday, August 22, 2017 at 6:00 p.m. in the Council Chambers located at 3805 Adam Grubb, Lake Worth, Texas regarding the Proposed Budget for Fiscal Year 2017/2018. This budget will raise more revenue from property taxes than last year's budget by an amount of \$97,543, which is a 4.97% increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$33,515. All interested citizens in the City of Lake Worth are encouraged to attend and participate in the hearing. The proposed budget is available for inspection in the City Administrative offices and on the City's website at www.lakeworthtx.org.

Lake Worth Regular City Council Meeting – August 8, 2017

Agenda Item No. F.2

From: Stacey Almond, City Manager

Item: Discussion and consider Ordinance No. 1091, calling/ordering the November 7, 2017 Special Election for Voters to Vote For or Against the Reallocation of Sale and Use Tax from the Economic Development Corporation and the Street Maintenance Tax and authorize the City Manager to execute a Joint Election Agreement and Contract with Tarrant County Election Administration to administer the Election, and authorizing other Election provisions as necessary.

Summary:

Staff made a presentation to City Council on March 28, 2017 regarding the City Sales and Use Tax and the City's options relating to House Bill 157. During the meeting staff recommended the Council take time to consider the reallocation and present the item at the June regular meeting for further discussion.

House Bill 157, in part, removed the current caps on the dedicated sales taxes including economic development corporations and street maintenance and authorizes a city to hold an election to increase or decrease these dedicated sales and use taxes in any increment of one-eighth of one percent that would not result in a combined rate that exceeds the maximum allowed local and sales use tax rate of two percent.

At the June 13, 2017, regular meeting Council authorized staff to prepare and ordinance calling an election for the reallocation of sales and use tax for the Economic Development Corporation and the Street Maintenance Tax. The proposed ballot language for the election is as follows:

“THE ABOLITION OF THE LOCAL SALES AND USE TAX FOR THE BENEFIT OF THE TYPE B ECONOMIC DEVELOPMENT CORPORATION WITHIN LAKE WORTH; THE ABOLITION OF A LOCAL SALES AND USE TAX IN LAKE WORTH FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; AND THE ADOPTION OF A LOCAL SALES AND USE TAX IN LAKE WORTH AT THE RATE OF ONE AND THREE-FOURTHS PERCENT.”

Fiscal Impact:

Estimated Election costs = \$10,000

Attachments:

1. Ordinance No. 1091 calling a Special Election
2. Special Election information page

Lake Worth Regular City Council Meeting – August 8, 2017

Agenda Item No. F.2

Recommended Motion or Action:

Move to approve Ordinance No. 1091, calling/ordering the November 7, 2017 Special Election for voters to vote FOR or AGAINST the Reallocation of Sales and Use Tax from the Economic Development Corporation and the Street Maintenance Tax and authorize the City Manager to execute a Joint Election Agreement and contract with Tarrant County Election Administration to administer the Election, and authorizing other Election provisions as necessary.

**CITY OF LAKE WORTH, TEXAS
ORDINANCE NO. 1091**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 7, 2017, TO SUBMIT A PROPOSITION ON REPEALING THE SALES AND USE TAX OF ONE-HALF (1/2) OF ONE PERCENT FOR THE BENEFIT OF THE TYPE B ECONOMIC DEVELOPMENT CORPORATION; REPEALING THE SALES AND USE TAX OF ONE-FOURTH (1/4) OF ONE PERCENT FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; INCREASING THE LOCAL SALES AND USE TAX FROM THE RATE OF ONE (1) PERCENT TO A RATE OF ONE AND THREE FOURTHS (1 3/4) PERCENT; MAKING PROVISIONS FOR CONDUCTING OF SUCH ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lake Worth, Texas (the City) hereby finds and determines that an election should be held under the provisions of Chapter 321, as amended, of the Texas Tax Code, to eliminate the collection of the sales and use tax within the City for the benefit of a Type B Economic Development Corporation; and to eliminate the collection of the sales and use tax under the provisions of Chapter 327, as amended, Texas Tax Code, for the benefit of maintenance and repair of municipal streets; and to adopt a sales and use tax within the City of one and three fourths (1 3/4) percent; and

WHEREAS, the City will hold a special election on November 7, 2017; and

WHEREAS, in accordance with the requirements of Chapter 321, as amended, of the Texas Tax Code, the combined rate of all local sales and use taxes imposed by the City and other political subdivisions having territory in the City will not exceed two (2) percent; and

WHEREAS, the Council hereby finds and determines that it is in the best interest of the citizens of the City to hold this election on the date set forth below pursuant to a contract with Tarrant County for joint election service.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS THAT:

SECTION 1. An election shall be held on the 7th day of November, 2017, a uniform election date, in the City of Lake Worth, Texas, which date is not less than fifteen (15) nor more than ninety (90) days from the date of the adoption of this ordinance, for submitting the following proposition to the qualified voters of the City:

PROPOSITION

“THE ABOLITION OF THE LOCAL SALES AND USE TAX FOR THE BENEFIT OF THE TYPE B ECONOMIC DEVELOPMENT CORPORATION WITHIN LAKE WORTH; THE ABOLITION OF A LOCAL SALES AND USE TAX IN LAKE WORTH FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; AND THE ADOPTION OF A LOCAL SALES AND USE TAX IN LAKE WORTH AT THE RATE OF ONE AND THREE-FOURTHS PERCENT.”

SECTION 2. The City Secretary is hereby authorized to contract (the “Contract”) with Tarrant County for joint election services. At the time the contract and its attachments are finalized, it shall be signed by the City Manager and made a part of this Ordinance as Exhibit “A”. In the event of a conflict between this Ordinance and the Contract, the Contract shall control.

SECTION 3. The Election Day polling places for this election is designated pursuant to Section 271.003 of the Texas Election Code, and the Council finds that the following location can most adequately and conveniently serve the voters in this election, and that this location will facilitate the orderly conduct of the election:

<u>Polling</u>	<u>Location</u>	<u>County Precinct</u>
Tarrant County Sheriff’s Office – North Patrol Division	6651 Lake Worth Blvd.	4091

SECTION 4. The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Tarrant County as indicated in the Contract and authorized by Chapter 271 of the Texas Election Code.

SECTION 5. Stephen Vickers, the Tarrant County Elections Administrator, (“Elections Administrator”) is hereby designated as the Early Voting Clerk for the election. Early voting by personal appearance shall commence on Monday, October 23, 2017 and shall continue until Friday, November 3, 2017. Specific days, times and locations shall be designated by the Election Administrator and included in the Contract (to be included as an Attachment after its approval). The main early voting location shall be at the Tarrant County Election Center at 2700 Premier Street, Fort Worth, Texas 76111. The early voting site in Lake Worth shall be at the Tarrant County Sheriff’s Office – North Patrol Division located at 6651 Lake Worth Boulevard, Lake Worth, Texas, and at various other locations in Tarrant County, which will be supplied by Tarrant County Elections. On at least two weekdays during the early voting period, the location for early voting shall be open for at least twelve (12) hours as mandated by state law.

SECTION 6. The Elections Administrator shall be responsible for the Early Voting applications and ballots. Applications for early voting by mail may be delivered to Stephen Vickers, County of Tarrant, Elections Administrator, 2700 Premier Street, Fort Worth, Texas 76111, not later than close of business on Friday, October 27, 2017, if delivered in person, and Tuesday, November 7, 2017 if delivered by mail. Early voting ballots shall be mailed to the Elections Administrator at the same address. The City Secretary is directed to forward applications and ballots she may receive to the Elections Administrator as provided in the Contract.

SECTION 7. The official ballot shall be prepared in accordance with the Texas Election Code, as amended, to permit electors to vote "FOR" or "AGAINST" the proposition set forth in Section 1 of this Ordinance.

SECTION 8. All resident qualified electors of the City shall be permitted to vote at said election and, on the day of the election, such electors shall vote at the polling place designated for the Election Precinct in which they reside.

SECTION 9. A proper notice of this election, including a Spanish and Vietnamese translation thereof, shall be posted not later than the 21st day before the election on the bulletin board used for posting notices of meetings of the City Council and shall also be published at least once not earlier than the 30th day not later than the 10th day before the election in the newspaper of general circulation in the City.

SECTION 10. All expenditures necessary for the conduct of the election, the purchase of material therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Contract and the Election Code.

SECTION 11. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgement and finding of the Council.

SECTION 12. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provisions of this Ordinance are hereby repealed to the extent of such conflict, and the provision of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 13. If any provision of this Ordinance or the application thereof to any person or circumstances shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 14. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 15. This ordinance shall be in force and effect and after the date of its adoption, and it is so ordained.

PASSED AND APPROVED by the City Council of the City of Lake Worth on August 8, 2017.

CITY OF LAKE WORTH

By: _____
Walter Bowen, Mayor

ATTEST:

Monica Solko, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Drew Larkin, City Attorney

City of Lake Worth Special Election

Proposition - Reallocation of Sales & Use Taxes

On August 8, 2017, the City Council approved an ordinance calling for a special election for the purposes of submitting a proposition for adoption or rejection on the question of reallocating the dedicated sales and uses taxes of the Economic Development Corporation and the Street Maintenance Sales Tax to the General Sales Tax.

What is Sales and Use Tax?

The State of Texas imposes a state sales tax of 6.25% on all retail sales, leases and rentals of most goods, as well as taxable services. Cities may impose local sales tax at a rate of up to 2% for a combined state and local tax rate not to exceed 8.25%. State law capped the amounts of the additional sales and use taxes. For example, the rate of the general revenue sales tax was set at 1.0% and dedicated sales taxes such as economic development corporation sales tax could not exceed .50%. Similarly, the street maintenance sales tax could not exceed .25%.

What is the City of Lake Worth's Sales and Use Tax Rate?

The City of Lake Worth currently imposes sales and use taxes at the rate of 8.25%, of which 2% is allocated as follows:

- | | |
|--|--|
| • City of Lake Worth General Fund 1.0% | • Street Maintenance .25% |
| • Community Development Corporation .50% | • Crime Control & Prevention District .25% |

Why is the City Council calling a special election?

On September 1, 2015, House Bill 157 went into effect which essentially removed the current caps on the general and dedicated sales taxes and authorizes a city to hold an election to *reallocate sales tax revenue within the two percent local sales tax cap*. In a nutshell, the bill allows a city to assess its funding priorities and reallocate the distribution of its general and dedicated sales taxes, so long as the total local tax rate does not exceed 2%.

What is the Ballot Language?

"THE ABOLITION OF THE LOCAL SALES AND USE TAX FOR THE BENEFIT OF THE TYPE B ECONOMIC DEVELOPMENT CORPORATION WITHIN LAKE WORTH; THE ABOLITION OF A LOCAL SALES AND USE TAX IN LAKE WORTH FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; AND THE ADOPTION OF A LOCAL SALES AND USE TAX IN LAKE WORTH AT THE RATE OF ONE AND THREE-FOURTHS PERCENT."

[] FOR [] AGAINST

Why is the ballot language worded this way?

State law allows for a combined ballot proposition which protects the city's interest by eliminating the risk that one tax will be voted out by the citizens without the other tax being voted in. State legislation governs requirements for the wording of the ballot, which has led to some confusion due to reading "...and the adoption of a local sales and use tax..."

The proposition does not call for an increase in the overall sales tax rate. If the proposition is adopted by the voters, there will be **absolutely no increase in the overall sales tax rate**. It will **reduce** the Economic Development Corporation Sales and Use Tax from .50% to .0% and the Street Maintenance Tax from .25% to 0.125% and **increase** the City of Lake Worth General Fund from 1.00% to 1.625%. If the proposition is not adopted, there will be no change in the sales tax rates.

What is the Economic Development Corporation Sales Tax and how is it used?

This is a Type B Economic Development Tax Section 4B can be used to fund projects that are typically considered to be community development initiatives. Funds can only be used for authorized categories under Section 4B of the Development Corporation Act. Expenditures by the Economic Development Corporation must be approved by the Town Council prior to expenditure.

The Economic Development Corporation sales and use tax currently generates approximately \$2,100,000 per year.

What is Street Maintenance Sales Tax and how is it used?

This tax provides revenue for maintenance and repair of municipal streets. Funds may be used only to maintain and repair municipal streets and sidewalks that existed on the date of the election to adopt the tax. Funds may not be used to build new streets. The Street Maintenance sales and use tax currently generates approximately \$1,030,525 per year.

Lake Worth City Council Meeting – August 8, 2017

Agenda Item No. F.3

From: Stacey Almond, City Manager

Item: Discuss and consider a request by the Northwest Lion's Club to hold a rodeo and carnival at the Lake Worth City Park, to allow the sale of alcohol during the event, and to occupy Lake Worth Park past 11:00 p.m. and authorize the City Manager to approve the temporary use/event permit application with Kelly Clark Chute 2 Productions.

Summary:

The attached application is for the 5th Annual Bull Frog West Fest. The Lions Club is requesting the host the event on the following days/times:

October 11th 5:00 p.m. – 11:00 p.m. (Carnival only)

October 12th 5:00 p.m. – 11:00 p.m. (Carnival only)

October 13th 5:00 p.m. – 11:00 p.m. (Carnival, Arena, Vendors)

October 14th 9:00 a.m. – 11:00 p.m. (Carnival, Arena, Vendors)

The Lions Club has requested use of Lake Worth park for 2 additional days for the operation of the Carnival (see attached map). Staff is working with the event coordinator to facilitate a safe and efficient event. The permit for this event is not yet complete, however staff anticipates having all the details of the emergency plan, parking plan, and park layout completed before the event takes place.

The Lions Club has requested permission from the Council to operate after hours and to allow the sale of beer at the event. Beer sales will only take place on October 13th -14th.

The costs associated with this event are overtime for Police/Fire/Public Works to coordinate traffic control and safe operating of the event in the city park. During the event the City Park can't be rented to other organizations therefore is closed to the public during this time. The costs associated with the operation of this event are detailed below.

Fiscal Impact:

1. EDC Advertising - \$3,000
2. Police/Fire/Public Works Overtime - \$5,000 - \$5,200
3. Park rentals for 4 days - \$3,300
4. Temporary Use /Event Permit - \$25.00
5. Sign Permits (limit 10 at half-off) - \$50

Agenda Item No. F.3

Attachments:

1. Event Permit Application
2. TABC Application information (Note: TABC applications can't be made until 30 days from the event; the attached application is from a previous year)

Recommended Motion or Action:

Move to approve the request by the Northwest Lion's Club to hold a rodeo and carnival at the Lake Worth City Park, to allow the sale of alcohol during the event, and to occupy Lake Worth Park past 11:00 p.m. and authorize the City Manager to approve the temporary/use event permit application with Kelly Clark Chute 2 Productions.

Permit # _____

**CITY OF LAKE WORTH
TEMPORARY USE/EVENT(S) PERMIT APPLICATION**

Application Date 7.31.17

Event Location LAKE WORTH City PARK 3501 Roberts Cut-off

Property Owner/Tenant LAKE WORTH 76135

Event Name Fifth Annual LAKEworth Bull Frog West Fest

Dates of event Oct. 11-14, 2017 Times Wed. 5-11pm FRI. 5-11pm
Thurs. 5-11pm SAT. 9am-11pm

Description of event Festival - carnival - rodeo

Site Plan Provided (Please check one) ☒ Yes ☐ No

Organization Sponsoring Event NW TARRANT LIONS CLUB

Contact Name Rene' Kolar

Address 4880 Boat Club Road

Ft. Worth TX. 76135
City State Zip

Telephone 817-237-9755 Fax 817-764-0486

I KELLY CLARK understand that this application must be submitted with a \$25.00 nonrefundable permit fee.

Kelly Clark 7-31-17
Applicant Signature Date

For Office Use Only:

City Manager/Designee _____ Date _____

Date paid _____ Receipt # _____ Amount _____

Building Dept. - Approved _____ Denied _____ Zoning Dept. - Approved _____ Denied _____

Police Dept. - Approved _____ Denied _____ Fire Dept. - Approved _____ Denied _____

Emergency Plan



Fifth Annual Bull Frog West Fest

October 11-14,2017

Hours of Operation:

Wednesday Oct. 11,2017 5:00p.m.-11:00p.m.

Carnival Only

Thursday October 12,2017 5:00p.m.-11:00p.m.

Carnival Only

Friday Oct. 13,2017 5:00p.m.-11:00p.m.

Carnival/Arena Event/Vendors

Saturday Oct.14,2017 9:00a.m.-11:00p.m.

Carnival/Arena Event/Vendors

Kelly Clark Chute 2 Productions

Fifth Annual Lake Worth Bull Frog West Fest Contact Numbers

Event Coordinator	Rene'e Kolar.....Cell number 817-821-4964
Lions Club	Greg Fox.....Cell number 817-791-7164
Rodeo Coordinator	Kelly Clark.....Cell number 817-228-4274
Lake Worth Parks	Sean Densmore....Cell number 817-913-5361
Police Cap./Asst.Chief	Steven Carpenter..Cell number 682-240-9150
On Site Arena Mgr.	Ky Clark.....Cell number 817-229-8888

Medical Plan

Medstar will be on hand to provide medical services

Emergency Plan

In the event of a natural or manmade incident the Event Coordinator and the Fire Chief will coordinate with the Lions Club Committee and make the determination if any or all events will be cancelled or if evacuation of all pedestrians is necessary.

If an evacuation is needed the Event Coordinator, Fire Chief and Police Chief will coordinate the evacuation thru the marked emergency exits and normal exits in surrounding fence.

Arena Events Schedule

Friday October 13,2017 7:00p.m.- 9:00p.m. Bull Riding

Saturday October 14,2017 3:30p.m. Live Bull Frog Races

5:00p.m. Mutton Bustin

8:00p.m-10:00 Live Bull Riding

Electric Power Usage

All vendors are required to use personal generators. The Rodeo Event Coordinator will use electricity from existing light pole at park. The use will be for Recreational Vehicle (Office) and for Sound for the Event.





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/31/2017

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	Valley Insurance Service, Inc. PO Box 1289 Fort Valley, GA 31030	CONTACT NAME: Austyn Brooke Holly PHONE (A/C, No, Ext): (478)825-2034 FAX (A/C, No): (478)825-0143 E-MAIL ADDRESS: austyn@visins.net
INSURED	Kelly Clark DBA Chute 2 Productions 1601 McVoid Rd Springtown, TX 76082	INSURER(S) AFFORDING COVERAGE INSURER A: Western World INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: 00000000-112584

REVISION NUMBER: 5

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.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			04/21/2017	04/21/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/PO/AGG \$ Included
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/>					EACH OCCURRENCE \$ AGGREGATE \$
	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 <input type="checkbox"/>	N/A			PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Bullfrog West Fest
October 13-14, 2017

CERTIFICATE HOLDER

CANCELLATION

Lake Worth City Park
3501 Roberts Cut Off Rd
Lake Worth, TX 76114

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

(ABH)

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INFORMATION AND INSTRUCTIONS FOR TEMPORARY APPLICATIONS

Form L-TEM-I
(02/2016)

INSTRUCTIONS:

- To avoid processing delays this application should be submitted **at least 10 business days** in advance of an event. Some areas require application approval from state and local officials and therefore may need additional time. Contact your local office as soon as possible to ensure ample time to process your application.
- The exact street address with suite number, name of building, and description or block number must be indicated on the application.
- A property owner of the location of the temporary event must submit a letter stating the permit holder is authorized to sell alcoholic beverages on that property. This letter must provide a contact name and telephone number, the exact location, date, and time of the event.
- Be prepared to provide diagrams/site maps and any agreements/contracts involving the event. Be advised your event may require additional approvals from the local community. For these requirements, diagrams and approval of any alcoholic beverage sponsorship agreements, contact your local TABC office.
- Make two copies of your application. Keep a copy for your records. Submit the original and one copy to your local TABC Office along with:
 - letter from the property owner,
 - sponsorship agreements
 - diagram or site map, and
 - inventory list of alcoholic beverages to be auctioned. *If applying for a charitable auction permit (CA)*
 - correct permit fee and surcharge in the form of a cashier's check, money order, or firm check from corporate permittee payable to the Comptroller of Public Accounts.
 - additional documentation may be required to determine qualification.

Regulations For All Temporary Permits

- Permit holder must have control of all phases of the sale and service of alcohol. This includes but is not limited to: brands, pricing, inventory purchase, sales, records, transportation, storage, hours of operation and employees or volunteers.
- All profits from the sale/service of alcoholic beverages must go to the temporary permit holder.
- Remaining inventory of alcoholic beverages after the expiration of the permit may be sold with the permission of the TABC; or it must be distributed back to the members of the organization. Certain exemptions may apply, ask your local TABC office. For permission to sell after the expiration of the permit, submit a written request with an inventory to your local TABC office.
- Your temporary permit must cover the time of your receipt of the alcohol as well as its storage. Alcohol for the event may not be stored anywhere but the temporary licensed premise.
- It is the applicant's responsibility to verify and adhere to all local ordinances, local forms/applications and their approval as well as adherence to all local ordinances and state laws. Be advised you may be responsible for the collection and submission of state sales and gross receipt taxes. Contact your local Comptroller of Public Accounts Office for information.
- No donated alcohol may be sold unless under the authority of a Charitable Auction Permit. Alcohol must be purchased from a license/permit holder appropriate for your permit type.

Where to get your alcohol

Who to purchase from	TB	TN	HP	SB	CA
Wholesaler (W, LX & X)	YES <i>Ale</i>	YES <i>Ale</i>	YES <i>Ale</i>	YES <i>Ale</i>	YES <i>Ale</i>
Distributor (BB, BC & BD)	YES <i>Beer</i>	YES <i>Beer</i>	YES <i>Beer</i>	YES <i>Beer</i>	YES <i>Beer</i>
Local Distributor (LP)	YES <i>Spirits</i>	YES <i>Spirits</i>	NO <i>Spirits</i>	NO <i>Spirits</i>	YES <i>Spirits</i>
Winery (G)	YES <i>Wine</i>	YES <i>Wine</i>	YES <i>Wine</i>	YES <i>Wine</i>	YES <i>Wine</i>
Brewer (B w/DA)	YES <i>Ale</i>	YES <i>Ale</i>	YES <i>Ale</i>	YES <i>Ale</i>	YES <i>Ale</i>
Brewpubs (BG w/BP)	YES <i>Ale & Beer</i>	YES <i>Ale & Beer</i>	YES <i>Ale & Beer</i>	YES <i>Ale & Beer</i>	YES <i>Ale & Beer</i>
Manufacturer (BA w/DB)	YES <i>Beer only</i>	YES <i>Beer only</i>	YES <i>Beer only</i>	YES <i>Beer only</i>	YES <i>Beer only</i>
Note: Alcohol may not be obtained from another retailer such as a convenience store, big box discount store or grocery store.					

Descriptions of temporary permits

DAILY TEMPORARY MIXED BEVERAGE PERMIT - TB Permit authorizes the sale of mixed beverages for consumption on the premises for which the permit is issued and may be issued only to the holder of a *Mixed Beverage Permit (MB)* for a picnic, celebration or similar event. The permit may also be issued to a political party or political association supporting a candidate for public office or a proposed amendment to the Texas Constitution or other ballot measure, to an organization formed for a specific charitable or civic purpose, to a fraternal organization in existence for over five years with a regular membership, or to a religious organization. If issued to an organization, that organization may not hold more than 10 temporary permits in a calendar year. The fee is \$50 with a surcharge of \$201.

DAILY TEMPORARY PRIVATE CLUB PERMIT- TN Permit authorizes the service of alcoholic beverages for consumption on the premises for which the permit is issued and may be issued only to the holder of a *Private Club Registration Permit (N)*, *Private Club Wine and Beer Permit (NB)*, *Private Club Exemption Certificate Permit (NE)*, or to a *Nonprofit Corporation* for a location in the same county where the permit or corporation is located. It may only be issued for a picnic, celebration, or similar event sponsored by a political party or association supporting a candidate for public office or proposed amendment or a charitable or civic organization or fraternal organization with a regular membership in existence more than five years, a religious organization, or for a fund raising event for a nonprofit corporation. No more than two daily temporary private club permits may be issued to the private club permittee in each calendar year for events sponsored by the same party, association, or organization. A nonprofit corporation may be issued only one daily temporary private club permit in each calendar year. The event may not last longer than eight hours. It may only be issued in the county where the nonprofit corporation is located. The fee is \$50 with a surcharge of \$226.

TEMPORARY WINE AND BEER RETAILER'S PERMIT – BH or HP The holder of a temporary wine and beer retailer's permit may sell to the ultimate consumer for consumption on or off the premises, beer, malt liquors, and wine containing alcohol in excess of one half of one percent (1/2 of 1%) by volume but not more than 14 percent or 17 percent by volume (depending on type of local-option election). A temporary wine and beer permit may be issued for a period not to exceed four days and shall be issued only for a picnic, celebration or similar event. The permit may be issued only to a *Wine and Beer Retailer's Permit* or *Mixed Beverage Permit* or to a nonprofit historic preservation organization that has been in existence for at least 30 years. (HP Code is used if permit is issued to a nonprofit historic preservation organization.) The fee is \$30 with a surcharge of \$201.

SPECIAL THREE-DAY WINE AND BEER PERMIT - SB Authorizes the holder to sell to the ultimate consumer for the on-premises consumption of wine, beer and malt liquor containing alcohol in excess of one-half of one percent (1/2 of 1%) by volume but not more than 14 percent or 17 percent (depending on type of local-option election) by volume. A *Special Three-Day Wine and Beer Permit* may be issued to a nonprofit charitable, civic, or religious organization for the temporary serving of wine and beer at a picnic, celebration, or similar event sponsored by that organization. The fee is \$30 with a surcharge of \$201.

TEMPORARY CHARITABLE AUCTION PERMIT - CA Authorizes the holder to conduct an auction where the sale of the type of alcoholic beverage to be auctioned is authorized by a local-option election. The permit may be issued only to an organization exempt by an I.R.S. 501(c)(3) and may be issued only one per calendar year. Term is for a maximum of five days. The fee is \$25 with a surcharge of \$201.

For further information or instructions contact your local TABC office or visit us at www.TABC.texas.gov



TEMPORARY APPLICATION FOR FRATERNAL, RELIGIOUS, CHARITABLE, CIVIC OR POLITICAL ORGANIZATION/ASSOCIATION

L-TEMPB
(02/2016)

TABC Use Only	TB -	TN -	SB -	HP -	CA -
				Registry No. _____	

1. Organization/Corporation Name: _____	2. Will Alcoholic Beverages be served past 12 Midnight? <input type="checkbox"/> Yes <input type="checkbox"/> No																																				
3. Federal Employer's ID# (FEIN): _____	4. Date Organization was established: (mm/dd/yyyy) _____																																				
5. Type of Organization: <div style="display: flex; justify-content: space-between; padding: 5px;"> <input type="checkbox"/> Fraternal <input type="checkbox"/> Religious <input type="checkbox"/> Charitable <input type="checkbox"/> Nonprofit Corporation </div> <div style="display: flex; justify-content: space-between; padding: 5px;"> <input type="checkbox"/> Civic <input type="checkbox"/> Political Party/Association <input type="checkbox"/> Nonprofit Historic Preservation </div>																																					
6. Application for: <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 70%;"><input type="checkbox"/> TB – Daily Temporary Mixed Beverage – 1 Day</td> <td style="width: 10%; text-align: center;">\$251</td> <td style="width: 20%; text-align: center;">Total Due</td> </tr> <tr> <td colspan="3" style="padding: 5px;"> <i>- Only for Fraternal, Religious, Charitable, Civic and Political Party/Association. - The commission shall not issue more than ten Daily Temporary Mixed Beverage Permits (TB) in each calendar year to a person who does not hold a mixed beverage permit (MB).</i> </td> </tr> <tr> <td colspan="3" style="padding: 5px;"> State the number of Daily Temporary Mixed Beverage Permits your organization has held beginning January 1 of the current year. _____ </td> </tr> <tr> <td><input type="checkbox"/> TN – Daily Temporary Private Club Permit – 1 Day</td> <td style="text-align: center;">\$276</td> <td style="text-align: center;">Total Due</td> </tr> <tr> <td colspan="3" style="padding: 5px;"> <i>- Only for Nonprofit Corporation. - The commission shall not issue more than one Daily Temporary Private Club Permit (TN) to your nonprofit corporation in each calendar year.</i> </td> </tr> <tr> <td colspan="3" style="padding: 5px;"> State the number of Daily Temporary Private Club Permits issued to your nonprofit corporation beginning January 1 of the current year. _____ </td> </tr> <tr> <td><input type="checkbox"/> SB – Special 3 Day Wine and Beer Permit – 3 Day</td> <td style="text-align: center;">\$231</td> <td style="text-align: center;">Total Due</td> </tr> <tr> <td colspan="3" style="padding: 5px;"> <i>- Only for Nonprofit Charitable, Civic or Religious Organizations. - A Special Three-Day Wine and Beer Temporary Permit is a three-day permit. Each three-day period requires a separate application.</i> </td> </tr> <tr> <td><input type="checkbox"/> CA – Temporary Charitable Auction Permit – 5 Day</td> <td style="text-align: center;">\$226</td> <td style="text-align: center;">Total Due</td> </tr> <tr> <td colspan="3" style="padding: 5px;"> <i>- Only for a nonprofit organization with a 501(c)(3) designation. - Must have IRS Form 501(c)(3) & Inventory list of alcoholic beverages to be auctioned. 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7. Temporary Date(s) & Time(s) Requested: NOTE: Date and times should include delivery and/or storage of alcohol. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 45%; text-align: center; vertical-align: top;"> TB or TN _____ (Day 1) Hours of Event: Start _____ End _____ </td> <td style="width: 55%; text-align: center; vertical-align: top;"> SB/HP/CA - _____ to _____ (Day 1) Hours of Event: Start _____ End _____ (Day 2) Hours of Event: Start _____ End _____ (Day 3) Hours of Event: Start _____ End _____ (Day 4) Hours of Event: Start _____ End _____ (Day 5) Hours of Event: Start _____ End _____ </td> </tr> </table>		TB or TN _____ (Day 1) Hours of Event: Start _____ End _____	SB/HP/CA - _____ to _____ (Day 1) Hours of Event: Start _____ End _____ (Day 2) Hours of Event: Start _____ End _____ (Day 3) Hours of Event: Start _____ End _____ (Day 4) Hours of Event: Start _____ End _____ (Day 5) Hours of Event: Start _____ End _____																																		
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8. Description of Event Address: (Ex: Parking Lot, North Side of Park, Booth No., etc. Note: Site map required.) _____																																					

9. Event Address:			
City	County	Zip Code	
10. Description of Event:			
11. Who is the primary organizer (company/business) of this event?			
12. Does this event involve a promoter? <input type="checkbox"/> Yes <input type="checkbox"/> No If "YES," Name of Promoter:			
13. Does this event involve sponsorship from an upper tier License/Permit holder? (Manufacturer, Brewer, Distillery, Winery, Wholesaler and/or Distributor) <input type="checkbox"/> Yes <input type="checkbox"/> No If "YES," Name of upper tier License/Permit holder(s):			
14. What is the approximate number of attendees planned for the event?			
15. Have you confirmed and obtained all necessary permissions, permits and/or approvals from your city and county that may be required for your event? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If "N/A," explain			
16. Have you confirmed the event location address is wet for the sale of alcoholic beverages for which you are applying for in this application? <input type="checkbox"/> Yes <input type="checkbox"/> No This <i>must</i> be confirmed with the County Clerk. <u>Not required for TN Applicants</u>			
17. Have you obtained permission to sell alcohol from the owner of premise? <input type="checkbox"/> Yes <input type="checkbox"/> No If "YES," Attach Copy. If "NO," Explain.			
18. Other than the permission to sell alcohol on this property (question 17), do you have any other contracts and/or agreements dealing with alcohol for this event? <input type="checkbox"/> Yes <input type="checkbox"/> No If "YES," Attach Copy.			
19. Name of Contact for this Application:		Position/Title:	
Contact Phone No.:		Contact Email Address:	
Mailing Address:	City:	County:	Zip Code:
WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."			
I _____ swear that I have legal authorization to apply for and receive this permit. <div style="text-align: center; margin-top: -10px;">Print Name</div>			
SIGN HERE _____		TITLE _____	
Before me, the undersigned authority, on this _____ day of _____, 20_____, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.			
SIGN HERE _____		NOTARY PUBLIC	
S E A L			

Fort Worth Elks

Bellevue 10/6/2015

City Consent to Only Beer



TEMPORARY APPLICATION FOR FRATERNAL, RELIGIOUS, CHARITABLE, CIVIC OR POLITICAL ORGANIZATION/ASSOCIATION

(SB) Need App Change And (TEMPB 02/2016) Check 231

TABC Use Only	TB -	TN -	SB -	HP -	CA -
Month Out			Registry No.		

1. Organization/Corporation Name: FORT WORTH ELK LODGE 990	2. Will Alcoholic Beverages be served past 12 Midnight? <input type="radio"/> Yes <input checked="" type="radio"/> No
3. Federal Employer's ID# (FEIN): [REDACTED]	4. Date Organization was established: (mm/dd/yyyy) 04/28/1889
5. Type of Organization: <input checked="" type="radio"/> Fraternal <input type="radio"/> Religious <input type="radio"/> Charitable <input type="radio"/> Nonprofit Corporation <input type="radio"/> Civic <input type="radio"/> Political Party/Association <input type="radio"/> Nonprofit Historic Preservation	

RECEIVED
OCT 03 2016
TABC/ARLINGTON
REGIONAL OFFICE

6. Application for:

<input checked="" type="radio"/> TB - Daily Temporary Mixed Beverage - 1 Day	\$251	Total Due
- Only for Fraternal, Religious, Charitable, Civic and Political Party/Association. - The commission shall not issue more than ten Daily Temporary Mixed Beverage Permits (TB) in each calendar year to a person who does not hold a mixed beverage permit (MB). State the number of Daily Temporary Mixed Beverage Permits your organization has held beginning January 1 of the current year. <u>0</u>		
<input type="radio"/> TN - Daily Temporary Private Club Permit - 1 Day	\$276	Total Due
- Only for Nonprofit Corporation. - The commission shall not issue more than one Daily Temporary Private Club Permit (TN) to your nonprofit corporation in each calendar year. State the number of Daily Temporary Private Club Permits issued to your nonprofit corporation beginning January 1 of the current year. _____		
<input checked="" type="radio"/> SB - Special 3 Day Wine and Beer Permit - 3 Day	\$231	Total Due
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- Only for Nonprofit Historic Preservation Organization that has been in existence for at least 30 years. - A Special Four-Day Wine and Beer Permit may be issued for a period of not more than four days. Each four-day period requires a separate application.		

4P

7. Temporary Date(s) & Time(s) Requested: **NOTE:** Date and times should include delivery and/or storage of alcohol.

TB or TN <u>TB 10/08/2016</u>	SB/HP/CA - <u>10/08/2016 to 10/08/2016</u>
10/08/16 9AM START 10/08/16 11 PM FINISH (Day 1) Hours of Event: Start <u>9AM</u> End <u>11pm</u>	(Day 1) Hours of Event: Start <u>9A</u> End <u>11p</u> (Day 2) Hours of Event: Start _____ End _____ (Day 3) Hours of Event: Start _____ End _____ (Day 4) Hours of Event: Start _____ End _____ (Day 5) Hours of Event: Start _____ End _____

8. Description of Event Address: (Ex: Parking Lot, North Side of Park, Booth No., etc.)

Note: Site map required.

Delinquent List	
Blocked Address	
Permitted Address	
Permit #	
Officer	
Pending Application	

9. Event Address: 3501 ROBERTS COT OFF RD BOOTH T-1
City LAKE WORTH County TARRANT Zip Code 76135

10. Description of Event:
LAKE WORTH RODEO
Lions Club Rodeo

11. Who is the primary organizer (company/business) of this event?
CITY OF LAKE WORTH

12. Does this event involve a promoter? ☐ Yes ☒ No
If "YES," Name of Promoter:

13. Does this event involve sponsorship from an upper tier License/Permit holder? (Manufacturer, Brewer, Distillery, Winery, Wholesaler and/or Distributor) ☐ Yes ☒ No
If "YES," Name of upper tier License/Permit holder(s):

14. What is the approximate number of attendees planned for the event? 300

15. Have you confirmed and obtained all necessary permissions, permits and/or approvals from your city and county that may be required for your event? ☒ Yes ☐ No ☐ N/A If "N/A," explain

16. Have you confirmed the event location address is wet for the sale of alcoholic beverages for which you are applying for in this application? ☒ Yes ☐ No This *must* be confirmed with the County Clerk. ***Not required for TN Applicants***

17. Have you obtained permission to sell alcohol from the owner of premise? ☒ Yes ☐ No
If "YES," **Attach Copy.** If "NO," Explain.

18. Other than the permission to sell alcohol on this property (question 17), do you have any other contracts and/or agreements dealing with alcohol for this event? ☐ Yes ☒ No If "YES," **Attach Copy.**

19. Name of Contact for this Application: Vanessa Lang Position/Title: Treasurer
Contact Phone No.: 817 825 1785 7185 Contact Email Address: Vanessa.Lang@dfwcard.com
Mailing Address: 6340 LAKE WORTH BVD City: LAKE WORTH County: TARRANT Zip Code: 76135

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

I Vanessa Lang swear that I have legal authorization to apply for and receive this permit.
Print Name

SIGN
HERE

TITLE Treasurer

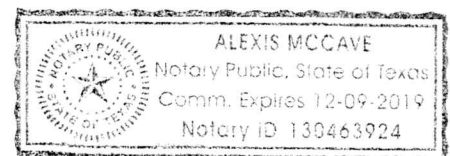
Before me, the undersigned authority, on this 30 day of September, 20 16, the

person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN
HERE

NOTARY PUBLIC

SEAL



Lake Worth City Council Meeting – August 8, 2017

Agenda Item No. F.4

From: Mike Christenson, Fire Chief and Sean Densmore, Public Works Director

Item: Discuss and consider a Professional Services Contract between the City of Lake Worth and PRP Service, LLC d/b/a Municipal Mosquito for the 2017 mosquito season.

Summary:

Staff is requesting Council's consideration in entering into a Professional Services Contract with Municipal Mosquito for as needed mosquito control. Other local governmental agencies have entered in to a similar contract with this organization for as needed services.

Fees for services are part of Attachment A of the contract. Program and pricing details are part of Tarrant County RFP# 2016-069 and 2017-118. Municipal Mosquito has been identified as the primary vendor for mosquito control contracts and disease management services.

Fiscal Impact:

1. Based upon need

Attachments:

1. Contingency Vector Management Contract – Municipal Mosquito

Recommended Motion or Action:

Move to approve a Professional Services Contract between the City of Lake Worth and PRP Services, LLC d/b/a Municipal Mosquito for the 2017 mosquito season.

CONTRACT FOR CONTINGENCY VECTOR MANAGEMENT SERVICES

CITY OF LAKE WORTH, TEXAS

2017 Mosquito Season



**TDA SPCS 0666439
TDA 0714984**

**P.O. Box 831863
Richardson, Texas 75083
Office: 214-612-8044
Email: Info@MunicipalMosquito.com
www.MunicipalMosquito.com**

Licensed and Regulated by: Texas Department of Agriculture P.O. Box 12847 Austin, TX 78711-2847
Phone (866) 918-4481, Fax (888) 232-2567

CONTINGENCY VECTOR MANAGEMENT CONTRACT FOR THE CITY OF LAKE WORTH, TEXAS

2017 Mosquito Season

1. Contract Outline

- 1.1 This vector management Contract is offered to the City of Lake Worth for the purpose of offering the mosquito control program and pricing detailed in the Tarrant County **RFPs #2016-069 and #2017-118**. Municipal Mosquito has been designated as the primary vendor for these Mosquito Control contracts and wishes to secure a contingency contract with the City of Lake Worth to provide any needed disease management services.
- 1.2 Municipal Mosquito offers many layers of public health services and disease management response. These multiple services are offered to the city as detailed in the Tarrant County RFP 2016-069 and RFP 2017-118 contracts. Specialty service items not specifically mentioned in the Tarrant County RFP are available to the City as requested.

2. Retention of Services

- 2.1 City of Lake Worth hereby retains PRP Services, L.L.C. d/b/a Municipal Mosquito to provide contingency Adult mosquito control services for the City of Lake Worth Mosquito Control Program. Municipal Mosquito shall provide a limited scope of service for controlling mosquitoes to help in reducing potential disease transmission. The pricing for adult mosquito control services are outlined in the contract below (specifically Attachment "A") understanding mosquito management services shall be provided as requested and directed by City of Lake Worth.

3. Term and Extension

- 3.1 This Contract is for a 12-month contract term beginning on the date of execution. Execution of this Contract obligates the City of Lake Worth to compensate Municipal Mosquito according to the pricing schedule **Attachment "A"** of this Contract upon the performance of the services set forth herein.
- 3.2 **Contract Extension**
The contract shall be for a period of one (1) year from the date of execution with the option to renew for two (2) additional one-year periods, if the renewal is agreed to in writing by both parties before the end of the contract term. Contract renewal implies adherence to the same terms and conditions, unless agreed upon by both parties through written contract amendment.

4. Location Description

- 4.1 The services which are described in this contract shall be strictly limited to the area confined within the geographic area which is commonly known as being within the corporate limits of the City of Lake Worth, the County of Tarrant, and the State of Texas. Municipal Mosquito shall not be required by the terms hereof to render the herein before described services in any geographic location not situated within the confines of the area designated above.

5. Pre-Spray Operational Procedures

- 5.1 Municipal Mosquito will follow strict adult mosquito control guidelines and will only adulticide when justified by the City of Lake Worth Arbovirus Response Program guidelines and thresholds. All adult mosquito control applications will be made only after written permission is obtained from the City of Lake Worth.

5.2 All adult mosquito control activities shall occur at the direction of the City of Lake Worth. City of Lake Worth staff shall notify Municipal Mosquito at least twenty-four hours prior to altering any previously agreed upon schedule(s).

5.3 City of Lake Worth will obtain and/or furnish right-of-access on any project site for Municipal Mosquito to perform any requested inspections, tests, surveillance, application, or investigation in relation to the Scope of Services. Municipal Mosquito will take reasonable precautions to avoid and/or minimize damage to the personal or real property in the performance of such inspections, tests, surveillance, applications, or investigations.

6. Product

6.1 Municipal Mosquito currently utilizes the product Envion 30-30 for ULV applications and recommends mid-level labeled application rate of active ingredient per acre. Other materials, application rates, and chemical classes may be utilized for other types of adult mosquito control applications. City of Lake Worth must advise Municipal Mosquito regarding the desired application rate at least 24 hours in advance of any requested fogging services.

7. Adult Mosquito Control Equipment

7.1 For street level and off-road applications, Municipal Mosquito utilizes the Phoenix Fogger ULV sprayer, considered to be the industry standard. For more focused application techniques, Municipal Mosquito utilizes backpack ULV/misting machines from various manufacturers and IGEBA thermal foggers. During any adult mosquito application, technicians will be recording various events that occur during the application sequence; i.e. operator and/or vehicle identification, ground speed, "No Spray Zones", type of insecticide, total insecticide dispensed, and total area or distance treated. Municipal Mosquito application equipment is annually calibrated and analyzed for proper droplet pattern to insure correct operation and application.

8. Reporting

8.1 Municipal Mosquito shall provide written and digital documentation of all services provided to City of Lake Worth and retain application records as directed by Texas Department of Agriculture Structural Pest Control Service (TDA/SPCS) and TCEQ NPDES.

9. CONDITIONS OF PROPOSED SERVICES

9.1 HOLD HARMLESS

9.1.1 PRP Services, L.L.C. d/b/a Municipal Mosquito shall hold City of Lake Worth and its agents and employees harmless from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, caused by, arising out of or resulting from the direct act of a member of Municipal Mosquito's staff in the course of the performance of the service described in Section IV-VI hereof and, on the condition that that any such claim which may be asserted: (1) arises from bodily injury; (2) arises from the damage to or destruction of tangible property, including the loss of use resulting there from; and (3) is caused in whole or in part by an intentional act, grossly negligent act or omission of a member of the staff of Municipal Mosquito, any subcontractor of Municipal Mosquito, or anyone directly or indirectly employed by a subcontractor of Municipal Mosquito. Such obligation shall be limited to the insurance coverage, which is provided by Municipal Mosquito pursuant to the terms and conditions hereof. It is acknowledged and agreed that any liability of Municipal Mosquito in connection with the services to be rendered hereunder shall not include any special, incidental, consequential or punitive damages, or any damages based on any lost sales or profit.

9.2 WARRANTIES

9.2.1 PRP Services, L.L.C. d/b/a Municipal Mosquito warrants that during period of time that any services shall be rendered by Municipal Mosquito to City of Lake Worth, Municipal Mosquito

will have in full force and effect the following insurance coverage: (1) Automobile, (2) General liability, and (3) Workmans' Compensation. Municipal Mosquito shall provide certificates of insurance to City of Lake Worth upon request therefore. Municipal Mosquito warrants that, in the course of rendering the services which it is to perform hereunder, it will exercise, in its performance of said services, the standard of care normally exercised by nationally recognized organizations engaged in performing comparable services. Other than the foregoing warranties, Municipal Mosquito makes no express or implied warranties, including without limitation, any expressed or implied warranties of merchantability or fitness for a particular purpose.

9.3 **DISCLAIMERS**

9.3.1 PRP Services, L.L.C. d/b/a Municipal Mosquito has not been engaged to perform any procedures, which would result in the eradication of the mosquito population in any particular area. Accordingly, Municipal Mosquito disclaims any warranty, representation or guarantee, of any type, regarding: (1) the absence or existence of mosquito-borne diseases, in or adjacent to the known breeding habitats in the Proposed Area; (2) the probability of any human or animal contracting any mosquito borne disease or infection, either before, during or after the completion of the services to be rendered by Municipal Mosquito hereunder.

9.4 **INDEPENDENT CONTRACTOR**

9.4.1 The parties acknowledge and agree that neither PRP Services, L.L.C. d/b/a Municipal Mosquito nor any member of its staff is an agent, employee, or representative of City of Lake Worth in connection with the services to be performed hereunder. Rather, Municipal Mosquito is an independent contractor in connection with the services to be performed hereunder. As an independent contractor, Municipal Mosquito shall be responsible for employing and directing such personnel and agents as it may require from time to time in connection with the performance of the services to be rendered hereunder. Municipal Mosquito shall exercise complete authority over members of its staff and its agents, and shall be fully responsible for their actions. Municipal Mosquito acknowledges that neither it nor any member of its staff is entitled to unemployment insurance benefits or workers' compensation benefits from City of Lake Worth, its elected officials, agents, or any program administered or funded by City of Lake Worth.

10. **MISCELLANEOUS**

10.1 Authority to execute contract. The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Contract on behalf of the parties hereto, and each party hereby certifies to the other that any necessary resolutions or other act extending such authority have been duly passed and are now in full force and effect.

10.2 Notice. Where the terms of this Contract require that notice in writing be provided, such notice shall be deemed delivered three (3) days following the deposit of the notice in the United States mail, postage prepaid, and sent by certified mail, return receipt requested and properly addressed as follows:

To City:
City of Lake Worth
Attn: City Manager
305 Adam Grubb
Lake Worth, TX 76135

To Contractor:
Municipal Mosquito
Attn: Patrick Prather
P.O. Box 831863
Richardson, TX 75083

10.3 Assignment. This Contract is not assignable without the prior written consent of City.

- 10.4 Entire Contract. This Contract represents the entire and integrated Contract between City and Municipal Mosquito and supersedes all prior negotiations, representations and/or agreements, either written or oral. This Contract may be amended only by written instrument signed by both City and Municipal Mosquito.
- 10.5 Applicable law. The validity of this Contract and of 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 Contract shall be performable and all compensation payable in Dallas County, Texas. Venue and exclusive jurisdiction under this Contract lies in Dallas County, Texas.
- 10.6 Severability. If any clause, paragraph, section or portion of this Contract shall be found to be illegal, unlawful, unconstitutional or void for any reason, the balance of the Contract shall remain in full force and effect and the parties shall be deemed to have contracted as if said clause, section, paragraph or portion had not been in the Contract initially.
- 10.7 Consideration. This Contract is executed by the parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is hereby acknowledged.
- 10.8 Representation. Each signatory representing this Contract has been read by the party for which this Contract is executed and that such party has had an opportunity to confer with its counsel.
- 10.9 Waiver. Waiver by either party or any breach of this Contract, or the failure of either party to enforce any of the provisions of this Contract, or the failure of either party to enforce any of the provisions of this Contract, at any time, shall not in any way affect, limit or waive such party's right thereafter to enforce and compel strict compliance of the Contract.
- 10.10 Miscellaneous Drafting Provisions. This Contract shall be drafted equally by all parties hereto. The language of all parts of this Contract shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any party shall not apply. Headings in this Contract are for the convenience of the parties and are not intended to be used in construing this document.
- 10.11 Counterparts. This Contract may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes.

11. ACCEPTANCE OF CONTRACT

- 11.1 PRP Services, L.L.C. d/b/a Municipal Mosquito, pursuant to the terms and conditions set forth above, Municipal Mosquito proposes to provide services to City of Lake Worth, which is described in the preceding Sections 1 through 8. If City of Lake Worth wishes to accept the Contract which is contained herein, **Attachment "A"** which is attached hereto and incorporated by reference as though fully set forth herein, should be completed in the manner indicated thereon, including the attachment of the signature of an individual authorized to bind City of Lake Worth and return one signed copy of this Contract, intact, to Municipal Mosquito at the address indicated hereon.

Authorized Representative of City of Lake Worth, Texas

Signature _____ Title _____

Print name _____ Date _____

Accepted by PRP Services, L.L.C. d/b/a Municipal Mosquito

By _____ Title President

Patrick Prather

Date _____

ATTACHMENT "A"

CONTINGENCY VECTOR CONTROL SERVICES PRICING SCHEDULE

Surveillance and Identification:

Gravid Trap Set (per trap event)	
1-5	\$106.00
Gravid Trap Set Plus Identification (per trap event)	
1-5	\$145.00
BG Sentinel Trap Set (per trap event)	
1-5	\$190.00
6-10	\$187.00
BG Sentinel Trap Set w/ Identification (per trap event)	
1-5	\$215.00
6-10	\$212.00

Truck Mounted ULV Ground Spraying

Product	Rate	Price per Linear Mile
Envion 30-30	0.00175 #ai/ac (minimum-rate)	\$38.60
Envion 30-30	0.0035 #ai/ac (mid-rate)	\$46.00*

*Municipal Mosquito generally employs mid-rate of application for disease response fogging events. This practice is in keeping with recommendations from the CDC, County Health Department(s), or State Health Department. Municipal Mosquito will make recommendations on increased application rates, but official application rate determination is left to the City.

ATV/UTV Mounted ULV Fogging

All prices are quoted per one (1) linear mile at minimum labeled application rate.

ATV ULV Fogging	\$200.00 per linear mile
ATV Thermal Fogging	\$300.00 per linear mile

Backpack ULV and Handheld Thermal Fogging

Backpack ULV	0.0035 #ai/ac	\$750.00 per linear mile
Handheld Thermal	0.007 #ai/ac	\$250.00 per linear quarter mile (0.25)

Mosquito Inspection and Larvaciding

Inspection and Larval Treatments	\$135.00 per hour
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Vehicle Mounted LV Liquid Larvaciding

Truck Mounted	8oz./ac	\$780.00 per linear mile
UTV Mounted	8oz/ac	\$780.00 per linear mile
Backpack	7oz/ac	\$775.00 per 0.25 linear mile

*all applications utilizing VectoBac WDG

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

PRP Services, LLC d/b/a Municipal Mosquito
Richardson, TX United States

Certificate Number:
2017-245215

Date Filed:
08/03/2017

Date Acknowledged:

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

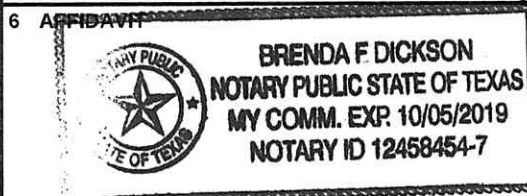
City of Lake Worth

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

2017-08-08 F4
Contingency Mosquito CControl

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Agent Patrick Prather, this the 3rd day of August, 20 17, to certify which, witness my hand and seal of office.

Brenda F. Dickson
Signature of officer administering oath

Brenda F. Dickson
Printed name of officer administering oath

Notary Public
Title of officer administering oath