



City of Azle Regular Meeting Agenda City Council

505 W. Main Street
Azle, Texas 76020

December 5, 2023

6:00 PM

Council Chambers

Pursuant to Section 551.071 of the Texas Government Code, the Council may convene into Executive Session(s) from time to time as deemed necessary during the meeting for any posted agenda item and may receive advice from its attorney as permitted by law.

CALL TO ORDER

INVOCATION

The City of Azle is accepting volunteers from all Religions and Denominations to provide the invocation at the beginning of the City Council meeting. If you are interested in giving the invocation at a future meeting, please call the city secretary's office at 817-444-7101 or email: yforgey@cityofazle.org

Larry Davis, senior pastor at Grace & Faith Center.

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION

This is an opportunity for the public to address the City Council on posted agenda items or non-agenda items. In order to address the Council, please complete a Speaker's Request Form and submit to the City Secretary prior to the start of the council meeting. All comments must be directed to the Presiding Officer, rather than an individual council member or city staff. All speakers must refrain from personal attacks toward any individual. Comments are limited to three (3) minutes and must pertain to the subject matter listed on the Speaker's Request Form. Speakers requiring the assistance of a translator shall be provided four (4) minutes. Council may not comment publicly on non-agenda items, but may direct the City Manager to resolve the matter or request the matter be placed on a future agenda. Public comments regarding non-agenda items shall not include any "deliberation" as defined by Chapter 551 of the Government Code, as now or hereafter amended. If you have a subject that may require City Council action, you may obtain a form from the City Secretary and request the item be placed on a future agenda.

PROCLAMATIONS

1. Lawrence Bryant, Assistant City Manager - 20 years of service.
Yael Forgey, City Secretary

PRESENTATIONS

2. Municipal Court Week Coloring Contest.
Felicia King, Municipal Court Admin
3. Police Department Promotions.
Ben Hall, Police Chief
4. Quarterly Investment Report for the Quarter ended September 30, 2023.
Martin Avila, Finance Director
5. Department annual presentation - Fire Department
Thomas Scott, Fire Chief

ACTION ITEMS

6. Consider any action on the minutes from the November 7, 2023 regular council meeting.
Yael Forgey, City Secretary

7. Consider any action appointing Jim Stevens to the Special Events Advisory Board, Place 3.
Yael Forgey, City Secretary
8. Consider any action on awarding the bids for the City's annual requirement for mowing services (Bid No. 2023-009).
Jennifer Walls, Purchasing Agent
9. Consider any action on Resolution No. 2023-20 amending authorized representatives for the City's NexBank account.
Martin Avila, Finance Director
10. Consider any action amending authorized representatives for the City's EastWest Bank account.
Martin Avila, Finance Director
11. Consider any action on revising golf rates at Cross Timbers Golf Course.
Matthew Sommerfield, Golf Course General Manager
12. Consider any action authorizing the City Manager to execute an interlocal agreement with Tarrant County for food establishment and public swimming pool and spa inspection program services.
David Hawkins, Director of Planning and Development
13. Consider any action on Ordinance No. 2023-20 amending Chapter 6, "Health and Sanitation," of the Code of Ordinances, City of Azle, Texas, by amending regulations governing public swimming pools and spas and food establishments; amending Appendix A, "Fees," to amend fees related to food establishments and public swimming pools.
David Hawkins, Director of Planning and Development

PUBLIC HEARING

14. Polly Avenue Waterline Replacement Project – CDBG Project, 50th Year
Rick White, Public Services Director

ITEMS TO BE PLACED ON FUTURE MEETING AGENDAS

MAYOR/COUNCIL COMMENTS OF COMMUNITY INTEREST

EXECUTIVE SESSION

- **551.074 PERSONNEL MATTERS**
Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager.

ADJOURNMENT

I, the undersigned authority, do hereby certify the above Agenda was posted at City Hall on 12-01-2023, at the City's official bulletin board and is readily accessible to the public at all times in accordance with V.T.C.A. Chapter 551, Texas Government Code.



**Yael Forgey,
City Secretary**

This facility is wheelchair accessible and handicapped parking spaces are available. Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in city functions and activities. Auxiliary aids and services or accommodations should be

requested forty-eight hours prior to the scheduled starting time by calling the City Secretary's Office at 817-444-7101. Complete City Council agenda packet is available for review at the City Secretary's Office and on our website www.cityofazle.org.



Presenter: Felicia King, Municipal Court Admin
Agenda Item: Municipal Court Week Coloring Contest.

Background and Explanation:

To commemorate Municipal Court Week, which was November 6-10, Court staff held a coloring contest. Each participant received a CASA bag with stickers and pen, Municipal Court Coloring Book, Buckle Up Coloring Book and *Don't Monkey Around with Car Safety* book. Approximately 80 entries were received. The winners are:

1st Place - Juliette Curtis
2nd Place - Lauren Quick
3rd Place - Warren Geary

Runner Ups included Josephine Bresser, Micah Corbin, McCoy Gentry, Hank Loveless, Sophia Rivas and Adley Sutherland.

Prizes were donated from local businesses including Burton Trophy, Crave, Custom Thread Art, Fidelity National Title, The Glow Bar, Kimberly's Beauty Parlor, the Lions Club, Main Street Tacos, National Bank of Texas, Pinnacle Bank, Relentless Home Services, Rock Bottom Liquidations, Servolution Network, The Shack, Slice, South Estates, and Southern Honey.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

N/A.

Attachments:

None



Presenter: Ben Hall, Police Chief
Agenda Item: Police Department Promotions.

Background and Explanation:

The City Council has historically enjoyed recognizing sworn officers as they receive their badges signifying their promotion to higher ranks. The promoted Police Officers are:

- Officer Bryan Wallace is promoted to Corporal
- Detective Loren Lyon is promoted to Corporal

These Officers will be honored in a badge-pinning ceremony conducted by Chief Ben Hall and Mayor Brundrett, with participation by their families.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

N/A.

Attachments:

None



Presenter: Martin Avila, Finance Director

Agenda Item: Quarterly Investment Report for the Quarter ended September 30, 2023.

Background and Explanation:

Presentation of the Quarterly Investment Report for the Quarter ended September 30, 2023

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

1. September 30, 2023 Quarterly Investment Report



QUARTERLY INVESTMENT REPORT

For the Quarter Ended September 30, 2023

Prepared by
Valley View Consulting, L.L.C.

The investment portfolio of the City of Azle is in compliance with the Public Funds Investment Act and the City of Azle Investment Policy.


Investment Officer


Investment Officer

Disclaimer: These reports were compiled using information provided by the City of Azle. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment adviser fees.

Annual Comparison of Portfolio Performance

FYE Results by Investment Category:

Asset Type	September 30, 2022				September 30, 2023			
	Ave. Yield	Book Value	Market Value		Ave. Yield	Book Value	Market Value	
DDA/MM/ANOW	2.49%	\$ 15,324,983	\$ 15,324,983		4.30%	\$ 18,677,920	\$ 18,677,920	
Pools/MMMF	2.38%	12,923,850	12,923,850		5.32%	12,197,685	12,197,685	
CDS/Securities	1.70%	6,054,069	6,052,647		5.02%	6,123,155	6,123,155	
Totals		\$ 34,302,901	\$ 34,301,480			\$ 36,998,760	\$ 36,998,760	
Fourth Quarter-End Yield	2.31%				4.76%			
Average Quarter-End Yields ⁽¹⁾:								
	2022 Fiscal Year				2023 Fiscal Year			
Azle	1.00%				4.35%			
Rolling Three Month Treasury	1.06%				4.95%			
Rolling Six Month Treasury	1.01%				4.77%			
TexPool	0.90%				4.74%			
Fiscal YTD Interest Earnings	\$ 241,422 (Approximate)				\$ 1,535,769 (Approximate)			

(1) Average Quarter-End Yield calculated using quarter end report average yield and adjusted book value.

Summary

Quarter End Results by Investment Category:

		June 30, 2023		September 30, 2023		
Asset Type		Book Value	Market Value	Book Value	Market Value	Ave. Yield
DDA/MMA/NOW		\$ 16,851,069	\$ 16,851,069	\$ 18,677,920	\$ 18,677,920	4.30%
Pools/MMMF		14,328,745	14,328,745	12,197,685	12,197,685	5.32%
CDs/Securities		6,892,257	6,913,446	6,123,155	6,123,155	5.02%
	Totals	\$ 38,072,070	\$ 38,093,260	\$ 36,998,760	\$ 36,998,760	4.76%
<u>Current Quarter Portfolio Performance (1)</u>						
	Average Quarterly Yield	4.76%		<u>Fiscal Year-to-Date Portfolio Performance (2)</u>		
				Average Quarter-End Yield	4.35%	
	Rolling Three Month Treasury	5.54%			Rolling Three Month Treasury	4.95%
	Rolling Six Month Treasury	5.38%			Rolling Six Month Treasury	4.77%
	TexPool	5.32%			Average Quarter-End TexPool Yield	4.74%
<u>Interest Earnings (Approximate)</u>						
	Quarterly Interest Earnings	\$	468,139		Quarterly Bank Fee Offsets	\$ 1,371
	Fiscal YTD Interest Earnings	\$	1,535,769		Fiscal YTD Bank Fee Offsets	\$ 5,715

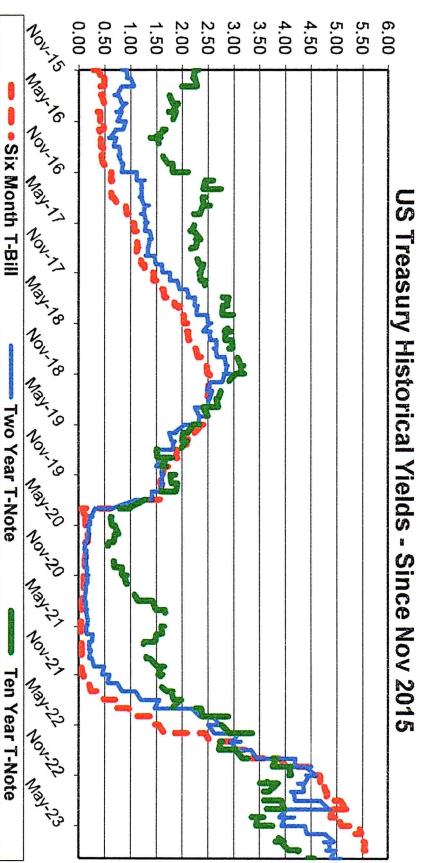
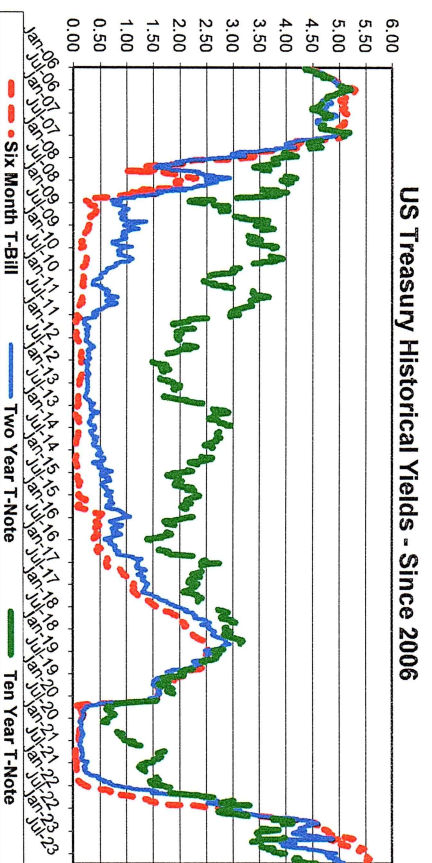
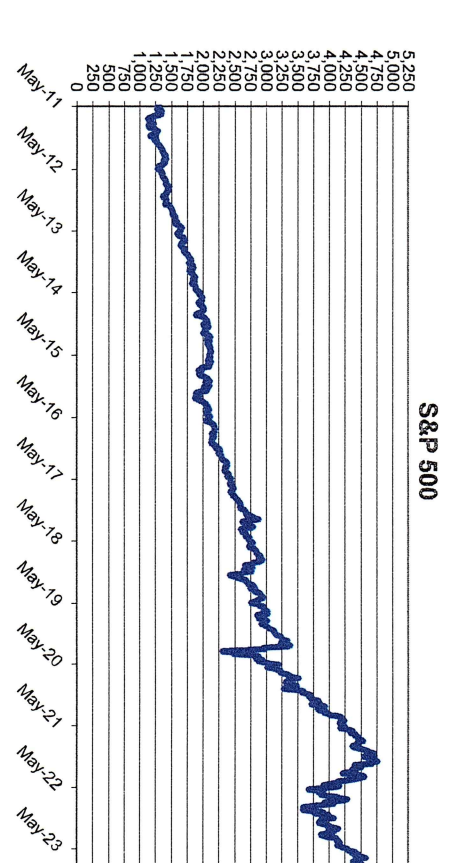
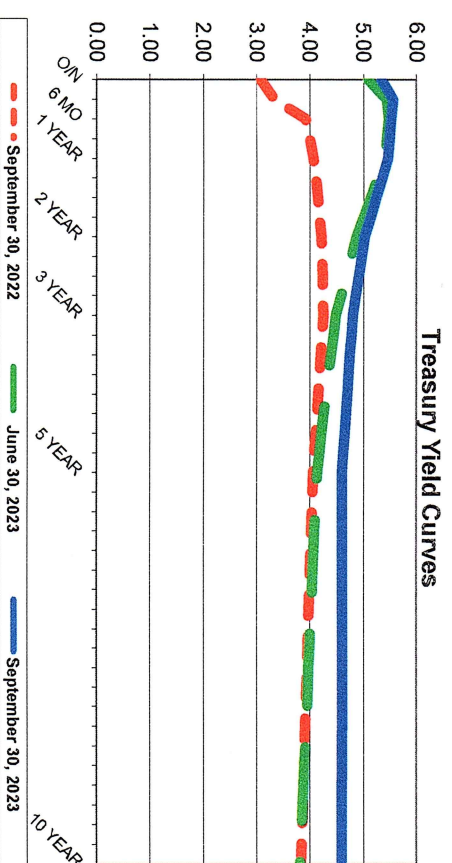
(1) **Current Quarter Weighted Average Yield** - calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees. The yield for the reporting month is used for bank, pool, and money market balances.

(2) **Fiscal Year-to-Date Weighted Average Yields** - calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

Economic Overview

9/30/2023

The Federal Open Market Committee (FOMC) maintained the Fed Funds target range 0.25% to 0.50% (Effective Fed Funds are trading +/- 0.33%). A pause is projected at least until the September 19-20 meeting, with any future actions data-dependent. Second Quarter 2023 GDP posted 2.1%. September Non-Farm Payroll surged up 336k new jobs, above the 170k projection. The S&P Stock Index continued to slide below 4,300. The yield curve drifted higher on the long end. Crude Oil traded +/- \$85 per barrel. Inflation drifted lower but still over the FOMC 2% target (Core PCE +/- 3.9% and CPI +/- 3.7%). The slowing China and German economies, Ukrainian/Russian and Israeli/Hamas conflicts continue to weight on future outlooks.



Investment Holdings
September 30, 2023

Description	Rating	Coupon/ Discount	Maturity Date	Settlement Date	Original Face/ Par Value	Book Value	Market Price	Market Value	Life (Days)	Yield
Herring Bank		1.21%	10/01/23	09/30/23	\$ 234,152	\$ 234,152	1.00	\$ 234,152	1	1.21%
PNC Bank (3)		0.16%	10/01/23	09/30/23	4,129,619	4,129,619	1.00	4,129,619	1	0.16%
NexBank MMA		5.55%	10/01/23	09/30/23	14,314,149	14,314,149	1.00	14,314,149	1	5.55%
TexSTAR	AAAm	5.31%	10/01/23	09/30/23	3,938,642	3,938,642	1.00	3,938,642	1	5.31%
TexPool	AAAm	5.32%	10/01/23	09/30/23	8,259,034	8,259,034	1.00	8,259,034	1	5.32%
Dreyfus Gov't MMMF	AAAm	4.77%	10/01/23	09/30/23	10	10	1.00	10	1	4.77%
East West Bank CD		4.66%	12/20/23	12/20/22	521,498	521,498	100.00	521,498	81	4.77%
East West Bank CD		5.09%	03/04/24	03/03/23	1,545,005	1,545,005	100.00	1,545,005	156	5.22%
Texas Capital Bank CD		4.70%	03/20/25	03/20/23	1,023,974	1,023,974	100.00	1,023,974	537	4.70%
BOK Financial CDARS		4.93%	06/19/25	06/22/23	1,012,769	1,012,769	100.00	1,012,769	628	5.05%
BOK Financial CDARS		4.93%	06/26/25	06/29/23	1,013,726	1,013,726	100.00	1,013,726	635	5.05%
American Nat'l Bank & Trust CDARS		5.00%	08/14/25	08/16/23	1,006,183	1,006,183	100.00	1,006,183	684	5.12%
					<u>\$ 36,998,760</u>	<u>\$ 36,998,760</u>		<u>\$ 36,998,760</u>	<u>77</u>	<u>4.76%</u>

(1)

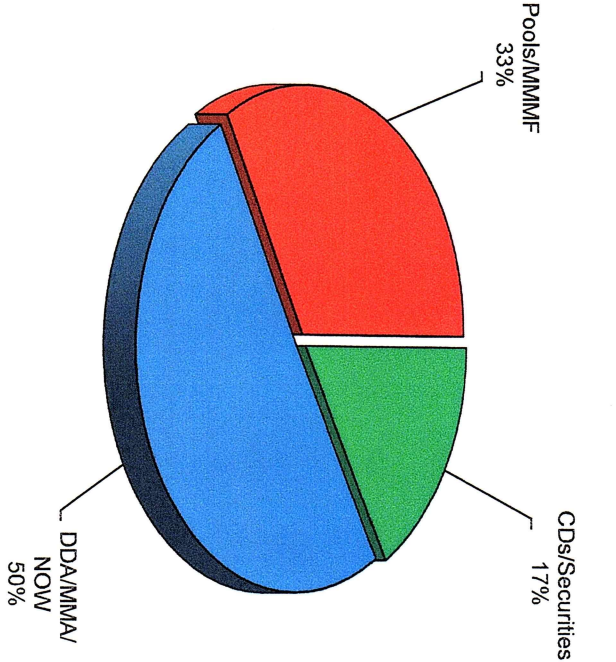
(2)

(1) Weighted average life - Pools, Money Market Funds, and Bank Deposits are assumed to have a one day maturity.

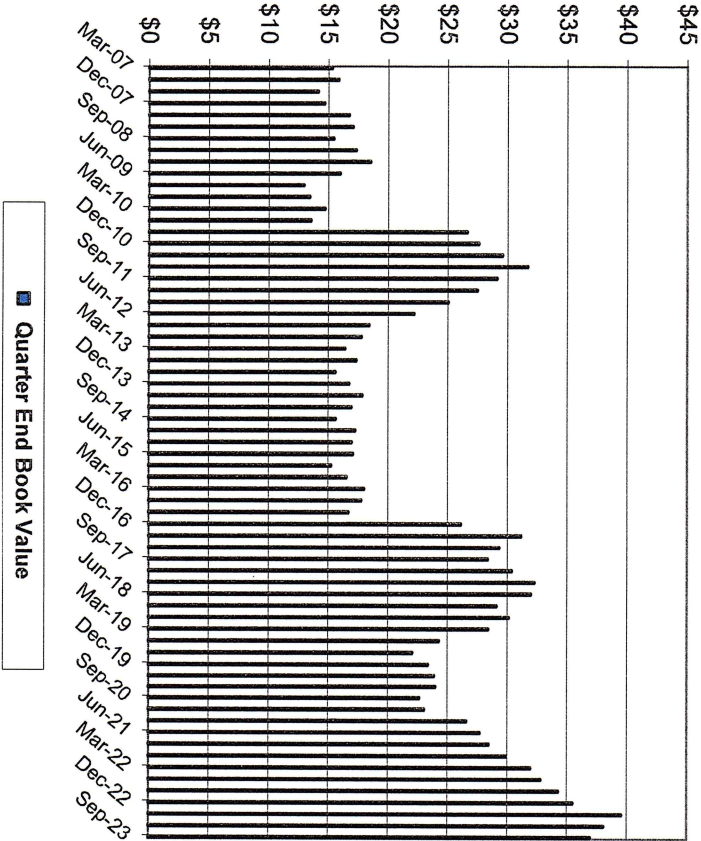
(2) Weighted average yield to maturity - The weighted average yield to maturity is based on Adjusted Book Value, adviser fees and realized and unrealized gains/losses are not considered. The pool and mutual fund yields are the average for the last month of the quarter. Bank deposit yields are estimated from the monthly allocated earnings.

(3) Compensating Balances - PNC Bank Balances generate earnings credit to offset most bank fees.

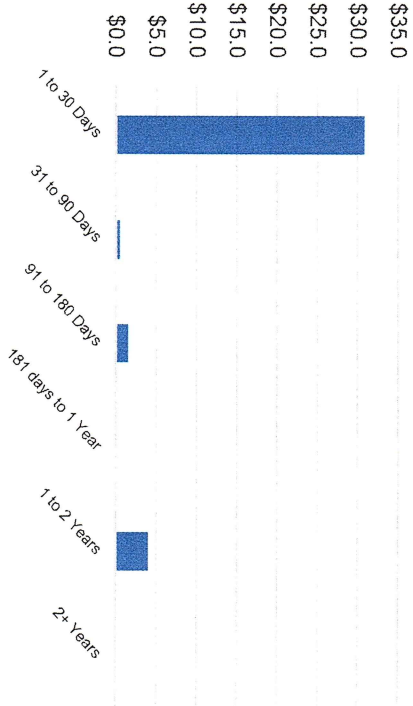
Portfolio Composition



Total Portfolio (Millions)



Distribution by Maturity Range (Millions)



Book & Market Value Comparison

Issuer/Description	Yield	Maturity Date	Book Value 06/30/23	Increases	Decreases	Book Value 09/30/23	Market Value 06/30/23	Change in Market Value	Market Value 09/30/23
Herring Bank	1.21%	10/01/23	\$ 233,401	\$ 751	\$ -	\$ 234,152	\$ 233,401	\$ 751	\$ 234,152
PNC Bank (3)	0.16%	10/01/23	2,499,256	1,630,363	-	4,129,619	2,499,256	1,630,363	4,129,619
NexBank MMA	5.55%	10/01/23	14,118,412	195,738	-	14,314,149	14,118,412	195,738	14,314,149
TexSTAR	5.31%	10/01/23	5,403,842	-	(1,465,200)	3,938,642	5,403,842	(1,465,200)	3,938,642
TexPool	5.32%	10/01/23	8,922,481	-	(663,447)	8,259,034	8,922,481	(663,447)	8,259,034
Dreyfus Gov't MMMF	4.77%	10/01/23	2,422	-	(2,412)	10	2,422	(2,412)	10
National Bank of Texas CD	0.40%	08/04/23	503,506	-	(503,506)	-	503,506	(503,506)	-
East West Bank CD	3.05%	08/08/23	513,850	-	(513,850)	-	513,850	(513,850)	-
T-Bill Disc Note	3.54%	09/07/23	820,779	-	(820,779)	-	841,968	(841,968)	-
East West Bank CD	4.77%	12/20/23	515,409	6,089	-	521,498	515,409	6,089	521,498
East West Bank CD	5.22%	03/04/24	1,525,311	19,694	-	1,545,005	1,525,311	19,694	1,545,005
Texas Capital Bank CD	4.70%	03/20/25	1,011,916	12,058	-	1,023,974	1,011,916	12,058	1,023,974
BOK Financial CDARS	5.05%	06/19/25	1,001,216	11,553	-	1,012,769	1,001,216	11,553	1,012,769
BOK Financial CDARS	5.05%	06/26/25	1,000,270	13,456	-	1,013,726	1,000,270	13,456	1,013,726
American Nat'l Bank & Trust CDARS	5.12%	08/14/25	-	1,006,183	-	1,006,183	-	1,006,183	1,006,183
TOTAL			\$ 38,072,070	\$ 2,895,884	\$ (3,969,195)	\$ 36,998,760	\$ 38,093,260	\$ (1,094,500)	\$ 36,998,760

Allocation
September 30, 2023
Book and Market Value

Fund	Total	Herring		NexBank		TexSTAR	TexPool	Dreyfus		East West	East West
		Bank -	Backup	MMA				Gov't	MMMF	Bank CD	Bank CD
Operating	\$ 3,148,711		\$ 234,152		\$ 2,914,559						
General Fund	8,218,461			4,294,528		2,096,666	41,517				772,502
Utility Fund	5,241,980			4,431,085		38,393					772,502
Gas Well - Golf Course	269,520						269,520				
Gas Well Royalty	224,565						224,565				
Developer Proportionality Funds	923,980						923,980				
Water Impact Fees	1,995,182						1,513,726				
Sewer Impact Fees	1,983,723			527,733		242,875				521,498	
Police Seizure Escrow	6,627										
Police Evidence	35,360										
Sales Tax Street Maintenance	738,593			631,271		107,321					
Crime Control and Prevention	248,302						248,302				
Municipal Development District	3,895,594						1,865,436				
MDD - Capital Projects	236,352			208,853			27,499				
General Capital Project	1,905,795			1,905,795							
Storm Water	1,360,607						347,360				
Court Technology	14,093					14,093					
Court Security	27,205					11,315	15,890				
Hotel/Motel Tax	252,929					252,929					
Animal Control Donations	40,268					40,268					
Animal Medical Fund	19,677					19,677					
Animal Shelter Donations	284,514						284,514				
Golf Course	873,490			414,471		459,019					
Utility I&S	293,713					288,470	5,242				
Debt Service I&S	156,649					156,649					
Water & Sewer Bond Reserve	220,010			220,000					10		
2017A SWIFT CO's	210,965					210,965					
CRF	1,752,968						1,752,968				
TIRZ #1	2,418,929			1,680,414			738,515				
Totals	\$ 36,998,760	\$ 234,152	\$ 4,129,619	\$ 14,314,149	\$ 3,938,642	\$ 8,259,034	\$ 10	\$ 521,498	\$ 1,545,005		

Allocation
September 30, 2023
Book and Market Value

(Continued)

	Texas Capital Bank CD 3/20/25	BOK Financial CDARS 6/19/25	BOK Financial CDARS 6/26/25	American Nat'l Bank CDARS 8/14/25
Fund				
Operating	\$ -	\$ -	\$ -	\$ -
General Fund	-	506,384	506,863	-
Utility Fund	-	-	-	-
Gas Well - Golf Course	-	-	-	-
Gas Well Royalty	-	-	-	-
Developer Proportionality Funds	-	-	-	-
Water Impact Fees	-	-	-	-
Sewer Impact Fees	-	-	-	-
Police Seizure Escrow	-	-	-	-
Police Evidence	-	-	-	-
Sales Tax Street Maintenance	-	-	-	-
Crime Control and Prevention	-	-	-	-
Municipal Development District	1,023,974	-	-	1,006,183
MDD - Capital Projects	-	-	-	-
General Capital Project	-	-	-	-
Storm Water	-	506,384	506,863	-
Court Technology	-	-	-	-
Court Security	-	-	-	-
Hotel/Motel Tax	-	-	-	-
Animal Control Donations	-	-	-	-
Animal Medical Fund	-	-	-	-
Animal Shelter Donations	-	-	-	-
Golf Course	-	-	-	-
Utility I&S	-	-	-	-
Debt Service I&S	-	-	-	-
Water & Sewer Bond Reserve	-	-	-	-
2017A SWIFT CO's	-	-	-	-
CRF	-	-	-	-
TIRZ #1	-	-	-	-
Totals	\$ 1,023,974	\$ 1,012,769	\$ 1,013,726	\$ 1,006,183

Allocation
June 30, 2023
Book Value

Fund	Total	Herring Bank - Backup		PNC Bank		NexBank MMA		TexSTAR		TexPool		Dreyfus Gov't MMF		National Bank of TX CD 08/04/23		East West Bank CD 08/08/23	
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Operating General Fund	1,614,702	10,158,911	233,401	1,381,301	5,467,709	2,886,832	40,972	—	—	—	—	—	—	—	—	—	—
Utility Fund	4,973,773	—	—	—	4,173,227	37,890	—	—	—	—	—	—	—	—	—	—	—
Gas Well - Golf Course	265,985	—	—	—	—	—	265,985	—	—	—	—	—	—	—	—	—	—
Gas Well Royalty	363,374	—	—	—	—	—	363,374	—	—	—	—	—	—	—	—	—	—
Developer Proportionality Funds	911,862	—	—	—	—	—	911,862	—	—	—	—	—	—	—	—	—	—
Water Impact Fees	1,924,580	—	—	430,707	—	—	—	—	—	1,493,873	—	—	—	—	—	—	—
Sewer Impact Fees	1,920,882	—	—	645,261	520,516	239,696	—	—	—	—	—	—	—	—	—	—	—
Police Seizure Escrow	6,627	—	—	6,627	—	—	—	—	—	—	—	—	—	—	—	—	—
Police Evidence	35,360	—	—	35,360	—	—	—	—	—	—	—	—	—	—	—	—	—
Sales Tax Street Maintenance	1,074,396	—	—	—	819,904	254,491	—	—	—	—	—	—	—	—	—	—	—
Crime Control and Prevention	279,142	—	—	—	—	—	279,142	—	—	—	—	—	—	—	—	—	—
Municipal Development District	3,456,192	—	—	—	—	—	1,426,919	—	—	—	—	—	—	503,506	—	513,850	—
MDD - Capital Projects	250,164	—	—	—	205,997	—	—	—	—	44,167	—	—	—	—	—	—	—
General Capital Project	1,062,085	—	—	—	1,062,085	—	—	—	—	—	—	—	—	—	—	—	—
Storm Water	1,760,477	—	—	—	—	—	759,734	—	—	—	—	—	—	—	—	—	—
Court Technology	13,909	—	—	—	—	13,909	—	—	—	—	—	—	—	—	—	—	—
Court Security	26,849	—	—	—	—	11,167	15,682	—	—	—	—	—	—	—	—	—	—
Hotel/Motel Tax	249,618	—	—	—	—	249,618	—	—	—	—	—	—	—	—	—	—	—
Animal Control Donations	39,251	—	—	—	—	39,251	—	—	—	—	—	—	—	—	—	—	—
Animal Medical Fund	16,250	—	—	—	—	16,250	—	—	—	—	—	—	—	—	—	—	—
Animal Shelter Donations	280,782	—	—	—	—	—	280,782	—	—	—	—	—	—	—	—	—	—
Golf Course	861,813	—	—	—	408,803	453,010	—	—	—	—	—	—	—	—	—	—	—
Utility I&S	589,559	—	—	—	—	584,386	5,174	—	—	—	—	—	—	—	—	—	—
Debt Service I&S	409,139	—	—	—	—	409,139	—	—	—	—	—	—	—	—	—	—	—
Water & Sewer Bond Reserve	823,201	—	—	—	—	—	—	—	—	—	—	2,422	—	—	—	—	—
2017A SWIFT CO's	208,204	—	—	—	—	208,204	—	—	—	—	—	—	—	—	—	—	—
CRF	2,305,986	—	—	—	—	—	2,305,986	—	—	—	—	—	—	—	—	—	—
TRIZ #1	2,189,000	—	—	—	1,460,170	—	728,830	—	—	—	—	—	—	—	—	—	—
Totals	\$ 38,072,070	\$ 233,401	\$ 2,499,256	\$ 14,118,412	\$ 5,403,842	\$ 8,922,481	\$ 2,422	\$ 503,506	\$ 513,850								

Allocation
June 30, 2023
Book Value

(Continued)

Fund	09/07/23	12/20/23	3/4/24	3/20/25	6/19/25	6/26/25
Operating						
General Fund	-	-	762,655	-	500,608	500,135
Utility Fund	-	-	762,655	-	-	-
Gas Well - Golf Course	-	-	-	-	-	-
Gas Well Royalty	-	-	-	-	-	-
Developer Proportionality Funds	-	-	-	-	-	-
Water Impact Fees	-	-	-	-	-	-
Sewer Impact Fees	-	515,409	-	-	-	-
Police Seizure Escrow	-	-	-	-	-	-
Police Evidence	-	-	-	-	-	-
Sales Tax Street Maintenance	-	-	-	-	-	-
Crime Control and Prevention	-	-	-	-	-	-
Municipal Development District	-	-	-	1,011,916	-	-
MDD - Capital Projects	-	-	-	-	-	-
General Capital Project	-	-	-	-	500,608	500,135
Storm Water	-	-	-	-	-	-
Court Technology	-	-	-	-	-	-
Court Security	-	-	-	-	-	-
Hotel/Motel Tax	-	-	-	-	-	-
Animal Control Donations	-	-	-	-	-	-
Animal Medical Fund	-	-	-	-	-	-
Animal Shelter Donations	-	-	-	-	-	-
Golf Course	-	-	-	-	-	-
Utility I&S	-	-	-	-	-	-
Debt Service I&S	-	-	-	-	-	-
Water & Sewer Bond Reserve	820,779	-	-	-	-	-
2017A SWIFT CO's	-	-	-	-	-	-
CRF	-	-	-	-	-	-
TIRZ #1	-	-	-	-	-	-
Totals	\$ 820,779	\$ 515,409	\$ 1,525,311	\$ 1,011,916	\$ 1,001,216	\$ 1,000,270

Allocation
June 30, 2023
Market Value

Fund	Total	Herring Bank - Backup		PNC Bank		NexBank MMA		TexSTAR		TexPool		Dreyfus Gov't MMMF		National Bank of TX CD 08/04/23		East West Bank CD 08/08/23	
Operating General Fund	\$ 1,614,702	\$ 233,401	\$ 1,381,301	\$ 5,467,709	2,886,832	40,972											
Utility Fund	10,158,911			4,173,227	37,890												
Gas Well - Golf Course	4,973,773																
Gas Well Royalty	265,985					265,985											
Developer Proportionality Funds	363,374					363,374											
Water Impact Fees	911,862					911,862											
Sewer Impact Fees	1,924,580		430,707							1,493,873							
Police Seizure Escrow	1,920,882		645,261	520,516	239,696												
Police Evidence	6,627		6,627														
Sales Tax Street Maintenance	35,360		35,360														
Crime Control and Prevention	1,074,396			819,904	254,491												
Municipal Development District	279,142					279,142											
MDD - Capital Projects	3,456,192					1,426,919								503,506		513,850	
General Capital Project	250,164			205,997		44,167											
Storm Water	1,062,085			1,062,085													
Court Technology	1,760,477					759,734											
Court Security	13,909				13,909												
Hotel/Motel Tax	26,849				11,167	15,682											
Animal Control Donations	249,618				249,618												
Animal Medical Fund	39,251				39,251												
Animal Shelter Donations	16,250				16,250												
Golf Course	280,782					280,782											
Utility I&S	861,813			408,803	453,010												
Debt Service I&S	589,559				584,386	5,174											
Water & Sewer Bond Reserve	409,139				409,139												
2017A SWIFT CO's	844,390											2,422					
CRF	208,204				208,204												
TIRZ #1	2,305,986					2,305,986											
	2,189,000			1,460,170		728,830											
Totals	\$ 38,093,260	\$ 233,401	\$ 2,499,256	\$ 14,118,412	\$ 5,403,842	\$ 8,922,481	\$ 2,422	\$ 503,506	\$ 513,850								

Allocation
June 30, 2023
Market Value

(Continued)

Fund	T-Bill 09/07/23	East West Bank CD 12/20/23	East West Bank CD 3/4/24	Texas Capital Bank CD 3/20/25	BOK Financial CDARS 6/19/25	BOK Financial CDARS 6/26/25
Operating	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
General Fund	-	-	762,655	-	500,608	500,135
Utility Fund	-	-	762,655	-	-	-
Gas Well - Golf Course	-	-	-	-	-	-
Gas Well Royalty	-	-	-	-	-	-
Developer Proportionality Funds	-	-	-	-	-	-
Water Impact Fees	-	-	-	-	-	-
Sewer Impact Fees	-	515,409	-	-	-	-
Police Seizure Escrow	-	-	-	-	-	-
Police Evidence	-	-	-	-	-	-
Sales Tax Street Maintenance	-	-	-	-	-	-
Crime Control and Prevention	-	-	-	-	-	-
Municipal Development District	-	-	-	1,011,916	-	-
MDD - Capital Projects	-	-	-	-	-	-
General Capital Project	-	-	-	-	500,608	500,135
Storm Water	-	-	-	-	-	-
Court Technology	-	-	-	-	-	-
Court Security	-	-	-	-	-	-
Hotel/Motel Tax	-	-	-	-	-	-
Animal Control Donations	-	-	-	-	-	-
Animal Medical Fund	-	-	-	-	-	-
Animal Shelter Donations	-	-	-	-	-	-
Golf Course	-	-	-	-	-	-
Utility I&S	-	-	-	-	-	-
Debt Service I&S	-	-	-	-	-	-
Water & Sewer Bond Reserve	841,968	-	-	-	-	-
2017A SWIFT CO's	-	-	-	-	-	-
CRF	-	-	-	-	-	-
TIRZ #1	-	-	-	-	-	-
Totals \$	841,968	\$ 515,409	\$ 1,525,311	\$ 1,011,916	\$ 1,001,216	\$ 1,000,270



Presenter: Thomas Scott, Fire Chief

Agenda Item: Department annual presentation - Fire Department

Background and Explanation:

Annual report /update of the functions and activities of each City Department and Boards and Commissions.

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

None



Presenter: Yael Forgey, City Secretary

Agenda Item: Consider any action on the minutes from the November 7, 2023 regular council meeting.

Background and Explanation:

Procedural.

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

1. Minutes 11-07-2023



MINUTES Regular Meeting Azle City Council

505 W. Main Street
Azle, Texas 76020

November 7, 2023

6:00 PM

Council Chambers

CALL TO ORDER

Mayor Brundrett called the meeting to order at 6:05 PM.

Members Present:

Mayor Alan Brundrett
Mayor Pro Tem Randa Goode
Councilmember Derrick Nelson
Councilmember Amy Estes
Councilmember Brian Conner

Members Absent:

Councilmember Rouel Rothenberger
Councilmember Stacy Peek

Staff Present:

Tom Muir	City Manager
Lawrence Bryant	Assistant City Manager
Yael Forgey	City Secretary
Cara White	City Attorney
Susie Hiles	Assistant to the City Manager
Ben Hall	Police Chief
Will Scott	Fire Chief
Lee Godbold	Assistant Fire Chief
Kevin Rogers	Police Lieutenant
Cat Schlueter	HR Manager
Rick White	Public Services Director
Matthew Sommerfield	Golf Course Manager
Kristen Pegues	Community and Marketing Specialist

INVOCATION

Karen Ogea, President of the Board of Directors for the Eagle Mountain Pregnancy Help Center, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Brundrett led the Pledge of Allegiance

PUBLIC PARTICIPATION

William Dubuis - 125 S. Broadway St addressed the council on drainage issues on Lakeview Drive and South Broadway St.

PROCLAMATION

1. National Animal Shelter Appreciation Week

Mayor Brundrett read and presented a proclamation to the Azle Animal Shelter Staff and volunteers recognizing National Animal Shelter Week.

ACTION ITEMS

2. Consider any action on the minutes from the October 17, 2023 regular meeting and October 30, 2023 special meeting.

Councilmember Conner moved to approve the minutes of the October 17, 2023 regular meeting and October 30, 2023 special meeting, as presented. Mayor Pro Tem Goode seconded the motion.

Yes: (5) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Brian Conner

3. Consider any action on Ordinance No. 2023-21 reauthorizing Updated Service Credits and adopting Non-Retroactive Repeating Cost of Living Adjustments (COLA) for retirees and their beneficiaries in conjunction with the City's employee retirement benefit plan with the Texas Municipal Retirement System.

Mayor Brundrett recognized Assistant City Manager Lawrence Bryant who gave an overview of this ordinance. This will become effective January 1, 2024

Mayor Pro Tem Goode moved to approve Ordinance No. 2023-21 reauthorizing Updated Service Credits and adopting Non-Retroactive Repeating Cost of Living Adjustments (COLA) for retirees and their beneficiaries in conjunction with the City's employee retirement benefit plan with the Texas Municipal Retirement System, as presented. Councilmember Conner seconded the motion.

Yes: (5) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Brian Conner

4. Consider any action on the selection of employee health, dental, and ancillary benefit plans for 2024 and authorizing the City Manager to execute agreements for each.

Mayor Pro Tem Goode moved to approve United Health Care for employee health insurance and Mutual of Omaha for all other ancillary benefits (dental, vision, group life, accidental death, and disability) for 2024 as recommended by staff, and authorizing the City Manager to execute agreements for each. Councilmember Conner seconded the motion.

Yes: (5) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Brian Conner

5. Consider any action authorizing the City Manager to execute an interlocal agreement with Tarrant County for their financial participation in the Dunaway Lane Reconstruction Project.

Councilmember Estes moved to authorize the City Manager to execute an interlocal agreement with Tarrant County for their financial participation in the Dunaway Lane Reconstruction Project, as presented. Councilmember Conner seconded the motion.

Yes: (5) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Brian Conner

6. Consider any action on revising golf rates at Cross Timbers Golf Course.

Mayor Brundrett recognized Golf Course Manager Matthew Sommerfield, who advised the last rate increase was in 2021 and gave an overview of the proposed fee schedule for Cross Timbers Golf Course. As no Azle "resident rate" was included in the proposed rates, Council requested this item come back to them with a rate for the residents of the city.

No action was taken.

7. Consider any action approving the Façade and Signage Improvement Program application for the property at 807 Southeast Parkway.

Mayor Pro Tem Goode moved to approve the Façade and Signage Improvement Program application in the amount of \$337.50 for Eagle Mountain Health Care, 807 Southeast Parkway, as presented. Councilmember Nelson seconded the motion.

Yes: (5) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Brian Conner

- 8. Consider any action on Ordinance No. 2023-22 replacing Article 6.09 “Regulation and Permitting Process of Donation Bins” of Chapter Six, Health and Sanitation, of the Code of Ordinances, City of Azle, Texas, in its entirety and amending Article A4.002 “Donation Bin Fees” to Appendix A “Fee Schedule” of the Code of Ordinances, City of Azle, as amended, by defining donation bins; establishing permit and application requirements; providing for location restrictions; removing a permit fee for on premise bins; creating a revocation and appeal process; providing requirements for maintenance of the donation bins; providing certain fees.**

Mayor Brundrett recognized Director of Planning and Development David Hawkins, who stated the Council adopted an ordinance in September 2023 to regulate donation bins within the city limits. After putting the ordinance into practice, Staff recognized there were some issues that needed to be addressed or changed. This ordinance will repeal and replace the previous ordinance and address the issues.

Mayor Pro Tem Goode moved to approve Ordinance No. 2023-22 replacing Article 6.09 “Regulation and Permitting Process of Donation Bins” of Chapter Six, Health and Sanitation, of the Code of Ordinances, City of Azle, Texas, in its entirety and amending Article A4.002 “Donation Bin Fees” to Appendix A “Fee Schedule” of the Code of Ordinances, City of Azle, as amended, by defining donation bins; establishing permit and application requirements; providing for location restrictions; removing a permit fee for on-premise bins; creating a revocation and appeal process; providing requirements for maintenance of the donation bins; providing certain fees, as presented. Councilmember Conner seconded the motion.

Yes: (5) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Brian Conner

- 9. Consider any action on Ordinance No. 2023-23 amending Chapter 1 "General Provisions" of the Code of Ordinances, City of Azle, Texas to add a new Article 1.11 "Extraterritorial Jurisdiction" to provide a process for petitions for release from the City's Extraterritorial Jurisdiction.**

Mayor Brundrett convened to Executive Session at 7:20 PM

Section 551.071 Consultation with the City attorney.

Mayor Brundrett reconvened to open session at 7:35 PM.

Councilmember Conner moved to approve Ordinance No. 2023-23 amending Chapter 1 "General Provisions" of the Code of Ordinances, City of Azle, Texas to add a new Article 1.11 "Extraterritorial Jurisdiction" to provide a process for petitions for release from the City's Extraterritorial Jurisdiction, as presented. Councilmember Estes seconded the motion.

Yes: (5) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Brian Conner

- 10. Consider any action on Resolution No. 2023-17 casting votes for candidates for the Tarrant Appraisal District Board of Directors.**

Mayor Pro Tem Goode moved to approve Resolution No. 2023-17 casting votes for candidates for the Tarrant Appraisal District Board of Directors and allocating the City's six (6) votes to Richard DeOtte. Councilmember Nelson seconded the motion.

Yes: (5) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Brian Conner

- 11. Consider any action on Resolution 2023-18 casting votes for the candidates for the Parker County Appraisal District Board of Directors.**

Mayor Pro Tem Goode moved to approve Resolution 2023-18 casting votes for the candidates for the Parker County Appraisal District Board of Directors and divide the City's thirty (30) votes equally between all the candidates. Councilmember Nelson seconded the motion.

Yes: (5) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Brian Conner

DISCUSSION ITEMS

12. Discuss the Permitted Use Schedule in the Zoning Ordinance.

Council discussed the possibility of amending the permitted use schedule in the city of Azle. Council requested City Attorney to review the suggested changes and see how to implement them.

13. Dead animal retrieval.

Mayor Brundrett recognized Chief Hall who updated the council on this item. Council requested Animal Control begin tracking calls requesting dead animal removal so they can determine if any further action needs to be taken to help residents with this issue.

ITEMS TO BE PLACED ON FUTURE MEETING AGENDAS

None.

MAYOR/COUNCIL COMMENTS OF COMMUNITY INTEREST

11-09-2023 - Boards and Commissions Banquet at A&M Gardens

11-21-2023 - No Council meeting

12-02-2023 - Christmas on Main Street

ADJOURNMENT

Mayor Brundrett adjourned at 8:10 PM.

Presented and approved on 05-12-2023

Alan Brundrett, Mayor

Attest:

Yael Forgey, TRMC, CMC
City Secretary



Presenter: Yael Forgey, City Secretary

Agenda Item: Consider any action appointing Jim Stevens to the Special Events Advisory Board, Place 3.

Background and Explanation:

Mr. Stevens submitted an application requesting to be appointed to the Special Events Advisory Board.

Board/Commission/Committee Recommendation:

N/A

Staff Recommendation:

N/A

Attachments:

1. Application - James Stevens



Boards and Commissions Application

The following information is necessary to apply for potential service on a City of Azle Board or Commission. The information you provide will become a public record and available to the press and the public. In order to apply and serve as a Board or Commission member, you must meet eligibility requirements of the specific Board or Commission for which you apply. Please fill out this form and submit it to the Office of the City Secretary at 505 W. Main St. Azle, TX 76020 or by fax at 817.444.7149 By signing this application you are acknowledging that you have applied for an appointed position with the City, and agree to serve on the Board or Commission for which you have applied in good faith.

Personal Information

Name	James Stevens
E-Mail	jimstevens365@gmail.com
Address	12126 N Oak Ct
City	Azle
State	TX
Zip	76020
Phone (H):	7137255620
Phone (M):	7137255620
Length of Residence in Azle:	6

You must be a resident of Azle for at least 12 consecutive months preceding your appointment

Registered Voter	Yes
------------------	-----

Have you or do you currently
serve on any City Board or
Commission?

No

Professional Information

Business Name Jim Stevens Photography

Profession Photographer

Business Address 12126 N Oak Ct

City Azle

State TX

Zip 76020

Business Phone 7137255620

Please briefly tell us why you are
interested in serving on a Board
or Commission: I have always enjoyed music and audio along with photography.

What do you think qualifies you
to serve on a Board or
Commission? I have served on many boards currently on the Chamber board and would like
help Music in Park.

Please indicate your area(s) of
interest. You may select one
option or select more by ranking
them according to your
preferences.

- Special Events Advisory Board

Have you attended any meetings
of the Board/Commission for
which you wish to be
considered? No

Will you commit to: Frequent Involvement

I certify that the foregoing information is true and correct.

Signature





Presenter: Jennifer Walls, Purchasing Agent

Agenda Item: Consider any action on awarding the bids for the City's annual requirement for mowing services (Bid No. 2023-009).

Background and Explanation:

Sealed bids were solicited for the City's annual requirement for Mowing Services, (Bid No. 2023-009). The contract provides grounds maintenance and landscape services for the City's facilities. The contract will expire on September 30, 2024, and will automatically renew on each anniversary date, unless either party gives a sixty (60) day written notice of termination prior to the anniversary date. The funds are available in the General Fund within the Parks Department budget.

On October 19, 2023, six (6) bids were received and read aloud, and they are as follows:

SRH Landscapes - \$45,275.00
Lawn Patrol Service - \$46,220.00
Yellowstone Landscaping - \$51,117.00
Brightview Landscape - \$61,791.02
WCD Enterprises - \$75,390.00
Nico's Landscape - \$80,695.00

Bids were evaluated by the Parks Department and Purchasing staff, who determined that SRH Landscapes submitted the lowest responsible bid in the amount of \$45,275.00 for Mowing Services.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Staff recommends awarding contract to SRH Landscapes.

Attachments:

None



Presenter: Martin Avila, Finance Director

Agenda Item: Consider any action on Resolution No. 2023-20 amending authorized representatives for the City's NexBank account.

Background and Explanation:

The City currently invests funds in NexBank. NexBank requires a resolution by the City Council to add authorized representatives to the City's account. Renita Bishop, previous finance director, retired on October 13, 2023, and Martin Avila started as the new finance director on October 9, 2023. This amendment is to add Mr. Avila to the account. A copy of the resolution required by NexBank is attached for your review.

Board/Commission/Committee Recommendation:

N/A

Staff Recommendation:

Approve Resolution No. 2023-20

Attachments:

1. City of Azle NexBank Resolution



Corporate Authorization Resolution 2023-20

NexBank
2515 McKinney Ave #1700
Dallas, TX 75201

By: City of Azle
P O Box 1378
Azle TX 76098

Referred to in this document as "Financial Institution"

Referred to in this document as "Corporation"

I, Yael Forgey, certify that I am Secretary (clerk) of the above named corporation organized under the laws of Texas, Federal Employer I.D. Number 75-6004695, engaged in business under the trade name of City of Azle, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Board of Directors of the Corporation duly and properly called and held on December 5, 2023 (date). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

Agents. Any Agent listed below, subject to any written limitations, is authorized to exercise the powers granted as indicated below:

Name and Title or Position	Signature	Facsimile Signature (if used)
Tom Muir A. Authorized Signer	X	X
Lawrence Bryant B. Authorized Signer	X	X
Martin Avila C. Authorized Signer	X	X
D.	X	X
E.	X	X
F.	X	X

Powers Granted. (Attach one or more Agents to each power by placing the letter corresponding to their name in the area before each power. Following each power indicate the number of Agent signatures required to exercise the power.)

Indicate A, B, C, D, E, and/or F	Description of Power	Indicate number of signatures required
A, B, C	(1) Exercise all of the powers listed in this resolution.	1
	(2) Open any deposit or share account(s) in the name of the Corporation.	
A, B, C	(3) Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution.	1
	(4) Borrow money on behalf and in the name of the Corporation, sign, execute and deliver promissory notes or other evidences of indebtedness.	
	(5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Corporation as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.	
	(6) Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution.	
	(7) Other:	

Limitations on Powers. The following are the Corporation's express limitations on the powers granted under this resolution.

Resolutions

The Corporation named on this resolution resolves that,

- (1) The Financial Institution is designated as a depository for the funds of the Corporation and to provide other financial accommodations indicated in this resolution.
- (2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Board of Directors of the Corporation and certified to the Financial Institution as governing the operation of this corporation's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.
- (3) The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Corporation. Any Agent, so long as they act in a representative capacity as an Agent of the Corporation, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated in this resolution, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.
- (4) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Corporation with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.

- (5) The Corporation agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Corporation. The Corporation authorizes the Financial Institution, at any time, to charge the Corporation for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.
- (6) The Corporation acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Corporation to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.
- (7) The Corporation acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Corporation with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Corporation authorizes each Agent to have custody of the Corporation's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

Effect on Previous Resolutions. This resolution supersedes resolution dated _____, If not completed, all resolutions remain in effect.

Certification of Authority

I further certify that the Board of Directors of the Corporation has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolutions stated above and to confer the powers granted above to the persons named who have full power and lawful authority to exercise the same. (Apply seal below where appropriate.)

☐ If checked, the Corporation is a non-profit corporation.

In Witness Whereof, I have subscribed my name to this document and affixed the seal of the Corporation on December 5, 2023 (date).

Secretary

Attest by One Other Officer

For Financial Institution Use Only

Acknowledged and received on _____

(date) by _____ (initials)

☐ This resolution is superseded by resolution dated _____.

Comments:



Presenter: Martin Avila, Finance Director

Agenda Item: Consider any action amending authorized representatives for the City's EastWest Bank account.

Background and Explanation:

The City currently invests funds in EastWest Bank. EastWest Bank requires City Council action to amend any authorized representatives to the City's account. Renita Bishop, previous finance director, retired on October 13, and Martin Avila, new finance director, started on October 9. This amendment is to add Mr. Avila to the account and remove Mrs. Bishop from the account.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Approve amending the authorized users.

Attachments:

None



Presenter: Matthew Sommerfield, Golf Course General Manager

Agenda Item: Consider any action on revising golf rates at Cross Timbers Golf Course.

Background and Explanation:

At the November 7th Council meeting, during a discussion on proposed new rates for Cross Timbers, Council expressed a desire to offer a Resident Rate to golfers who reside within the city limits. Staff has adjusted the proposed rates to include a Resident Rate.

A spreadsheet is attached showing the current rates, competition average, proposed new rates, and dollar amount change. Note the added Resident Rate at the bottom of the chart. Also attached is the Rates Comparison sheet which was presented at the November 7th meeting. Although the Resident Rate will offer a nice benefit to our residents, it is certain to have a negative effect on revenue. Therefore, it was necessary to raise regular rates to offset anticipated revenue loss. The greatest increases are to the Rack Rate, Weekend 1st Twilight, and Friday - Sunday Senior, Military, Student.

The changes noted during the November 7th meeting regarding the Passholder program will remain in place. Those changes are attached, as well.

If approved, the new rate schedule will go into effect January 1, 2024. For the Resident Rate, residents will need to validate their proof of residence annually by providing a water bill matching their driver's license address. Their player profile will be updated to reflect the residency status, so validation will not be required for each visit. The profiles will be wiped clean at the end of each calendar year. Each year starting in January, residents will have to re-validate.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Staff recommends approval of the proposed golf rates including a Resident Rate.

Attachments:

1. New Rates including Resident Rate
2. Rates Comparison
3. New Annual Pass Rates

	Current	COMPETITION AVERAGE	NEW	\$ change
Weekday Rack (Mon-Thurs)	42	47.80	47	5
Friday Rack	46	52.10	52	6
Weekend Rack	52	59.50	59	7
Weekday 1st Twilight	36	38.00	39	3
Friday 1st Twilight	42	42.29	45	3
Weekend 1st Twilight	46	46.43	53	7
Weekday 2nd Twilight	32	34.86	32	0
Friday 2nd Twilight	35	37.57	35	0
Weekend 2nd Twilight	38	41.57	38	0
Weekday Senior, Military, Student	35	37.00	40	5
Friday Senior, Military, Student	38	38.63	45	7
Weekend Senior, Military, Student	42	41.00	53	11
Juniors (walking or w/paid adult)	25	24.13	30	5
Weekday Resident Rate	NA	NA	40	NA
Friday Resident Rate Friday	NA	NA	45	NA
Weekend Resident Rate	NA	NA	53	NA

Rates Comparison - Current

	Cross Timbers	Hawks Creek	Rock- wood	The Resort	Squaw Creek	Oeste Ranch	Split Rail	Pecan Valley	Canyon West	Sugar Tree	AVERAGE
Weekday Rack (Mon-Thurs)	42	60	50	47	50	40	45	43	46	55	47.80
Friday Rack	46	65	53	53	58	40	49	45	46	66	52.10
Weekend Rack	52	75	66	60	58	50	59	52	57	66	59.50
Weekday 1st Twilight	36	NA	42	38	40	33	NA	35	NA	42	38.00
Friday 1st Twilight	42	NA	45	40	46	33	NA	38	NA	52	42.29
Weekend 1st Twilight	46	NA	53	44	46	40	NA	44	NA	52	46.43
Weekday 2nd Twilight	32	45	34	32	NA	NA	35	31	NA	35	34.86
Friday 2nd Twilight	35	50	35	32	NA	NA	39	32	NA	40	37.57
Weekend 2nd Twilight	38	60	38	33	NA	NA	45	37	NA	40	41.57
Weekday Senior, Military, Student	35	40	40	35	43	33	35	32	40	NA	37.00
Friday Senior, Military, Student	38	45	42	40	NA	33	39	37	NA	35	38.63
Weekend Senior, Military, Student	42	NA	42	NA	NA	40	NA	36	NA	45	41.00
Juniors (walking or w/paid adult)	25	25	25	NA	35	18	25	20	NA	20	24.13

New Annual Pass Rates:

Unlimited: \$3,150.00 per year - Increase of \$250.00 per year

Weekday: \$2,650.00 per year - Increase of \$250.00 per year

Additional Family Members Add-ons: \$1,000.00 year - Increase of \$100/year

Annual Pass Caps:

Weekday: 75 (Currently at 48)

Unlimited: 75 (Currently at 75)



Presenter: David Hawkins, Director of Planning and Development

Agenda Item: Consider any action authorizing the City Manager to execute an interlocal agreement with Tarrant County for food establishment and public swimming pool and spa inspection program services.

Background and Explanation:

The City of Azle currently has two (2) separate interlocal agreements with the Tarrant County Health Department - Food Inspection Services from 1996 and Public Swimming Pools and Spas Inspections from 2008. Tarrant County Health Dept. is requesting a new updated agreement to replace the two current ones to renew the terms based on some recent fee and law changes.

The last Tarrant County Public Health Environmental Health (TCPH EH) program permit fee increase occurred in 2011. In 2019, the permit fee cap for counties per the Texas Health & Safety Code 437 was removed. Since 2019, TCPH EH has been evaluating and identifying new permit fee price points necessary to accommodate for increasing personnel and supply costs. These fees help cover the costs of administering the food establishment and swimming pool permitting program and the inspections that are associated. The fees associated with these services have always been and will remain cost free for the municipalities. The County will continue to charge these service fees to the businesses that require these permits.

The County has also updated and adopted new food/pool codes under TAC Chapter 228 and Chapter 265.

The following agenda item is to codify some of the changes and fees as stated per this interlocal agreement.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Staff recommends approval of the ILA.

Attachments:

1. Tarrant County Health - Interlocal Agreement 12.5.2023

INTERLOCAL AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This Interlocal Agreement is between **TARRANT COUNTY** ("**COUNTY**"), and the **CITY** OF _____ ("**City**").

WHEREAS, **CITY** is requesting the **COUNTY**'s assistance in providing

- ☐ Food establishment inspection program services
- ☐ Public swimming pool and spa inspection program services
- ☐ Both Food establishment and Public swimming pool and spa inspection program services

WHEREAS, the Interlocal Cooperation Act contained in Chapter 791 of the Texas Government Code provides legal authority for the Parties to enter into this Agreement.

WHEREAS, the Commissioners Court of the **COUNTY** finds this Agreement service a public purpose.

NOW, THEREFORE, the **COUNTY** and **CITY** agree as follows:

TERMS AND CONDITIONS

1. COUNTY RESPONSIBILITY

The **COUNTY** shall provide

Food establishment inspection program services:

- Provide services, through Tarrant County Public Health, to all public food establishment located within the corporate limits of the **CITY**;
- Plan review and conduct Health opening approval inspection, routine inspection, follow-up inspections, complaint investigations;
- Provide certification of establishment for issuance of health permits;
- Notify the **CITY** of violations of the current rules or rules as amended by the Executive Commissioner of Health and Human Services Commission found in 25 Texas Administrative Code, Chapter 228, regarding the regulation of food establishments;
- Provide appropriate signs to be posted at public food establishment that do not meet the required standards;
- Document program activities within the **CITY** via periodic reports;
- Collect fees from the inspected establishment;
- Inform **CITY**, in writing, of any fee schedule changes immediately following Tarrant County Commissioner's Court approval; and
- When required by law, verify food establishment manager training and food handler training and certifications.

For Public swimming pool and spa inspection program services:

- Provide services, through Tarrant County Public Health, to all public and semi-public swimming pools, spas, and interactive water features located within the corporate limits of the **CITY**;
- Plan review and conduct Health opening approval inspection, routine inspection, follow-up inspections, complaint investigations;
- Provide certification of establishment for issuance of health permits;
- Notify **CITY** of violations of current rules or rules as amended by the Executive Commissioner of the Health and Human Services Commission for Standards for Public Pools and Spas (Texas Administrative Code, Title 25, Chapter 265, Subchapter L), Public Interactive Water Features and Fountains (Texas Administrative Code, Title 25, Chapter 265, Subchapter M) and Pool Yard Enclosures (Texas Health and Safety Code Chapter 757);
- Provide appropriate signs to be posted at public swimming pool and spa establishment that do not meet the required standards;
- Document program activities within the **CITY** via periodic reports;
- Collect fees from the inspected establishment;
- Inform **CITY**, in writing, of any fee schedule changes immediately following Tarrant County Commissioner's Court approval; and
- When require by law, verify pool operator training certification.

2. CITY RESPONSIBILITY

For Food establishment inspection program services

- Adopt the current rules or rules as amended by the Executive Commissioner of the Health and Human Services Commission found in 25 Texas Administrative Code, Chapter 228, regarding the regulation of food establishments;
- Designate the Medical Director of Tarrant County Public Health Department as the Health Authority for the purposes of this agreement;
- Require all food establishments within the corporate limits of the **CITY** to maintain a valid health permit;
- Agree all health permits fees are enforceable within thirty (30) days of approval of the Tarrant County Commissioner's Court;
- Revise **CITY** code/ordinance, where applicable, to adopt changes to the fees;
- Inform Tarrant County Public Health Manager for Environmental Health when code/ordinance are modified and when the updates are complete;
- Assign Tarrant County Public Health authority to collect health permit fees from permit applicants; and
- When required by law, require facilities to have certified food mangers and food handlers.

For Public swimming pool and spa inspection program services

- Adopt the current Texas Health and Safety Code, Title 5, Subtitle A, Chapter(s) 341.064, 341.0645 and 341.0695; Texas Health and Safety Code, Title 1, Chapter 1 Section 1.005, and Texas Health and Safety Code, Title 9, Subtitle A, Chapter 757;
- Adopt the current rules or rules as amended by the Executive Commissioner of the Health and Human Services Commission for Standards for Public Pools and Spas (Texas Administrative Code, Title 25, Chapter 265, Subchapter L), Public Interactive Water Features and Fountains (Texas Administrative Code, Title 25, Chapter 265, Subchapter M) and Pool Yard Enclosures (Texas Health and Safety Code Chapter 757);
- Designate the Medical Director of Tarrant County Public Health as the Health Authority for the purposes of this agreement;
- Require all public and semi-public swimming pools/spas within the corporate limits of the **CITY** to maintain a valid health permit;
- Agree all Health permit fees are enforceable within thirty (30) days of approval of the Tarrant County Commissioner's court;
- Revise **CITY** code/ordinance, where applicable, to adopt changes to the fees;
- Inform Tarrant County Public Health Manager for Environmental Health when code/ordinance are modified and when the updates are complete;
- Assign Tarrant County Public Health authority to collect health permit fees from permit applicants;
- Be responsible for enforcement of the **CITY's** ordinances; and
- When required by law, require facilities to have certified pool/spa operators.

3. **CITY ENFORCEMENT**

If during an inspection of a food facility, pool or spa, Tarrant County Public Health Department personnel notices a violation of the **CITY's** code, the Tarrant County Public Health Department shall notify the appropriate City official. The **CITY** shall be responsible for the enforcement of the **CITY's** health ordinances. The **COUNTY** shall make available for testimony **COUNTY** personnel whose testimony may be required to support such enforcement action in accordance with the procedures established by CITY MUNICIPAL COURT for the appearance of law enforcement officers.

4. **NO WAIVER OF IMMUNITY**

This Agreement does not waive **COUNTY** rights under a legal theory of sovereign immunity.

5. **THIRD PARTY**

This Agreement shall not be interpreted to inure to the benefit of a third party not a party of this Agreement. This Agreement shall not be interpreted to waive

any statutory or common law defense, immunity, or any limitation of liability, responsibility or damage of any party to this Agreement, party's agent or party's employee, otherwise provided by law.

6. EXCLUSION OF INCIDENTAL DAMAGES

Independent of, severable from, and to be enforced independently of any other enforceable or unenforceable provision of this Agreement, NEITHER PARTY WILL BE LIABLE TO THE OTHER PARTY NOR TO ANY PERSON CLAIMING INCIDENTAL, CONSEQUENTIAL, SPECIAL PUNITIVE, OR EXEMPLARY DAMAGES OF ANY KIND, including lost profits, loss of business, or other economic damage and further including injury to property, mental anguish, or emotional distress.

7. JOINT VENTURE & AGENCY

The relationship between the parties to this Agreement does not create a joint venture between the parties. The Agreement does not appoint any party as agent for the other party.

8. GOVERNING LAW AND VENUE

This Agreement shall be interpreted under the laws of State of Texas. The venue for any lawsuit arising out of this Agreement will be in the Fort Worth Division of the Northern District of Texas if the lawsuit arises in Federal Court or Tarrant County, Texas if the matter arises in State Court.

9. ASSIGNMENT

This Agreement shall not be assigned or transferred and that any attempt to assign or transfer this Agreement or any of its rights or obligations shall be null and void.

10. SEVERABILITY

If any court determines any provision in this Agreement is invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force and effect.

11. COMPLIANCE WITH LAWS

In providing the services required by the Agreement, CITY must observe and comply with all applicable federal, state, and local statutes, ordinances, rules and regulations, including, without limitation, worker's compensation laws, minimum and maximum salary and wage statutes and regulations, and non-discrimination laws and regulations. CITY shall be responsible for ensuring its compliance with any laws and regulations applicable to its business, including maintaining any necessary licenses and permits.

12. EFFECTIVE DATE

This Agreement become effective when signed by the last party whose signing makes the Agreement fully executed.

13. TERM

This Agreement shall begin upon the approval of both the City Council and the Tarrant County Commissioner's Court and shall continue until canceled by either party with a minimum of 90 days written notice to the other party.

14. AMENDMENT

No amendment, modification or alternation of the terms of this Agreement shall be binding unless the same is in writing and signed by both parties.

15. TERMINATION

Either party may terminate this Agreement without cause by providing written notice of intent to terminate at least ninety (90) days prior to the intended date of termination. Written notice of intent to terminate shall be sent by certified mail, return receipt requested, to the other party at its address:

Addresses:

Tarrant County Public Health
Attn: Environmental Health Division Manger
1101 S. Main St.
Fort Worth, Texas 76104

CITY: _____
Attn: _____
Address: _____

Executed this _____ day of _____, 20__.

CITY of _____

STATE OF TEXAS
COUNTY OF TARRANT

By: _____
Name:
Title:

By: _____
Tim O'Hare
County Judge

Date:

Date:

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
Name:
Title:
Date:

By: _____
Name:
Title:
Date:

ATTEST:

ATTEST:

By: _____
Name:
Title:
Date:

By: _____
Name:
Title:
Date:

DESCRIPTION OF SERVICES**EH FEE SCHEDULE**

<u>CONSUMER HEALTH</u>	Special Fund: F223
Annual Public Pool & Spa permit fee	\$ 315.00
Pool Plan Review & Opening Inspection**	\$ 200.00
Contractual Inspections - School Districts (avg \$150 per site visit)**	\$ 150.00
Food Service Permit: less than 500 sq. ft.	\$ 400.00
Food Service Permit: >500 =<less than 1500 sq. ft.	\$ 500.00
Food Service Permit: >1500 =<less than 3000 sq. ft.	\$ 600.00
Food Service Permit: >3000=<less than 6000 sq. ft.	\$ 700.00
Food Service Permit: >6000 sq. ft. or above	\$ 800.00
Food Service Permit: Adjunct Food Service	\$ 500.00
Food Service Permit: Adjunct Food Store - <less than 5000 sq. ft.	\$ 500.00
Food Service Permit: Adjunct Food Store - >5000 sq. ft. or above	\$ 600.00
Food Service Permit: Catering Operation	\$ 700.00
Food Service Permit: Child Care Facility	\$ 500.00
Food Service Permit: School Cafeteria w/ Contract	\$ 250.00
Food Service Permit: Commissary (non-prep)	\$ 400.00
Food Service Permit: Commissary (prep.)	\$ 600.00
Food Service Permit: Food Court	\$ 600.00
Food Service Permit: Mobile Unit (prepackaged)	\$ 400.00
Food Service Permit: Mobile Unit (preparation of food)	\$ 600.00
Food Service Permit: Mobile Unit (push cart)	\$ 600.00
Farmers Market	\$ 100.00
Food Store: <less than 5000 sq. ft.	\$ 600.00
Food Store: >5000 sq. ft. or above	\$ 800.00
Food Late Fee: 1-30 days	10% of fee
Food Late Fee: 31-60 days	20% of fee
Food Late Fee: 61-90 days	30% of fee
Plan Review: >1500 sq. ft. or above	\$ 200.00
Plan Review: <1500 sq. ft. or below	\$ 100.00
Temporary Food Establishment 1-5 Days**	\$ 35.00
Temporary Food Establishment 6-14 Days	\$ 70.00
Required/Requested Reinspection	\$ 75.00
<u>MISCELLANEOUS - CONSUMER/ENVIRONMENTAL HEALTH</u>	No Fee Changes, Fund: PH-T04
Duplicate Permits**	\$ 15.00

**indicates no fee increase



Presenter: David Hawkins, Director of Planning and Development

Agenda Item: Consider any action on Ordinance No. 2023-20 amending Chapter 6, "Health and Sanitation," of the Code of Ordinances, City of Azle, Texas, by amending regulations governing public swimming pools and spas and food establishments; amending Appendix A, "Fees," to amend fees related to food establishments and public swimming pools.

Background and Explanation:

The purpose of this agenda item is to amend the Code of Ordinance and codify the necessary amendments to regulations and fees related to food establishments and public swimming pools and spas inspection services in accordance with the new Interlocal Agreement with Tarrant County Health Dept.

Amendments include updating the Fee Schedule located within Appendix A to add and/or updating the health inspection and permit fees.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Staff recommends approval of this Code of Ordinance amendment.

Attachments:

None

ORDINANCE NO. 2023-20

AN ORDINANCE AMENDING CHAPTER 6, "HEALTH AND SANITATION," OF THE CODE OF ORDINANCES, CITY OF AZLE, TEXAS, BY AMENDING REGULATIONS GOVERNING PUBLIC SWIMMING POOLS AND SPAS AND FOOD ESTABLISHMENTS; AMENDING APPENDIX A, "FEES," TO AMEND FEES RELATED TO FOOD ESTABLISHMENTS AND PUBLIC SWIMMING POOLS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City and Tarrant County recently entered into an interlocal agreement governing the inspections of food establishments and public swimming pools, and fees for such inspections; and

WHEREAS, the interlocal agreement requires the City to adopt changes to its ordinances as required in the agreement; and

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

SECTION 1.

Section 6.05.001 of Article 5, "Food Establishments," of Chapter 6, "Health and Sanitation," of the Code of Ordinances, City of Azle, Texas (the "Code"), is amended to read as follows:

"§ 6.05.001 Designation of health authority.

The city designates the Tarrant County Health Department Director as its health authority for the purpose of ensuring minimum standards of environmental health and sanitation within the scope of that department's function."

SECTION 2.

Section 6.05.002 of Article 5, "Food Establishments," of Chapter 6, "Health and Sanitation," of the Code is amended to read as follows:

"§ 6.05.002 State regulations adopted.

There are adopted by reference the department of state health services Texas Food Establishment Rules, and the Texas Food, Drug and Cosmetic Act (V.T.C.A., Health and Safety Code, chapter 431), the Texas Sanitation and Health Protection Law (V.T.C.A., Health and Safety Code, chapter 341) and the Executive Commission of the Health and Human Services Commission found in 25 Texas Administrative Code, Chapter 228, regarding the regulation of food establishments."

SECTION 3.

Section 6.05.003 of Article 5, "Food Establishments," of Chapter 6, "Health and Sanitation," of the Code is amended by adding the definition of "Health authority" to be inserted alphabetically and revising the definition of "Regulatory authority" to read as follows:

" * * *

"Health authority. The Medical Director of the Tarrant County Public Health Department.

Regulatory authority. The Tarrant County Public Health Department.
* * * "

SECTION 4.

Section 6.05.007 of Article 5, "Food Establishments," of Chapter 6, "Health and Sanitation," of the Code is amended to read as follows:

"§ 6.05.007 Food manager certification and food handler training certificates.

(a) Requirements.

(1) Establishments handling open foods and/or beverages and having five or more food handlers shall also have at least one certified food manager on duty during all hours of operation;

(2) Establishments having fewer than five employees need not have a certified food manager on duty;

(3) Establishments that are required to have certified food managers must provide proof of certification to the health department prior to opening the establishment;

(4) Existing establishments that are required to have certified food managers shall have sixty days to meet certified food manager requirements upon the transfer or termination of a certified food manager;

(5) In the event of a change of ownership of an establishment, the establishment shall provide proof to the health department that the appropriate number of certified food managers will be on duty, if required in subsection (a)(1) of this section, within sixty days of the effective date of the change of ownership;

(6) All food handlers must obtain an annual food handler certificate after they have attended the food handler class offered at the Tarrant County Health Department, 1800 University Drive, Fort Worth, Texas. Food handlers must obtain these certificates prior to working at a food establishment; and

(7) When required by law, require food establishments to have certified food managers and food handlers.

(b) Expiration.

(1) Food manager certificates are valid for a period of three years from the date issued unless revoked by the health department prior to the expiration date.

(2) Food handler certificates are valid for one year unless revoked by the Health Department.

(c) Exemptions from food manager certification requirement.

(1) Temporary food establishments;

- (2) Establishments with uncut produce or prepackaged food only;
- (3) Establishments serving only fountain drinks, coffee and/or popcorn;
- (4) Day care centers that do not prepare food other than heating/cooling of prepackaged items;
- (5) Establishments with fewer than five employees;
- (6) Farmers' markets."

SECTION 5.

Section 6.05.040 of Article 5, "Food Establishments," of Chapter 6, "Health and Sanitation," of the Code is amended and reserving sections as follows:

"§ 6.05.040 Appeals.

Any permit holder who wishes to dispute the decision of a hearing may appeal the decision to the director of the regulatory authority."

SECTION 6.

Section 6.05.042 of Article 5, "Food Establishments," of Chapter 6, "Health and Sanitation," of the Code is amended and reserving sections as follows:

"§ 6.05.042 Fees.

(a) A health permit fee as established by the commissioner's court in unincorporated areas of the county is required annually for each food establishment. Fees are due and payable on or before October 1st and are to be paid to the Tarrant County Health Department at 1800 University Drive, Fort Worth, Texas.

(b) A health permit fee as established by the commissioner's court in unincorporated areas of the county is required of any food establishment operating less than fourteen days. Fees are due and payable as listed in subsection (a) of this section.

(c) A health permit is enforceable within thirty (30) days of approval of the Tarrant County Commissioner's Court.

(d) The Tarrant County Public Health Authority shall collect health permit fees from permit applicants."

SECTION 7.

Section 6.06.001 of Article 6, "Public Swimming Pools and Spas," of Chapter 6, "Health and Sanitation," of the Code is amended and reserving sections as follows:

"§ 6.06.001 Applicability and designation of health authority.

The city designates the Tarrant County Health Department Director as its health authority for the purpose of ensuring minimum standards of environmental health and sanitation within the scope of that department's function. The Medical Director of Tarrant County Public Health shall be designated as the health authority for the purpose of this Article. Any facility defined by 25 TAC chapter 265, subchapter L or section 341.064 of the Texas Health & Safety Code and within the jurisdiction of the city must comply with the rules adopted under Section **6.06.002**. Applicant to notify the Tarrant County Public Health Manager

for Environmental Health when code/ordinance are modified and when updates are completed.”

SECTION 8.

Section 6.06.002 of Article 6, “Public Swimming Pools and Spas,” of Chapter 6, “Health and Sanitation,” of the Code is amended and reserving sections as follows:

“§ 6.06.002 Adoption of state standards.

The rules adopted and contained in Texas Health and Safety Code, Title 5, Subtitle A, Chapter(s) 341.064, 341.0645 and 341.0695; Texas Health and Safety Code, Title 1, Chapter 1 Section 1.005, and Texas Health and Safety Code, Title 9, Subtitle A, Chapter 757. In addition, adopted the current rules as amended by the Executive Commissioner of the Health and Human Services Commission for Standards for Public Pools and Spas (Texas Administrative Code, Title 25, Chapter 265, Subchapter L), Public Interactive Water Features and Fountains (Texas Administrative Code, Title 25, Chapter 265, Subchapter M), and Pool Yard Enclosures (Texas Health and Safety Code Chapter 757) are incorporated herein.”

SECTION 9.

Section 6.06.003 of Article 6, “Public Swimming Pools and Spas” of Chapter 6, “Health and Sanitation,” of the Code is amended and reserving sections as follows:

“§ 6.06.003 Permit; inspections; fees.

(a) Fees. A fee for the annual inspection and annual permit for each public swimming pool and each public spa is hereby established as provided for in the fee schedule in appendix A of this code. In lieu of the annual inspection and permit fee, the city may contract with a third party to inspect public pools. Where a third party is responsible for the inspection of public pools, an administrative fee, as provided for in the fee schedule in appendix A of this code, shall be charged each permit, and the permit applicant shall also be responsible for payment of the inspection fee charged by the third party. The owner or operator shall maintain the permit provided on file in a secure area on the premises of the permitted facility. All health permit fees are enforceable within thirty (30) days of approval of the Tarrant County Commissioner’s court. The Tarrant County Public Health Authority shall collect health permit fees.

(b) Issuance of permit. The city shall issue a permit after payment of the required fees and an inspection that finds that the pool or spa is in compliance with the rules described in Section **6.06.002**. All public and semi-public swimming pools/spas within the corporate limits of the city shall maintain a valid health permit.

(c) New permit required upon sale or transfer of property. Permits may not be transferred to a new owner or operator. Upon sale, lease, assignment, or other transfer of the property, the new occupant must obtain a new permit. However, if the city or its contractor has inspected the pool and/or spa on the property within three (3) months of the sale, lease, assignment or other transfer of the property,

then a new inspection shall not be required, and the applicant shall be required to pay only an administrative fee for each permit required, which permit will be valid for one year from the date of the prior inspection.

(d) Application for permit. The owner or operator shall request an inspection by permit application providing the names of the owner of the pool or spa, the operator of the pool or spa (if different from the owner) and the addresses for the owner, the operator and the pool or spa. The fees described in this section shall be tendered with the application to the building official or the building official's designee."

SECTION 10.

Section 6.06.004 of Article 6, "Public Swimming Pools and Spas," of Chapter 6, "Health and Sanitation," of the Code is amended and reserving sections as follows:

"§ 6.06.004 New pools and spas.

Prior to construction, any person proposing to construct the public swimming pool or spa must file with the building official or the building official's designee the following:

- (1) A statement informing the city and county that the construction is proposed and providing the date on or after which the construction is proposed to begin;
- (2) The correct phone number and addresses of the person or entity primarily responsible for the construction, and the person or entity primarily responsible for operation or ownership of the pool or spa;
- (3) A set of plans indicating that the proposed construction will be in compliance with these rules and in sufficient detail to verify compliance;
- (4) A check in the amount established in appendix A to this code, payable to the city to cover the first inspection as required by Section **6.06.003** and
- (5) As required by law, require facilities to have certified pool/spa operators."

SECTION 11.

Subsections (30) and (31) of Section A1.005, "Miscellaneous fees" of Appendix A, "Fee Schedule," of the Code is amended by adding a new to read as follows:

- "(30) Public or semi-public swimming pool inspection fee: \$350.00
- (31) Public swimming pool administrative fee: \$50.00
 - (A) Annual public pool & spa permit fee: \$315.00
 - (B) Pool plan review & opening inspection: \$200.00
 - (C) Contractual inspections – School districts (per site visit): \$150.00"

SECTION 12.

Section A1.011, "Food establishment inspection fees:" of Appendix A, "Fee Schedule," of the Code is amended by adding a new to read as follows:

"§ A1.011 Food establishment inspection fees.

Food establishment inspection fees.

- (1) Food service permits:
 - (A) Less than 500 sq. ft.: \$400.00

- (B) 500 to 1,500 sq. ft.: \$500.00
- (C) 1,500 to 3,000 sq. ft.: \$600.00.
- (D) 3,000 to 6,000 sq. ft.: \$700.00.
- (E) Above 6,000 sq. ft.: \$800.00.
- (F) Child care facility: \$500.00
- (G) Catering operation: \$700.00.
- (H) Food court: \$600.00.
- (I) Adjunct food service: \$500.00.
- (J) Adjunct food store - less than 5,000 sq. ft.: \$500.00.
- (K) Adjunct food store - 5,000 sq. ft. and above: \$600.00.
- (L) Commissary (non-prep): \$400.00.
- (M) Commissary (prep): \$600.00.
- (N) Mobile unit (prepackaged): \$400.00.
- (O) Mobile unit (preparation of food): \$600.00.
- (P) Mobile unit (pushcart): \$600.00.
- (Q) Temporary food establishment 1-5 Days: \$35.00.
- (R) Temporary food establishment 6-14 Days: \$70.00
- (S) Farmers market: \$100.00
- (T) Required/Requested reinspection: \$75.00
- (2) Food store:
 - (A) Less than 5,000 sq. ft.: \$600.00.
 - (B) 5,000 sq. ft. or above: \$800.00.
- (3) Plan review:
 - (A) Less than 1500 sq. ft.: \$100.00.
 - (B) More than 1500 sq. ft.: \$200.00.
 - (C) Above 3,000 sq. ft.: \$100.00.
- (4) Late fees:
 - (A) 1-30 days: 10% of fee.
 - (B) 31-60 days: 20% of fee.
 - (C) 61-90 days: 30% of fee.
- (5) Miscellaneous – Consumer/Environmental Health
 - (A) Duplicate Permits: \$15.00”

SECTION 13.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Azle, Texas, as amended. Where the provisions of this Ordinance are in direct conflict with the provisions of any earlier ordinances and Code provisions, then the conflicting provisions of such earlier ordinances and Code provisions are hereby repealed.

SECTION 14.

All rights or remedies of the City of Azle, Texas, are expressly saved as to any and all violations of the Code of Ordinances, or any amendments thereto that 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, same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the courts.

SECTION 15.

It is hereby declared to be the intention to the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unenforceable or invalid by the final judgment or decree of any court of competent jurisdiction, such unenforceability or invalidity 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 phrase, clause, sentence, paragraph or section.

SECTION 16.

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

AND IT IS SO ORDAINED.

DULY PASSED AND APPROVED by the City Council of the City of Azle, Texas, on December 5, 2023.

Mayor, Alan Brundrett

ATTEST:

Yael Forgey, City Secretary

APPROVED AS TO FORM:

Cara Leahy White, City Attorney



Presenter: Rick White, Public Services Director

Agenda Item: Polly Avenue Waterline Replacement Project – CDBG Project, 50th Year

Background and Explanation:

The Community Development Block Grant (CDBG) is a federal grant process for low to moderate income areas and must target low to moderate income persons. The Polly Avenue Waterline Replacement Project consists of replacing a 2-inch water main with a new 6-inch PVC line, adding a fire hydrant and new service lines. This project will go out for bid during 2024-2025. The Project is expected to cost \$197,212.50. The CDBG will fund \$175,000.00 of that amount with the City providing the balance, currently estimated to be \$22,212.50.

The Notice of Public Hearing was published in the Azle News on November 23rd & 30th, 2023; and posted to the City website on November 15, 2023.

Suggested Motion: Move to approve Resolution No. 2023-19 approving the 50th Year CDBG “Polly Avenue Waterline Replacement Project” with the City agreeing to pay approved expenses above the CDBG allocated amount.

The Tarrant CDBG administration is requiring this language prior to funding the Project.

Board/Commission/Committee Recommendation:

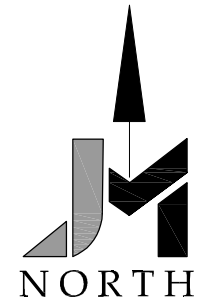
N/A.

Staff Recommendation:

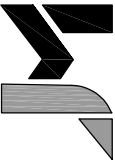
Staff recommends approval of the Polly Waterline Replacement Project.

Attachments:

1. 2024 CDBG MAP - 2023-11-14-V1 Exhibit Project Map
2. CDBG_ProposalTemplate2024b (002)
3. R2023-19 - 48th year CDBG Project



CITY OF AZLE
TARRANT COUNTY 2024 CDBG PROJECT
POLY AVENUE WATER LINE REPLACEMENT
NOVEMBER 2024



JACOB
MARTIN

3465 CURRY LANE
ABILENE, TX 79606
325-695-1070

1508 SANTA FE DR, STE 203
WEATHERFORD, TX 76086
817-594-9880

FIRM # F-2448



Submit & Questions to:
Susan Au
SAu@TarrantCountyTX.gov
Due: December 22, 2023

City Contact Name

City Contact email

City Contact Phone

Engineering Firm Name

Engineer Contact Name

Engineer Contact E-MAIL

Engineer Contact Phone

PREPARED BY:

2024 CDBG Project Proposal (50th Year)- B

City Name City of Azle

Project Address Polly Avenue

Project Census Block Group 1142.05/03

Project Description

Enter full explanation of what the project is, what will be done, where the project will take place (ie, which side of road and between what streets), the width and length of materials involved and the type of materials that exist and will be replaced with. If planning to be a multi-year project, please indicate. *Each funding year must complete a whole project using one year of funding.*

The project consists of replacing an old 2-inch water line with a 6 inch PVC water line, new service lines, and a fire hydrant in Poly Avenue along with incidental items.

Needs and Problems

Enter the need and problem. By stressing your need here will give greater justification in project selection.

Financial Need

A brief explanation and attach a financial summary report indicating assets and liabilities in general and specific reports in relation to the infrastructure being proposed.

NOTE: Please provide City audit statement: General or Public infrastructure specific section only. These will be provided to the Mayors reviewing each project

City Name	City of Azle
Project Address	Polly Avenue



THIS PROPOSAL INCLUDES SPECIAL NOTICES: Enter special considerations, If any	Construction Subtotal	\$ 158,375.00
	Contingency Rate	10.00%
	Contingency	\$ 15,837.50
	Engineer Subtotal	\$ 23,000.00
	TOTAL ESTIMATED COST	\$ 197,212.50

Enter special considerations, If any

NOTE: Balance of project **MUST** be leveraged by the city in order to have a completed and usable project upon final inspection. Assumption of CDBG allocation estimates can be seen in the example of Tiering Projects in the CDBG Guide. **Total project costs must equal estimated funds available**

11/14/23

Date _____



2024 CDBG Project Proposal (50th Year)

City Name

City of Azle

Project Address

Polly Avenue

PROJECT JUSTIFICATION

City Contact Name

Environmental & Neighborhood Conditions

The project is in a residential neighborhood on a local street.

City Contact email

Enter a brief description of the environment of the project and service areas.

City Contact Phone

Engineer Contact Name

Service Area Description

Enter street boundaries of those who are benefiting from this project. [example; mustang st (north), main st. (south), magnolia st (east), tarrant dr. (west)]

The service area is Poly Avenue from Sandra to the end of the street.

Engineer Contact E-MAIL

Engineer Contact Phone

Land Use Information

Enter the acreage in the table below within the boundaries that you just indicated for the "service area", fill in the below table with the appropriate acreage of the land used within those boundaries. Please remember that at least 70% of your service area must be residential, except for ADA Barrier Removal activities under Limited Clientele. Look at land use maps. You may use <https://www.dfwmaps.com/#>

State Land Use Codes	Land Use in Acres	% of Total Service Area
A1 (Single Family Residential)	59.70	
A2 (Mobile Homes)		
B1 (Multi-family Residential)		
C1 (Residential Vacant)		
C2 (Commercial Vacant)		
C6 (Exempt - ROW)		
D3 (Farm land)		
D4 (Undeveloped)		
F1 (Commercial)		
F2 (Industrial)		
J1-8 (Utilities)		
OTHER ()		
TOTAL Acres	59.70	
TOTAL RESIDENTIAL:	59.70	100.00%

Submit & Questions to:

Susan Au

SAu@TarrantCountyTX.gov

DUE DATE

12/22/2023



2024 CDBG Project Proposal (50th Year)

City Name City of Azle

Project Address Polly Avenue

REQUIRED SUPPLEMENTAL INFORMATION

Include the following required documents (Email as PDF attachments)

City Contact Name

City Contact email

City Contact Phone

Engineering Firm Name

Engineer Contact Name

Engineer Contact E-MAIL

Engineer Contact Phone

PREPARED BY:

Comments (if not attached)

City Annual Financial Information

☒

Check box if included

(The most current City Financial Summary available that shows assets and liabilities and/or line items indicating amount reserved for public infrastructure projects paid by the city. One page summary will suffice.)

City Comprehensive Plan or equivalent

☐

Check box if included

If the city has a comprehensive plan, please include the portion which indicates community goals and future plans for land use in respect to using CDBG funds for projects or a web link.)

Date of City Public Hearing

12/5/23

The intent of the public hearing during a city council meeting is to let your council and public know what you want to do with these federal funds and to listen to any comments, objections and finally approval by your council to move forward with the project. This can all be reflected in your minutes and a copy can be emailed to the planner when available

Copy of Public Notice

☒

Check box if included

It is required that the City post a public notice at least 10 business days prior to an actual meeting, a public meeting will occur in city chambers discussing this project, hear any comments given and a certified copy of minutes plus any comments made will be sent to the planner to go with the proposal.)

Copy of Public Hearing Minutes

☒

Check box if included

Attach a copy of the approved public hearing minutes and a copy of the public notice. If the hearing is scheduled and has not been executed, please mail or fax a copy of the public notice and approved public hearing minutes to the senior planner or CDBG Project administrator as soon as minutes are approved.)

Copies of any Citizen Input or additional comments

☐

Check box if included

Map(s) indicating service area outlining project area

☒

Check box if included

Map of FEMA Flood Map

☒

Check box if included

Other Maps

☐

Check box if included

Submit & Questions to:

Susan Au

SAu@TarrantCountyTX.gov

DUE DATE

12/22/2023

To submit: Please save and email this file. Provide the above documentation within the same email

RESOLUTION NO. R-2023-19

**A RESOLUTION APPROVING THE CITY OF AZLE, TEXAS
COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT**

WHEREAS, the City of Azle, Texas is eligible to participate in the urban Community Development Block Grant (CDBG) program administered through Tarrant County; and

WHEREAS, the City of Azle, Texas, desires to receive CDBG funds to improve the quality of life in the City; and

WHEREAS, on December 5, 2023 the City Council of the City of Azle, Texas, held a public hearing regarding the proposed CDBG application; and

WHEREAS, all interested citizens were provided an opportunity to address the City Council concerning said application;

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

The Polly Avenue Waterline Replacement Project consists of replacing a 2-inch water line with a 6-inch PVC water line, adding a fire Hydrant, and new service lines, with an estimated total project cost of \$197,212.50

The said construction shall be completed to current City of Azle standards and specifications.

The said application shall include a request for allocation of \$175,000.00 of CDBG funds, and \$22,212.50 in local participation, for a total project funding of \$197,212.50.

The City of Azle will be responsible for all cost of the CDBG project that exceeds the amount of the grant funds plus any prior year carryover grant funds.

PASSED AND APPROVED THIS 5th Day of December, 2023.

Alan Brundrett, Mayor

ATTEST:

Yael Forgey, City Secretary