



Melody Paradise, Mayor  
Russell Brewster, Mayor Pro Tem

# AGENDA

## TOWN COUNCIL

June 08, 2015

**Work Session 6:30 p.m.**  
**Regular Session 7:30 p.m.**  
**Council Chamber**  
**1614 South Bowen Road**

### COUNCIL MEMBERS:

Fred Adair  
Don Funderlic  
Jane Barrett  
Don Surratt

Matthew Fielder, City Manager

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### WORK SESSION 6:30 P.M.

REVIEW AND DISCUSS ITEMS ON THE REGULAR AGENDA, AND CONSIDER PLACING APPROVED ITEMS ON CONSENT AGENDA.

*All consent agenda items are considered to be routine by the Council and will be enacted with one motion. There will be no separate discussion of items unless a Council Member so requests, in which event, the item will be removed from the general order of business and considered in its normal sequence.*

1. City Manager Report
  - Personnel Vacancies
  - Park Row Construction
  - PantegoFest 2015
2. Monthly Staff Reports
  - Finance: Monthly Investment, Interest Distribution, Fund Investment, General Fund Variance Analysis, General Fund Summarized Expenditure Variance Analysis, Water and Sewer Variance Analysis.
  - Public Safety: Public Safety Monthly Activity Report, Officer Activity Report, Criminal Investigation Report, Crime Statistics, Fire Department Monthly Activity Summary, Letters of Appreciation.
  - Public Works Department: Director's Update, Water and Sewer Billing Analysis Reports; Garbage and Recycling Billing Analysis.
  - Community Development: Certificate of Occupancies, Building Permits, Inspections, Construction Values, Contractor Registrations.
  - Municipal Court: Citations Issued, Warrants Issued, Monies Received.
3. Approval of Bills Payable and Purchase Orders in excess of \$1,000.  
*A summary of invoices, purchase orders, and applicable copies are included in the agenda packet.*
4. Approval and Acceptance of Minutes  
Approval of Town Council Minutes:
  - Town Council minutes from May 11, 2015
  - Town Council minutes from May 18, 2015Acceptance of Minutes of Boards and Commissions:
  - PEDC minutes from May 13, 2015
  - Planning & Zoning minutes from May 4, 2015

### REGULAR SESSION 7:30 P. M.

#### CALL TO ORDER/WELCOME

INVOCATION BY: Councilmember Adair

#### PLEDGE OF ALLEGIANCE

#### MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

#### HONORS/RECOGNITION

- Community Relations Board Memorial Day Essay Contest Winners Presentation

#### COUNCIL LIAISON TO BOARD REPORT

- Community Relations Board
- Pantego Youth Leadership Council

#### PEDC REPORT

#### CITIZENS OPEN FORUM

This is a time for the public to address the Town Council on any subject not on this agenda. However, in accordance with the Open Meetings Act Section 551.042, the Town Council cannot discuss issues raised or make any decisions on that subject at this time. The Town Council or an appropriate Town official may make a statement of factual information or policy on the subject in response to an inquiry by a member of the public. Issues raised may be referred to Town Staff for research and possible future action.

### APPROVAL OF CONSENT AGENDA ITEMS

Approval of the Consent Agenda authorizes the City Manager to implement each item in accordance with staff recommendations and all votes on final reading will be recorded as reflected on first reading unless otherwise indicated. Public comment will be accepted on items, with the exception of those items on which a public hearing has been held and closed by Council.

### RESOLUTION

5. Discuss, direct, and consider action on Resolution 15-17 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into an agreement with Tarrant County Tax Assessor/Collector to provide assessment and collection services of Ad Valorem taxes levied by the Town; declaring an effective date.
6. Discuss, direct, and consider action on Resolution 15-18 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into contracts for entertainment and logistics for PantegoFest 2015.

### PUBLIC HEARING/ORDINANCE

7. Public hearing, discuss, direct, and consider action on Ordinance 15-764 an Ordinance of the Town Council of the Town of Pantego, Texas, authorizing Zoning Case Z-212, a proposed Special Use Permit issued to Brad Stroup (The Prayer Room) to establish a nonprofit parachurch organization located at 1503 Nora Drive, Tract 4Q of the Nathan Smith Survey, Pantego, Tarrant County, Texas; and declaring an effective date. The property is generally located on the east side of Nora Drive between West Park Row Drive and Whispering Trail Circle.
8. Public hearing, discuss, direct, and consider action on Ordinance 15-765 an Ordinance of the Town Council of the Town of Pantego, Texas, authorizing Zoning Case Z-213, a proposed Special Use Permit issued to Philip E. Parker (Church of Hope, Inc.) to establish a church located at 2401 West Pioneer Parkway, Suite 151, Lot 1R of the Pecan Park Shopping Center, Pantego, Tarrant County, Texas; and declaring an effective date. The property is generally located on the north side of West Pioneer Pkwy between S Bowen Road and Duluth Drive.
9. Public Hearing, Discuss, direct, and consider action on Ordinance 15-766 an ordinance of the Town Council of the Town of Pantego, Texas, amending the Municipal Code Chapter 13 Utilities by adopting a new Article 13.07 Storm Water Pollution Control; Containing findings and other Provisions relating to foregoing subject; containing a savings clause, repealing all ordinances in conflict herewith; and declaring an effective date
10. Public hearing, discuss, direct, and consider action on Ordinance 15-767 an ordinance of the Town Council of the Town of Pantego, Texas, amending Municipal Code Chapter 13 Utilities, Article 13.03 Water and Sewers, Division 1 Generally, Section 13.03.002 Definitions; Section 13.03.006 Computation of Charges; Estimated Meter Readings; Section 13.03.007 Billing – Delinquency; and Section 13.03.066 Groundwater District Production Fees; and Establishing Appendix A Fee Schedule, Article A10.000, Section A10.013 Groundwater Conservation District Fees; Containing a Savings Clause; Repealing all Ordinances in Conflict Herewith; and Declaring an Effective Date.
11. Public hearing, discuss, direct, and consider action on Ordinance 15-768 an ordinance of the Town Council of the Town of Pantego, Texas, authorizing amendments to the adopted budget for Fiscal Year 2014/15; and declaring an effective date.

### NEW BUSINESS FOR DISCUSSION, REVIEW, APPROVAL, AND/OR DIRECT STAFF.

12. Discuss, direct, and consider action on the approval of the Budget Work Session Calendar for Fiscal Year 2015/2016.

### SCHEDULED EXECUTIVE SESSION ITEMS

- The Council will convene in the City Manager's Office pursuant to the Texas Government Code for an executive session on the following items:

- 1. Pursuant to Government Code Section 551.074, to deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee - Discussion of Board and Commissions appointments.

Following the Scheduled Executive Session, the Council will reconvene in public session and may take any and all action necessary concerning the Executive Session agenda item.

**COUNCIL INQUIRY**

If a member of the Council makes a spontaneous inquiry about a subject not on this agenda, then the Town Council or an appropriate Town official may make a statement of factual information or policy in response to such an inquiry. However, in accordance with Open Meetings Act Section 551.042, the Town Council cannot discuss issues raised or make any decisions on that subject at this time. Issues raised may be referred to Town Staff for research and possible future action.

**ADJOURNMENT**

**CERTIFICATION**

Prepared and posted in accordance with Chapter 551 of the Texas Government Code. I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outside window of a display cabinet at the Town Hall of the Town of Pantego, Texas, a place of convenience and readily accessible to the general public at all times, and said Notice was posted by the following date and time: Friday, June 5, 2015 at 5:00 p.m., and remained so posted at least 72 hours before said meeting convened.



Julie Arrington, City Secretary

*Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in Town functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight (48) hours prior to the scheduled starting time by calling the City Secretary's Office at (817) 548-5852.*

Complete Council Agenda and background information are available for review at the City Secretary's Office and on the Town's website: [www.townofpantego.com](http://www.townofpantego.com).





# City Manager's Report

**To:** Mayor Paradise and Members of the Town Council

**From:** Matt Fielder, City Manager

**Date:** June 8, 2015

## **Personnel Vacancies**

Vacancies for the one police officer and two dispatchers have been filled, resulting in the Town being fully staffed. However, a vacancy is expected for a dispatcher in July. Staff is working to hire a replacement before that occurs.

## **PantegoFest Update**

Options for bounce houses will be reviewed at the Meeting.



# AGENDA BACKGROUND

**AGENDA ITEM:** Monthly Staff Reports

**Date:** June 8, 2015

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**PRESENTER:**

Matt Fielder, City Manager

**BACKGROUND:**

Staff reports on departmental activities on a monthly basis.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends approval of the reports as presented.

**ATTACHMENTS:**

Finance Department Reports  
Public Safety Reports  
Public Works Reports  
Community Development Reports  
Municipal Court Reports  
Utilities Reports

Director's Review: *JCA*  
City Manager's Review: \_\_\_\_\_



## ABOUT THIS REPORT

This report has been prepared by the Town of Pantego's Finance department. It is intended to provide users (internal and external) with information regarding the Town's financial position and economic activity. This report includes information for the period ending May 31, 2015.

The report is presented in four sections:

1. The **Monthly Investment Report** provides a summary of the Town's investment portfolio, interest earnings and a brief market outlook including the monthly cash and investment report. This report also includes a narrative of key operating trends affecting the fluctuation of cash inflows and outflows.
2. The **Budget Variance Analysis Report** for the General Fund and the Water and Sewer Fund provides current month and year-to-date budget variances for key revenue sources and expenditures by the function/department that comprises the General and Water and Sewer Funds.
3. The **Notes to the Budget Variance Analysis Report** contains a high level summary of the General and Water and Sewer Operating Funds using graphic illustrations. Narrative disclosures are included to highlight changes and fluctuations in key revenue sources and overall departmental expenditures. This section also provides a comparison of the current fiscal year budget projections to actual and comparisons of current year actual to results from the prior fiscal year.
4. The **Budget Summary of All Funds Report** contains an overview of all the budgeted funds of the Town. This section provides a comparison of budgeted revenues and expenditures to year-to-date actual results for each budgeted fund of the Town.

Please contact me if you would like additional information, and/or have comments or suggestions regarding this monthly report.

Ariel Carmona, CGFO  
Finance Director  
acarmona@townofpantego.com  
(817)617-3707

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**Town of Pantego  
Monthly Investment Report  
As of May 31, 2015**

Book Value of Pool Account, May 1, 2015 \$ 5,262,613

Security	Purchase Date	Par	Maturity Date	Yield	Price
Texpool	5/1/2015	\$ 5,262,613	5/31/2015	0.05%	\$ 1.00
Certificate of Deposits	2/26/2015	\$ 907,309	2/23/2017	0.69%	\$ 907,309

Security	Beginning Book Value	Beginning Market Value	Net Change in Market Value	Ending Book Value	Ending Market Value
Texpool	\$ 5,262,613	\$ 5,262,876	\$ 146,113	\$ 5,408,664	\$ 5,408,989
Certificate of Deposits	907,309	907,309	0.00	907,309	907,309
<b>Total</b>	<b>\$ 6,169,922</b>	<b>\$ 6,170,185</b>	<b>\$ 146,113</b>	<b>\$ 6,315,974</b>	<b>\$ 6,316,298</b>

**Pantego Economic Development Corp.  
Monthly Investment Report  
As of May 31, 2015**

Book Value of Pool Account, May 1, 2015 \$ 364,323

Security	Purchase Date	Par	Maturity Date	Yield	Price
Texpool	5/1/2015	\$ 364,323	5/31/2015	0.05%	\$ 1.00

Security	Beginning Book Value	Beginning Market Value	Net Change in Market Value	Ending Book Value	Ending Market Value
Texpool	\$ 364,323	\$ 364,341	\$ 54,226	\$ 418,542	\$ 418,567
<b>Total</b>	<b>\$ 364,323</b>	<b>\$ 364,341</b>	<b>\$ 54,226</b>	<b>\$ 418,542</b>	<b>\$ 418,567</b>

The above investment information is in compliance with Chapter 3.08 of the Pantego Municipal Code, the Public Funds Investment Act and conforms to Generally Accepted Accounting Principles.

  
Matthew Fielder  
City Manager

  
Ariel Carmona  
Finance Director

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# Interest Distribution

Deposit	Withdrawal	Transfer	Multi Transaction	Vendor P
Reports	Report Scheduler	Report Access	Statements	Inqu
			Help / Contact Us	Update

## Interest Distribution Report

Interest Distribution Report

Generated: 06/01/2015  
Settlement Date: 05/29/2015

Location : 79038  
Location Name : TOWN OF PANTEGO

Only accounts earning interest during the prior month will show on this report. Those account balances can be viewed on the Summary Statement available under the Statements tab.

Pool Number/Name	Account Number	Account Name	Interest Amount	Month End Balance
449/	7903800001	GENERAL FUND	\$252.09	\$5,408,664.06
449/	7903800002	PANTEGO ECONOMIC DEVELOPMENT CORP	\$18.52	\$418,542.11
TexPool Totals:			\$270.61	\$5,827,206.17
Locations Totals			\$270.61	\$5,827,206.17

Only accounts earning interest during the prior month will show on this report. Those account balances can be viewed on the Summary Statement available under the Statements tab.



## Pool Information

Location: 79038  
TOWN OF PANTEGO

### TexPool

Average monthly rate for April	0.0524%
Average monthly allocation factor for April	0.000001435
<b>Information as of</b>	May 31, 2015
Current Interest Rate <sup>(3)</sup>	0.0561%
Allocation Factor	0.000001537
7 day Net Yield	0.06%
Current Pool Balance	\$13,868,100,574.90
Current Weighted Average Maturity <sup>(1)</sup>	51 days
Current Weighted Average Maturity <sup>(2)</sup>	79 days
Market Value per Share	1.00006

### TexPool Prime

Average monthly rate for May	0.1030%
Average monthly allocation factor for May	0.000002822
<b>Information as of</b>	May 31, 2015
Current Interest Rate <sup>(3)</sup>	0.1049%
Allocation Factor	0.000002873
7 day Net Yield	0.10%
Current Pool Balance	\$1,188,628,045.86
Current Weighted Average Maturity <sup>(1)</sup>	33 days
Current Weighted Average Maturity <sup>(2)</sup>	43 days
Market Value per Share	1.00002

### Contact Information

Participant Services 1-866-839-7665

Performance data quoted represents past performance which is no guarantee of future results. Investment return will fluctuate. The value of an investment when redeemed may be worth more or less than the original cost. Current performance may be higher or lower than performance stated.

TOWN OF PANTEGO  
 CASH & INVESTMENTS REPORT  
 AS OF: MAY 31ST, 2015

FUND-ACCT. NO.	ACCOUNT NAME	CASH	CD'S	DISC NOTES	TEXPOOL	FUND TOTAL
GENERAL FUND						
100-0-000-102.00	CASH	238,840.74				
100-0-000-102.10	PETTY CASH	500.00				
100-0-000-102.20	CHANGE FUND - COURT	300.00				
100-0-000-102.30	CHANGE FUND - CITY HALL	105.00				
100-0-000-202.00	CERT OF DEPOSIT		252,755.95			
100-0-000-203.00	DISC NOTE #1			0.00		
100-0-000-204.00	TEXPOOL				2,059,086.35	
	TOTAL 100-GENERAL FUND	239,745.74	252,755.95	0.00	2,059,086.35	2,551,588.04
LONG TERM DEBT FUND						
	TOTAL 150-LONG TERM DEBT FUND	0.00	0.00	0.00	0.00	0.00
FIXED ASSETS FUND						
	TOTAL 175-FIXED ASSETS FUND	0.00	0.00	0.00	0.00	0.00
WATER AND SEWER FUND						
200-0-000-102.00	CASH	70,413.74				
200-0-000-102.10	PETTY CASH	0.00				
200-0-000-202.00	CERTIFICATE OF DEPOSIT		251,751.37			
200-0-000-203.00	DISCOUNT NOTE #1			0.00		
200-0-000-204.00	TEXPOOL				244,590.93	
	TOTAL 200-WATER AND SEWER FUND	70,413.74	251,751.37	0.00	244,590.93	566,756.04
CAPITAL PROJECTS FUND						
300-0-000-102.00	CASH	0.00				
300-0-000-202.00	CERT OF DEPOSITS		0.00			
300-0-000-203.00	FHML MTG DISC NOTE #1			0.00		
300-0-000-204.00	TEXPOOL				( 9,942.67)	
	TOTAL 300-CAPITAL PROJECTS FUND	0.00	0.00	0.00	( 9,942.67)	( 9,942.67)
INTEREST & SINKING FUND						
400-0-000-102.00	CASH	0.00				
400-0-000-202.00	CERT OF DEPOSITS		100,700.51			
400-0-000-203.00	FHML MTG DISC NOTE #1			0.00		
400-0-000-204.00	TEXPOOL				214,071.51	
	TOTAL 400-INTEREST & SINKING FUND	0.00	100,700.51	0.00	214,071.51	314,772.02
STREET IMPVMT CONST FUND						
500-0-000-102.00	CASH	0.00				
500-0-000-202.00	CERT OF DEPOSITS		251,751.37			
500-0-000-203.00	FHML MTG DISC NOTE #1			0.00		
500-0-000-204.00	TEXPOOL				473,165.72	
	TOTAL 500-STREET IMPVMT CONST FUND	0.00	251,751.37	0.00	473,165.72	724,917.09

TOWN OF PANTEGO  
 CASH & INVESTMENTS REPORT  
 AS OF: MAY 31ST, 2015

FUND-ACCT. NO.	ACCOUNT NAME	CASH	CD'S	DISC NOTES	TEXPOOL	FUND TOTAL
PARK ROW PROJ FUND						
550-0-000-204.00	TEXPOOL				1,496,561.25	
	TOTAL 550-PARK ROW PROJ FUND	0.00	0.00	0.00	1,496,561.25	1,496,561.25
TRUST & AGENCY FUND						
650-0-000-102.00	CASH	73,978.52				
650-0-000-202.00	CERT OF DEPOSITS		0.00			
650-0-000-203.00	FHML MTG DISC NOTE #1			0.00		
650-0-000-204.00	TEXPOOL				56,031.02	
	TOTAL 650-TRUST & AGENCY FUND	73,978.52	0.00	0.00	56,031.02	130,009.54
WATER/SEWER CONSTRUCTION						
700-0-000-102.00	CASH	0.00				
700-0-000-202.00	CERT OF DEPOSITS		0.00			
700-0-000-203.00	FHML MTG DISC NOTE #1			0.00		
700-0-000-204.00	TEXPOOL				333,472.34	
	TOTAL 700-WATER/SEWER CONSTRUCTION	0.00	0.00	0.00	333,472.34	333,472.34
INFRASTRUCTURE IMPVMT						
750-0-000-102.00	CASH	0.00				
750-0-000-202.00	CERT OF DEPOSITS		0.00			
750-0-000-203.00	FHML MTG DISC NOTE #1			0.00		
750-0-000-204.00	TEXPOOL				405,650.14	
	TOTAL 750-W/S INFRASTRUCTURE FUND	0.00	0.00	0.00	405,650.14	405,650.14
PAYROLL IMPREST FUND						
777-0-000-102.00	CASH	2,857.94				
	TOTAL 777-PAYROLL IMPREST FUND	2,857.94	0.00	0.00	0.00	2,857.94
COURT SECURITY FUND						
800-0-000-102.00	CASH	0.00				
800-0-000-202.00	CERT OF DEPOSITS		0.00			
800-0-000-203.00	FHML MTG DISC NOTE #1			0.00		
800-0-000-204.00	TEXPOOL				22,024.20	
	TOTAL 800-COURT SECURITY FUND	0.00	0.00	0.00	22,024.20	22,024.20
COURT TECHNOLOGY FUND						
825-0-000-102.00	CASH	0.00				
825-0-000-202.00	CERT OF DEPOSITS		0.00			
825-0-000-203.00	FHML MTG DISC NOTE #1			0.00		
825-0-000-204.00	TEXPOOL				61,372.97	
	TOTAL 825-COURT TECHNOLOGY FUND	0.00	0.00	0.00	61,372.97	61,372.97
PANTEGOFEST						
850-0-000-102.00	CASH	29,215.99				
850-0-000-102.20	CHANGE FUND	0.00				
850-0-000-204.00	TEXPOOL				0.00	
	TOTAL 850-PANTEGOFEST	29,215.99	0.00	0.00	0.00	29,215.99

TOWN OF PANTEGO  
 CASH & INVESTMENTS REPORT  
 AS OF: MAY 31ST, 2015

FUND-ACCT. NO.	ACCOUNT NAME	CASH	CD'S	DISC NOTES	TEXPOOL	FUND TOTAL
<u>SHAMBURGER MEMORIAL FUND</u>						
875-0-000-102.00	CASH	0.00				
875-0-000-202.00	CERT OF DEPOSITS		50,350.24			
875-0-000-203.00	FHML MTG DISC NOTE #1			0.00		
875-0-000-204.00	TEXPOOL				31,710.76	
TOTAL 875-SHAMBURGER		0.00	50,350.24	0.00	31,710.76	82,061.00
<u>CARTWRIGHT LIBRARY FUND</u>						
880-0-000-102.00	CASH	0.00				
880-0-000-202.00	CERT OF DEPOSITS		0.00			
880-0-000-203.00	FHML MTG DISC NOTE #1			0.00		
880-0-000-204.00	TEXPOOL				20,869.54	
TOTAL 880-CARTWRIGHT LIBRARY FUND		0.00	0.00	0.00	20,869.54	20,869.54
<u>PEDC INTEREST &amp; SINKING</u>						
901-0-000-102.00	CASH	0.00				
901-0-000-206.10	TEXPOOL				28,628.48	
TOTAL 901-PEDC INTEREST & SINKING		0.00	0.00	0.00	28,628.48	28,628.48
<u>PEDC BOND RESERVE FUND</u>						
TOTAL 902-PEDC BOND RESERVE FUND		0.00	0.00	0.00	0.00	0.00
<u>PEDC OPERATING FUND</u>						
903-0-000-102.00	CASH	1,113.31				
903-0-000-102.10	PETTY CASH	0.00				
903-0-000-206.10	TEXPOOL				389,913.63	
TOTAL 903-PEDC OPERATING FUND		1,113.31	0.00	0.00	389,913.63	391,026.94
<u>PEDC ADMIN EXPENDITURE</u>						
TOTAL 904-DORMANT		0.00	0.00	0.00	0.00	0.00
<u>PEDC REDEMPTION FUND</u>						
TOTAL 905-DORMANT		0.00	0.00	0.00	0.00	0.00
<u>PEDC SALES TAX REVENUE</u>						
906-0-000-102.00	CASH	0.00				
906-0-000-206.10	TEXPOOL				0.00	
TOTAL 906-PEDC SALES TAX REVENUE		0.00	0.00	0.00	0.00	0.00
<u>ACCOUNTS PAYABLE IMPREST</u>						
TOTAL 999-DORMANT		0.00	0.00	0.00	0.00	0.00
<hr/>						
ALL FUNDS TOTAL		417,325.24	907,309.44	0.00	5,827,206.17	7,151,840.85
		=====	=====	=====	=====	=====
TOTAL CASH AND INVESTMENTS		417,325.24			6,734,515.61	
		=====			=====	

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TOWN OF PANTEGO GENERAL FUND REVENUE REPORT MAY 2015  
General Fund Variance Analysis

Revenues:	*-----CURRENT MONTH-----*			*-----YEAR TO DATE-----*			BUDGET	
	Actual	Budget	Variance Favorable (Unfavorable)	Actual	Budget	Variance Favorable (Unfavorable)	Total	% Remaining
Property Tax	\$ 7,255	\$ 10,000	\$ (2,745)	\$ 892,347	\$ 887,500	\$ 4,847	\$ 950,000	6%
Delinquent Tax Property	-	1,417	(1,417)	6,133	11,333	(5,200)	17,000	64%
Sales Tax	135,502	108,201	27,301	949,406	865,606	83,800	1,298,409	27%
Franchise Fee-Natural Gas	-	-	-	32,391	23,000	9,391	23,000	-41%
Franchise Fee-Communications	18,788	22,500	(3,712)	61,796	60,000	1,796	90,000	31%
Franchise Fee-Electricity	-	-	-	165,761	165,000	761	175,000	5%
Franchise Fee-Cable	4,711	3,500	1,211	10,349	9,333	1,016	14,000	26%
Franchise Fee-Water & Sewer	-	-	-	12,500	12,500	(0)	25,000	50%
Mixed Beverage Tax	-	-	-	7,813	7,000	813	14,000	44%
Warrant Charges	7,791	8,333	(542)	71,032	66,667	4,365	100,000	29%
FTA / City (Omni Base)	495	708	(213)	4,551	5,667	(1,116)	8,500	46%
Court Fines and Penalties	26,625	32,917	(6,292)	242,336	263,333	(20,997)	395,000	39%
Special Expense Fee	23,062	22,917	145	181,102	183,333	(2,232)	275,000	34%
Police Accident Reports	10	67	(57)	244	533	(290)	800	70%
Child Safety Guard Program	790	708	82	4,404	5,667	(1,263)	8,500	48%
Traffic Fees	469	625	(156)	3,589	5,000	(1,411)	7,500	52%
City Judicial Fee	208	250	(42)	1,700	2,000	(300)	3,000	43%
City Arrest Fees	1,470	1,625	(155)	11,486	13,000	(1,514)	19,500	41%
10% Serv. Fee from T&A	-	2,083	(2,083)	11,965	16,667	(4,702)	25,000	52%
Time Payment Fee	-	1,558	(1,558)	16,717	12,467	4,251	18,700	11%
Planning and Zoning Fees	-	625	(625)	6,083	5,000	1,083	7,500	19%
Plan Review Fees	573	583	(10)	7,328	4,667	2,661	7,000	-5%
Building Permits	2,963	3,917	(954)	29,767	31,333	(1,566)	47,000	37%
Liquor Licenses	-	167	(167)	6,913	1,333	5,579	2,000	-246%
Contractor Registration Fee	1,150	917	233	8,450	7,333	1,117	11,000	23%
Certificates of Occupancy	450	583	(133)	5,190	4,667	523	7,000	26%
Clean & Show	80	25	55	640	200	440	300	-113%
Dog Tag Revenue	20	17	3	190	133	57	200	5%
NSF Check Fees	-	2	(2)	35	17	18	25	-40%
Ambulance Revenue	15,052	10,000	5,052	88,104	80,000	8,104	120,000	27%
Fire Inspections	2,770	500	2,270	4,445	4,000	445	6,000	26%
Park Rental Revenue	735	250	485	2,375	2,000	375	3,000	21%
Gas Royalty Revenue	-	667	(667)	5,073	5,333	(260)	8,000	37%
Copy Fees	-	4	(4)	-	33	(33)	50	100%
No Insurance Towing Fees	-	1,667	(1,667)	2,425	13,333	(10,908)	20,000	NA
Interest Revenue	252	458	(206)	1,679	3,667	(1,988)	5,500	69%
Other Revenue	713	1,667	(953)	4,316	13,333	(9,017)	20,000	78%
<b>Total</b>	<b>\$ 251,933</b>	<b>\$ 239,457</b>	<b>\$ 12,476</b>	<b>\$ 2,860,633</b>	<b>\$ 2,791,989</b>	<b>\$ 68,644</b>	<b>\$ 3,732,484</b>	<b>23%</b>

TOWN OF PANTEGO GENERAL FUND EXPENSE REPORT MAY 2015  
General Fund Variance Analysis

Expenses:	*-----CURRENT MONTH-----*			*-----YEAR TO DATE-----*			BUDGET	
	Actual	Budget	Variance Favorable (Unfavorable)	Actual	Budget	Variance Favorable (Unfavorable)	Total	% Remaining
General & Administrative	\$ 45,922	\$ 52,310	\$ 6,388	\$ 420,300	\$ 440,414	\$ 20,114	\$ 687,445	39%
Public Works	42,336	43,795	1,458	324,550	351,377	26,828	551,401	41%
Community Development	9,284	9,523	238	75,364	85,093	9,729	126,496	40%
Police	84,524	86,920	2,396	756,352	803,469	47,117	1,275,908	41%
Fire	78,512	78,976	465	666,712	686,748	20,037	1,021,287	35%
Municipal Court	25,462	26,321	859	229,716	241,153	11,438	352,439	35%
Community Relations Board	176	176	-	10,291	10,718	427	11,500	11%
Special Events	-	-	-	8,877	8,500	(377)	8,500	-4%
<b>Total</b>	<b>\$ 286,217</b>	<b>\$ 298,020</b>	<b>\$ 11,804</b>	<b>\$ 2,492,161</b>	<b>\$ 2,627,473</b>	<b>\$ 135,312</b>	<b>\$ 4,034,976</b>	<b>38%</b>

TOWN OF PANTEGO WATER AND SEWER REVENUE REPORT MAY 2015  
Water and Sewer Fund Variance Analysis

Revenue	*-----CURRENT MONTH-----*			*-----YEAR TO DATE-----*			BUDGET	
	Actual	Budget	Variance Favorable (Unfavorable)	Actual	Budget	Variance Favorable (Unfavorable)	Total	% Remaining
Sale of Water	\$ 32,892	\$ 45,000	\$ (12,108)	\$ 268,176	\$ 281,333	\$ (13,157)	\$ 500,000	46%
Water Tap Fees	-	25	(25)	1,685	200	1,485	300	-462%
Sewer Service Charge Fee	29,037	31,667	(2,630)	231,698	243,334	(11,636)	370,000	37%
Sewer Tap Fees	-	21	(21)	400	167	233	250	-60%
Trash Collections	7,736	7,500	236	61,913	60,000	1,913	90,000	31%
Sales Tax on Trash Collections	632	619	13	5,059	4,950	109	7,425	32%
Recycling	2,044	2,125	(81)	16,374	17,000	(626)	25,500	36%
Sales Tax on Recycling	157	175	(18)	1,257	1,403	(146)	2,104	40%
Penalties	1,044	1,250	(206)	11,783	10,000	1,783	15,000	21%
N.S.F. Check Fees	-	33	(33)	150	267	(117)	400	63%
Adm. Serv. Charge / Sewer Impact	840	417	423	4,760	3,333	1,427	5,000	5%
Interest Revenue	-	63	(63)	235	500	(265)	750	69%
Other Revenue	282	2,333	(2,052)	15,883	18,667	(2,783)	28,000	43%
Trash Contract Payable	(7,736)	(7,500)	(236)	(61,921)	(60,000)	(1,921)	(90,000)	31%
Sales Tax on Trash Collections Payable	(632)	(619)	(13)	(5,060)	(4,950)	(110)	(7,425)	32%
Recycling Contract Payable	(2,044)	(2,125)	81	(16,376)	(17,000)	624	(25,500)	36%
Sales Tax on Recycling Payable	(157)	(175)	18	(1,257)	(1,403)	146	(2,104)	40%
Total Revenue before Transfers	<u>\$ 64,095</u>	<u>\$ 80,809</u>	<u>\$ (16,714)</u>	<u>\$ 534,760</u>	<u>\$ 557,800</u>	<u>\$ (23,041)</u>	<u>\$ 919,700</u>	<u>42%</u>

TOWN OF PANTEGO INFRASTRUCTURE IMPROVEMENT FUND REPORT MAY 2015  
Water and Sewer Fund Variance Analysis

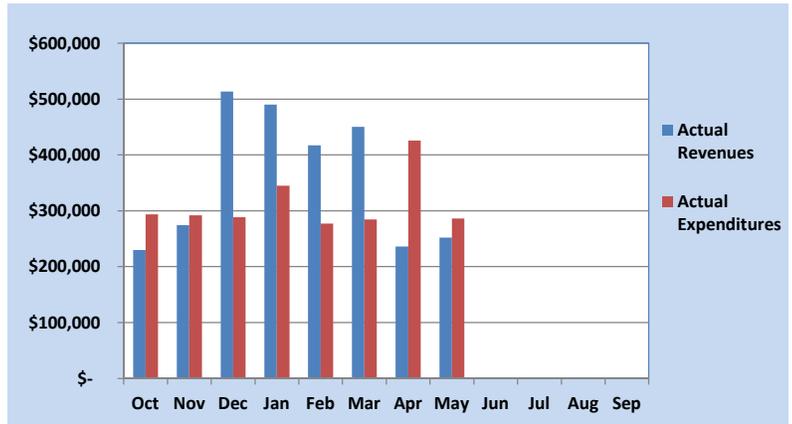
Revenue:	*-----CURRENT MONTH-----*			*-----YEAR TO DATE-----*			BUDGET	
	Actual	Budget	Variance Favorable (Unfavorable)	Actual	Budget	Variance Favorable (Unfavorable)	Total	% Remaining
Infrastructure Improvements	\$ 24,936	\$ 27,500	\$ (2,564)	\$ 199,894	\$ 220,000	\$ (20,106)	\$ 330,000	39%

TOWN OF PANTEGO WATER AND SEWER EXPENDITURE REPORT MAY 2015  
Water and Sewer Fund Variance Analysis

Expenses:	*-----CURRENT MONTH-----*			*-----YEAR TO DATE-----*			BUDGET	
	Actual	Budget	Variance Favorable (Unfavorable)	Actual	Budget	Variance Favorable (Unfavorable)	Total	% Remaining
Water Expense	\$ 12,427	\$ 13,595	\$ 1,167	\$ 125,838	\$ 132,829	\$ 6,991	\$ 324,070	61%
Sewer Expense	<u>17,465</u>	<u>19,199</u>	<u>1,734</u>	<u>152,419</u>	<u>160,819</u>	<u>8,399</u>	<u>373,383</u>	<u>59%</u>
	<u>\$ 29,892</u>	<u>\$ 32,793</u>	<u>\$ 2,901</u>	<u>\$ 278,258</u>	<u>\$ 293,648</u>	<u>\$ 15,390</u>	<u>\$ 697,453</u>	<u>60%</u>

**OVERALL FUND PERFORMANCE**  
**FY 2015 GENERAL FUND REVENUES VS EXPENDITURES**

MONTH	Actual Revenues	Actual Expenditures	Change in Fund Balance Increase (Decrease)
Oct	\$ 229,668	\$ 293,492	\$ (63,824)
Nov	274,134	292,018	(17,884)
Dec	513,378	288,672	224,706
Jan	490,333	344,999	145,334
Feb	417,090	276,940	140,150
Mar	450,212	284,393	165,819
Apr	236,007	425,670	(189,663)
May	251,933	286,217	(34,284)
Jun			
Jul			
Aug			
Sep			
<b>TOTAL</b>	<b>\$ 2,862,755</b>	<b>\$ 2,492,401</b>	<b>\$ 370,354</b>
Budget	\$ 3,732,484	\$ 4,034,978	
Over/(under)	\$ (869,729)	\$ (1,542,577)	
YTD % collected & expensed	76.7%	61.8%	



**Revenues:**

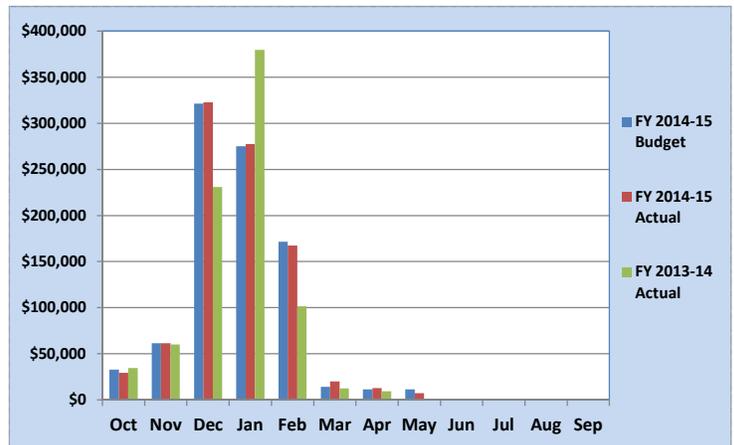
Total revenues in the General Fund as of May 31st totaled \$2,862,755. Revenues for the same period last year totaled \$2,877,427; \$14,672 higher when compared to this year. However, when compared to this year's projection of \$2,791,989 through the end of May, total revenue collected for the period is \$68,644 higher than anticipated. This increase comes as a result of higher than projected year to date collections of sales tax revenue.

**Expenditures:**

Expenditures in the General Fund as of May 31st totaled \$2,492,401; \$135,312 lower than projected for the period. Total expenditures for the same period last year totaled \$2,516,419; \$24,018 higher compared to this year's year to date expenditures. The difference may be attributable to the timing of capital purchases, vacancy savings and lower than expected expenses. Overall, the Town experienced a decrease in fund balance for the second time, as approximately 90% of the Town's ad valorem tax is collected in the first half of the fiscal year. It is most likely the Town will continue to experience this downward trend in fund balance for the remaining four months of the fiscal year.

**REVENUE ANALYSIS - General Fund**  
**FY 2015 PROPERTY TAX (Current & Delinquent)**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 34,367	\$ 32,832	\$ 29,204	\$ (3,628)
Nov	60,066	61,417	61,371	(46)
Dec	230,830	321,417	322,907	1,490
Jan	379,898	275,000	277,595	2,595
Feb	101,435	171,417	167,342	(4,075)
Mar	12,374	13,917	19,958	6,041
Apr	9,103	11,417	12,848	1,431
May	6,061	11,417	7,255	(4,161)
Jun	22,934			
Jul	20,219			
Aug	2,027			
Sep	1,922			
<b>TOTAL</b>	<b>\$ 881,236</b>	<b>\$ 898,834</b>	<b>\$ 898,480</b>	<b>\$ (353)</b>
Budget	\$ 880,000		\$ 967,000	
Over/(under)	\$ 1,236		\$ (68,520)	
YTD % collected			92.9%	



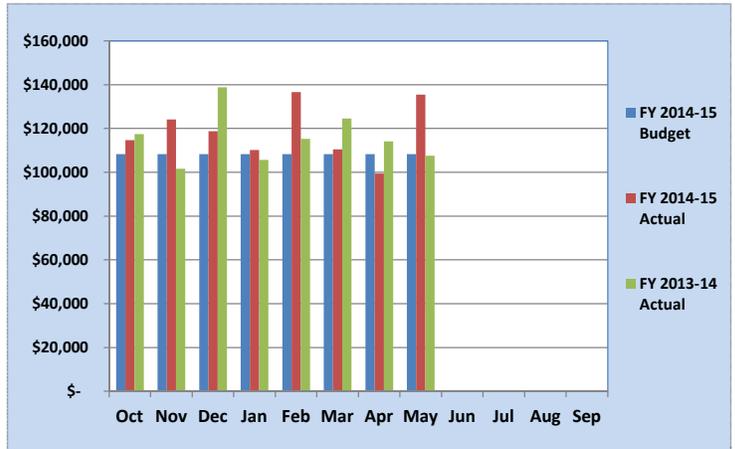
**Property tax:**

**Description:** Property tax is the second largest source of revenue for the General Fund. Property taxes are levied on both real and personal property according to the property's valuation and tax rate. The property tax rate for the Town of Pantego for FY 2015 is \$0.42 per \$100 valuation, unchanged from the prior fiscal year. Although the property tax remained unchanged, total revenue from property tax is expected to increase this fiscal year due to a slight increase in property values. The Tarrant County Tax Assessor Collector mails property tax statements the first week of October. Taxes are due by January 31. Taxes unpaid as of February 1 are considered late and therefore subject to penalty and interest.

**Analysis:** General fund property tax collections through the month of May totaled \$898,480 or 92.9% of the FY 2015 budgeted amount. The Town has collected about \$64,000 more in property taxes this year compared to the same period last year: \$834,134 in FY14 compared to \$898,480 in FY15. The Town is right on target with current year to date projections.

**REVENUE ANALYSIS - General Fund**  
**FY 2015 SALES AND USE TAX**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 117,450	\$ 108,201	\$ 114,681	\$ 6,480
Nov	101,605	108,201	124,068	15,867
Dec	138,744	108,201	118,757	10,556
Jan	105,673	108,201	110,090	1,889
Feb	115,203	108,201	136,546	28,345
Mar	124,540	108,201	110,404	2,203
Apr	114,075	108,201	99,359	(8,842)
May	107,566	108,201	135,502	27,301
Jun	132,526	108,201		
Jul	113,790	108,201		
Aug	114,681	108,201		
Sep	123,282	108,198		
<b>TOTAL</b>	<b>\$ 1,409,135</b>	<b>\$ 1,298,409</b>	<b>\$ 949,406</b>	<b>\$ 83,798</b>
Budget	\$ 1,281,969		\$ 1,298,409	
Over/(under)	\$ 127,166		\$ (349,003)	
YTD % collected			73.1%	



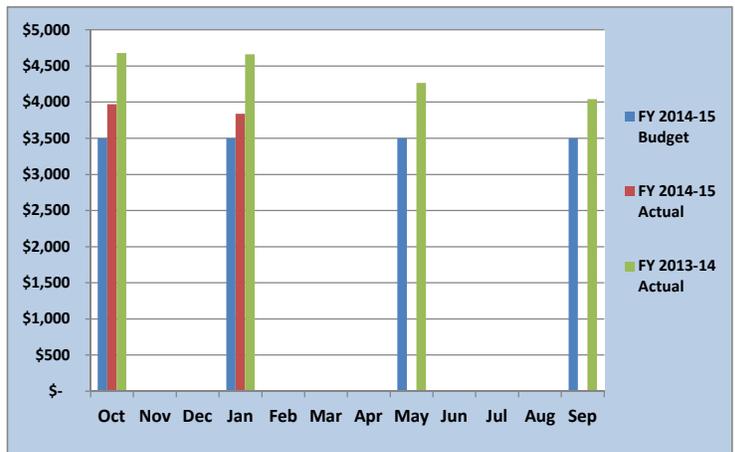
**Sales and use tax:**

**Description:** Tax imposed on all retail sales, leases and rentals of most goods, as well as taxable services. The total sales tax rate levied within the Town is 8.25% (State 6.25%; Town 1.25%; Street Improvement 0.25%; PEDC 0.50%). Sales taxes are collected by the State Comptroller and are collected on sales made two months or more prior to the allocation payment date. As the largest source of revenue to the Town's General Fund, sales and use taxes are essential to the delivery of services to the community.

**Analysis:** Sales tax revenue through the end of May totaled \$949,406. Compared to revenue for the same period last year of \$924,857, this year's sale tax collections thus far represent an increase of \$24,549. Compared to this year's period budget projection of \$865,608, sales tax revenue is \$83,798 higher than projected.

**REVENUE ANALYSIS - General Fund**  
**FY 2015 MIXED BEVERAGE TAX**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 4,681	\$ 3,500	\$ 3,972	\$ 472
Nov	-	-	-	-
Dec	-	-	-	-
Jan	4,661	3,500	3,841	341
Feb	-	-	-	-
Mar	-	-	-	-
Apr	-	-	-	-
May	4,267	3,500		
Jun	-	-		
Jul	-	-		
Aug	-	-		
Sep	4,044	3,500		
<b>TOTAL</b>	<b>\$ 17,653</b>	<b>\$ 14,000</b>	<b>\$ 7,813</b>	<b>\$ 813</b>
Budget	\$ 11,000		\$ 14,000	
Over/(under)	\$ 6,653		\$ (6,187)	
YTD % collected			55.8%	



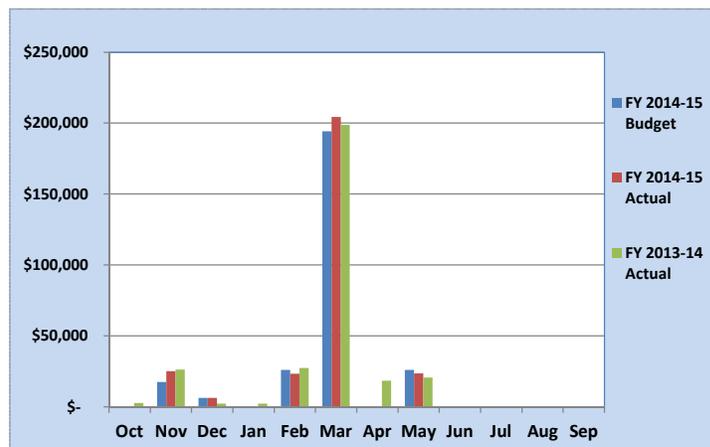
**Mixed beverage tax:**

**Description:** Effective January 1, 2014 the gross receipts tax was lowered to 6.7% (previously 14%) and an 8.25% mixed beverage sales tax was added to the price of each mixed beverage sold. Following the end of each calendar quarter, the State Comptroller allocates a portion of the mixed beverage taxes received, both gross receipts and sales tax, to the county/city where the business is located. Mixed beverage tax allocation amounts are dependent upon the timing and accuracy of the taxpayers' returns and payments, but generally represent taxes remitted to the Comptroller's office during the calendar quarter immediately preceding the month the allocation is distributed.

**Analysis:** Collections of mixed beverage tax through the end of May totaled \$7,813; \$813 higher than projected for the period. However, compared to last year's revenue collection of \$4,661, this year's second quarter mixed beverage tax decreased by \$820. As of the end of May, the Town has collected about \$1,500 less in mixed beverage tax compared to same period collections from the prior fiscal year. The next mixed beverage quarterly payment for the months of April through June will be collected in July.

**REVENUE ANALYSIS - General Fund**  
**FY 2015 FRANCHISE FEES**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 2,501	\$ -	\$ 313	\$ 313
Nov	26,240	17,333	24,966	7,633
Dec	2,122	6,250	6,256	6
Jan	2,170	-	73	73
Feb	27,162	26,000	23,239	(2,761)
Mar	198,730	194,250	204,383	10,133
Apr	18,228	-	69	69
May	20,492	26,000	23,498	(2,502)
Jun	-			
Jul	-			
Aug	24,031			
Sep	9,789			
<b>TOTAL</b>	<b>\$ 331,464</b>	<b>\$ 269,833</b>	<b>\$ 282,797</b>	<b>\$ 12,964</b>
Budget	\$ 327,000		\$ 327,000	
Over/(under)	\$ 4,464		\$ (44,203)	
YTD % collected			86.5%	



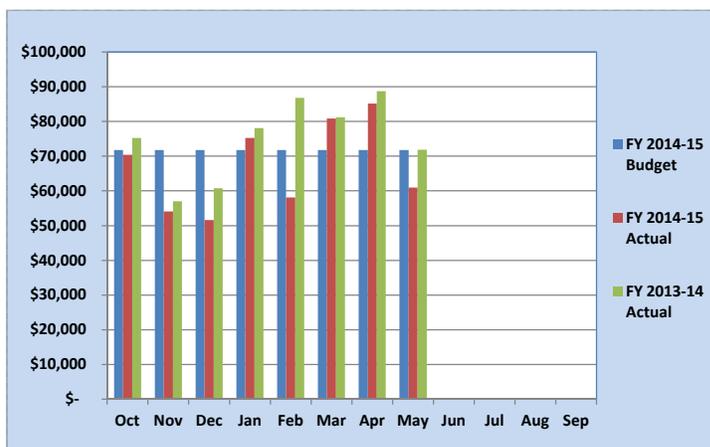
**Franchise fees:**

**Description:** Franchise fees are fees charged to specific industries conducting business within the Town. Utilities (electric, phone, gas and cable) that operate within the Town pay this fee for their use of the Town's right-of-way to run their utility lines. Franchise fee payments are based on a percentage of the utilities' gross receipts. Most utility companies pay quarterly with electricity paid yearly during the month of March. Franchise fees for FY 2015 represent nearly 9% of the total General Fund projected revenues and include franchise fees from electric, gas, cable and telecommunications utility companies.

**Analysis:** Revenue from franchise fees through May 31st totaled \$282,797; \$12,964 higher than projected for the period. Compared to last year revenue of \$297,644, this year's year to date revenue represents a decrease of \$14,848. The difference may be attributable to the timing of franchise collections from the different utilities.

**REVENUE ANALYSIS - General Fund**  
**FY 2015 FINES & FORFEITURES**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 75,261	\$ 71,792	\$ 70,412	\$ (1,380)
Nov	57,019	71,792	54,055	(17,737)
Dec	60,736	71,792	51,640	(20,152)
Jan	78,089	71,792	75,232	3,440
Feb	86,792	71,792	58,164	(13,628)
Mar	81,185	71,792	80,877	9,085
Apr	88,776	71,792	85,143	13,351
May	71,867	71,792	60,920	(10,872)
Jun	65,458	71,792		
Jul	75,144	71,792		
Aug	51,879	71,792		
Sep	87,632	71,788		
<b>TOTAL</b>	<b>\$ 879,837</b>	<b>\$ 861,500</b>	<b>\$ 536,443</b>	<b>\$ (37,893)</b>
Budget	\$ 861,500		\$ 861,500	
Over/(under)	\$ 18,337		\$ (325,057)	
YTD % collected			62.3%	



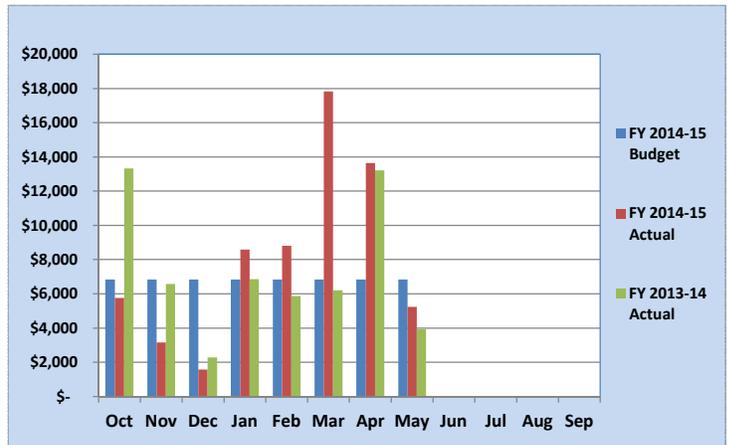
**Fines and Forfeitures:**

**Description:** Fines and forfeitures revenue for the Town include revenue from municipal court fines, warrant charges and other special assessment fees. Fines and related fees are assessed by the violation of local ordinances and state laws. For every dollar assessed, a percentage is recognized as fines or fees for the municipality and fees assessed by the State. The Town remits to the State of Texas the fees collected that the State assessed for itself. Court fines and fees represent 23.1% of the total revenue projection for the General Fund and also represents the third largest source of revenue for the General Fund.

**Analysis:** Fines and forfeiture collections are \$536,443 or 62.3% of budget as of May 31st. Current year revenues, however, are \$37,893 or 6.6% lower than projected for the period, and \$63,281 or 10.6% lower than realized through the end of May FY 2014. A budget amendment adjusting projections for this revenue source is recommended.

**REVENUE ANALYSIS - General Fund**  
**FY 2015 LICENSES & PERMITS**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 13,328	\$ 6,833	\$ 5,764	\$ (1,069)
Nov	6,579	6,833	3,151	(3,682)
Dec	2,286	6,833	1,580	(5,253)
Jan	6,861	6,833	8,576	1,743
Feb	5,872	6,833	8,801	1,968
Mar	6,198	6,833	17,821	10,988
Apr	13,211	6,833	13,632	6,799
May	3,941	6,833	5,235	(1,598)
Jun	2,213	6,833		
Jul	7,997	6,833		
Aug	4,555	6,833		
Sep	4,378	6,837		
<b>TOTAL</b>	<b>\$ 77,419</b>	<b>\$ 82,000</b>	<b>\$ 64,560</b>	<b>\$ 9,896</b>
Budget	\$ 83,050		\$ 82,000	
Over/(under)	\$ (5,631)		\$ (17,440)	
YTD % collected			78.7%	



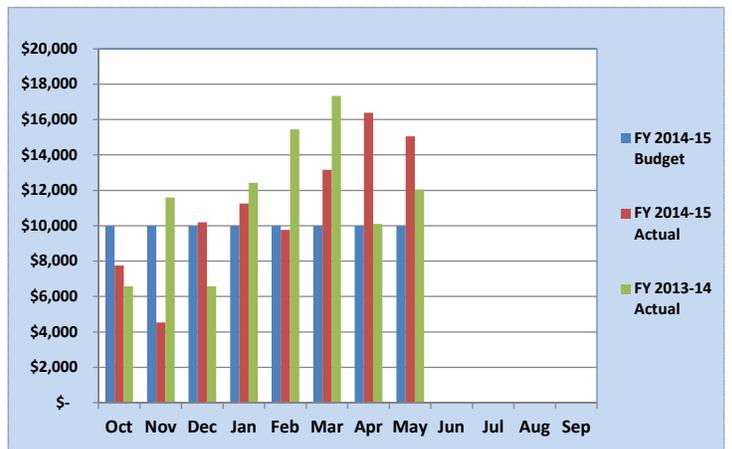
**Licenses and Permits:**

**Description:** Licenses and permits include revenue collected by the Town for services related to construction activity. It also includes project permits which cover all or partial construction (electrical, plumbing, mechanical, and certificate of occupancy fees), specific permits (fences, garage sale, electric, plumbing), and service fees (re-inspections and special inspections).

**Analysis:** Licenses and permits represent 2.2% of the total revenue projection for the General Fund. Compared to current year projections of \$54,664 through the end of May, revenue from licenses and permits are \$9,896 higher than projected for the period.

**REVENUE ANALYSIS - General Fund**  
**FY 2015 AMBULANCE REVENUE**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 6,580	\$ 10,000	\$ 7,758	\$ (2,242)
Nov	11,596	10,000	4,522	(5,478)
Dec	6,582	10,000	10,190	190
Jan	12,419	10,000	11,255	1,255
Feb	15,442	10,000	9,768	(232)
Mar	17,327	10,000	13,168	3,168
Apr	10,106	10,000	16,390	6,390
May	12,055	10,000	15,052	5,052
Jun	26,235	10,000		
Jul	8,948	10,000		
Aug	8,909	10,000		
Sep	7,354	10,000		
<b>TOTAL</b>	<b>\$ 143,553</b>	<b>\$ 120,000</b>	<b>\$ 88,103</b>	<b>\$ 8,103</b>
Budget	\$ 120,000		\$ 120,000	
Over/(under)	\$ 23,553		\$ (31,897)	
YTD % collected			73.4%	



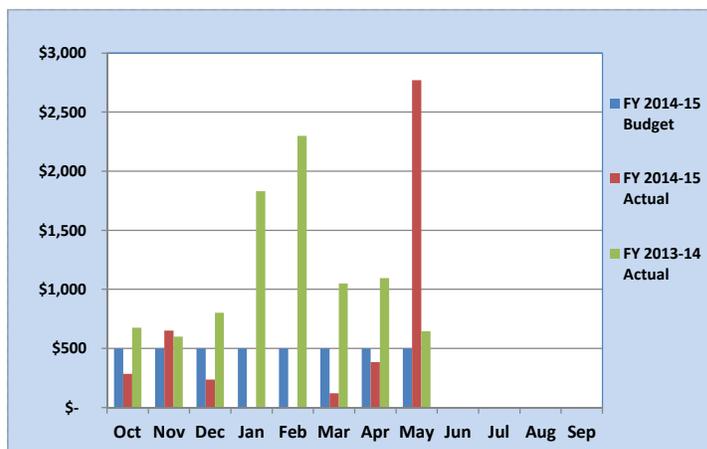
**Ambulance services:**

**Description:** This fee represents the revenue that is earned from providing emergency medical services to the Town of Pantego citizens. The fees help offset the cost of providing this service to the community.

**Analysis:** Revenues of \$88,103 through the end of May represent 73.4% of total projected ambulance revenue. Compared to last year revenue of \$92,107, current year revenue is \$4,004 lower than last year. However, compared to current year projections, ambulance services revenue is \$8,103 higher than the \$80,000 projected as of May 31st; which means we are right on target to meeting budget projections.

**REVENUE ANALYSIS - General Fund**  
**FY 2015 FIRE INSPECTIONS**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 675	\$ 500	\$ 285	\$ (215)
Nov	600	500	650	150
Dec	800	500	235	(265)
Jan	1,830	500	-	(500)
Feb	2,300	500	-	(500)
Mar	1,050	500	120	(380)
Apr	1,095	500	385	(115)
May	645	500	2,770	2,270
Jun	310	500		
Jul	-	500		
Aug	25	500		
Sep	150	500		
<b>TOTAL</b>	<b>\$ 9,480</b>	<b>\$ 6,000</b>	<b>\$ 4,445</b>	<b>\$ 445</b>
<i>Budget</i>	<i>\$ 6,000</i>		<i>\$ 6,000</i>	
<i>Over/(under)</i>	<i>\$ 3,480</i>		<i>\$ (1,555)</i>	
<i>YTD % collected</i>			<i>74.1%</i>	



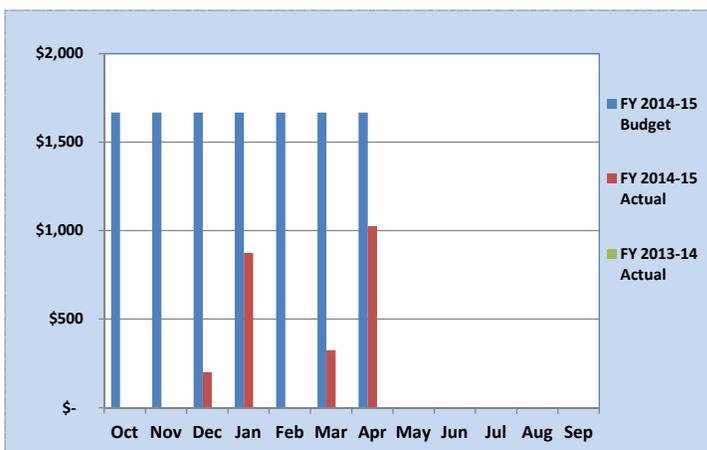
**Fire Inspections**

**Description:** This revenue is collected by the Fire department for fire safety inspections.

**Analysis:** Revenue from fire inspections through May 31st totaled \$4,445; \$445 over the \$4,000 projected for the period. Compared to last year revenue of \$8,995, this year collections from fire inspections have decreased by approximately \$4,550. However, May's activities places this revenue source in line with target projections for the year.

**REVENUE ANALYSIS - General Fund**  
**FY 2015 NO INSURANCE TOWING FEES**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ -	\$ 1,667	\$ -	\$ (1,667)
Nov	-	1,667	-	(1,667)
Dec	-	1,667	200	(1,467)
Jan	-	1,667	875	(792)
Feb	-	1,667	-	(1,667)
Mar	-	1,667	325	(1,342)
Apr	-	1,667	1,025	(642)
May	-	1,667	-	(1,667)
Jun	525	1,667		
Jul	500	1,667		
Aug	450	1,667		
Sep	975	1,663		
<b>TOTAL</b>	<b>\$ 2,450</b>	<b>\$ 20,000</b>	<b>\$ 2,425</b>	<b>(10,911)</b>
<i>Budget</i>	<i>\$ -</i>		<i>\$ 20,000</i>	
<i>Over/(under)</i>	<i>\$ 2,450</i>		<i>\$ (17,575)</i>	
<i>YTD % collected</i>			<i>12.1%</i>	



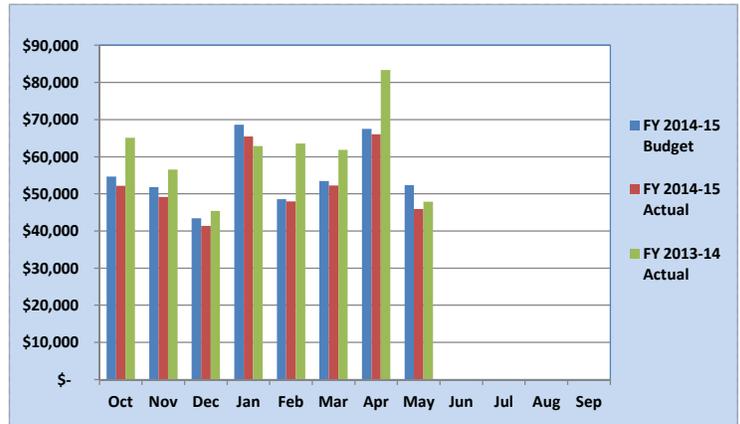
**No Insurance Towing Fees**

**Description:** Town Council approved an ordinance allowing the Police department to impound vehicles whose drivers failed to provide proof of liability insurance. An administrative fee of \$25 per vehicle was authorized to be assessed to the owner of such vehicle. The Town currently holds a contract with a local towing company; the company collects the \$25 administrative fee and forwards this pass-through amount to the Town.

**Analysis:** As mentioned before, staff does not anticipate to meet FY15 revenue projections of \$20,000 from this source. Revenue failed to meet period projections by \$10,911 through the end of May. At this time staff projects total revenue to equal closer to \$5,000 by the end of the fiscal year. A budget amendment adjusting projections for this revenue source is recommended.

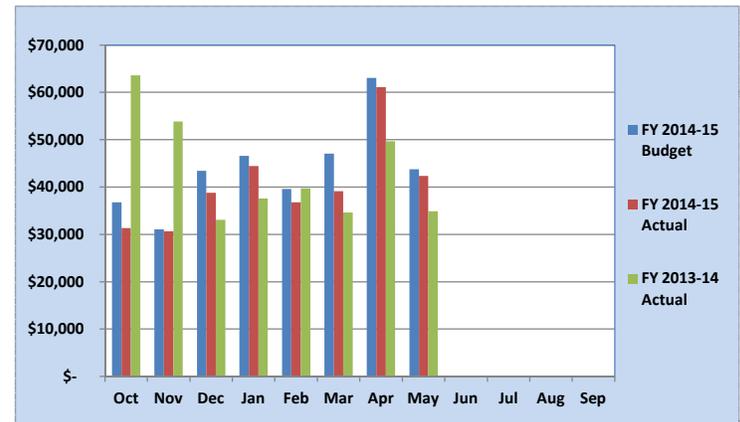
**EXPENDITURES ANALYSIS BY FUNCTION - General Fund**  
**General and Administrative**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 65,081	\$ 54,629	\$ 52,134	\$ 2,495
Nov	56,558	51,831	49,177	2,654
Dec	45,395	43,445	41,414	2,031
Jan	62,855	68,642	65,427	3,215
Feb	63,541	48,588	47,934	654
Mar	61,869	53,444	52,223	1,221
Apr	83,367	67,526	66,069	1,457
May	47,893	52,310	45,922	6,388
Jun	45,395			
Jul	51,852			
Aug	56,952			
Sep	69,563			
<b>TOTAL</b>	<b>\$ 710,321</b>	<b>\$ 440,414</b>	<b>\$ 420,300</b>	<b>\$ 20,114</b>
Budget	\$ 741,782	\$ 687,445	\$ 687,445	
Over/(under)	\$ (31,461)		\$ (267,145)	
YTD% expensed			61.1%	



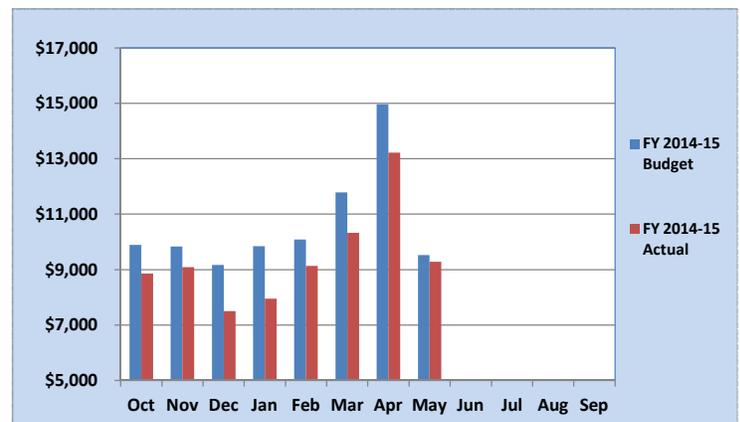
**EXPENDITURES ANALYSIS BY FUNCTION - General Fund**  
**Public Works**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 63,600	\$ 36,791	\$ 31,310	\$ 5,481
Nov	53,865	31,054	30,679	375
Dec	33,110	43,412	38,776	4,637
Jan	37,603	46,578	44,408	2,170
Feb	39,745	39,616	36,767	2,849
Mar	34,638	47,056	39,156	7,900
Apr	49,664	63,076	61,117	1,959
May	34,861	43,795	42,336	1,458
Jun	22,998			
Jul	44,721			
Aug	34,085			
Sep	73,599			
<b>TOTAL</b>	<b>\$ 522,488</b>	<b>\$ 351,378</b>	<b>\$ 324,549</b>	<b>\$ 26,829</b>
Budget	\$ 581,228	\$ 551,401	\$ 551,401	
Over/(under)	\$ (58,740)		\$ (226,852)	
YTD% expensed			58.9%	



**EXPENDITURES ANALYSIS BY FUNCTION - General Fund**  
**Community Development**

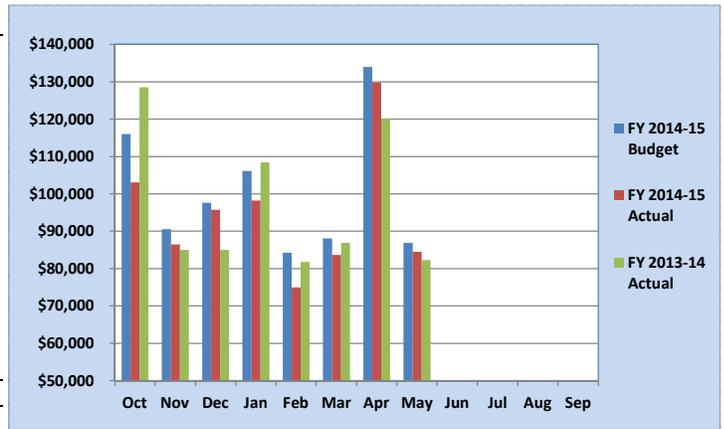
MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ -	\$ 9,895	\$ 8,859	\$ 1,036
Nov	-	9,837	9,089	748
Dec	-	9,162	7,504	1,658
Jan	-	9,840	7,949	1,891
Feb	-	10,080	9,130	951
Mar	-	11,789	10,325	1,464
Apr	-	14,967	13,223	1,744
May	-	9,523	9,284	238
Jun	-			
Jul	-			
Aug	-			
Sep	-			
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ 85,093</b>	<b>\$ 75,364</b>	<b>\$ 9,729</b>
Budget		\$ 126,496	\$ 126,496	
Over/(under)			\$ (51,132)	
YTD% expensed			59.6%	



**EXPENDITURES ANALYSIS BY FUNCTION - General Fund**

**Police Department**

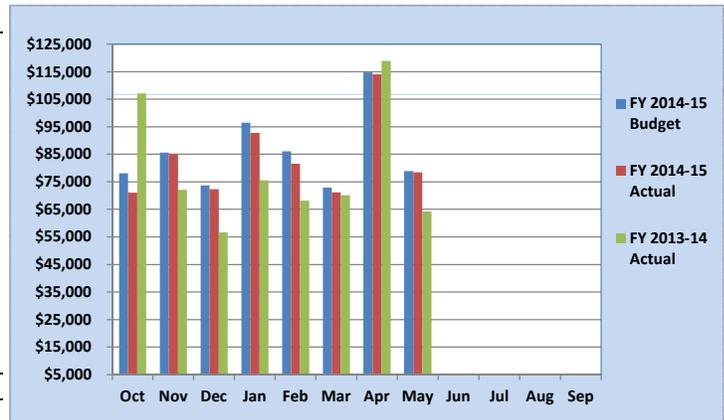
MONTH	FY 2013-14	FY 2014-15	FY 2014-15	Variance
	Actual	Budget	Actual	Favorable (Unfavorable)
Oct	\$ 128,523	\$ 116,033	\$ 103,027	\$ 13,006
Nov	85,023	90,549	86,444	4,105
Dec	84,987	97,580	95,726	1,855
Jan	108,468	106,129	98,220	7,909
Feb	81,808	84,230	74,966	9,264
Mar	86,915	88,072	83,633	4,439
Apr	120,201	133,956	129,811	4,145
May	82,306	86,920	84,524	2,396
Jun	68,698			
Jul	92,592			
Aug	82,303			
Sep	116,816			
<b>TOTAL</b>	<b>\$ 1,138,640</b>	<b>\$ 803,469</b>	<b>\$ 756,352</b>	<b>\$ 47,117</b>
Budget	\$ 1,199,054	\$ 1,275,908	\$ 1,275,908	
Over/(under)	\$ (60,414)		\$ (519,556)	
YTD% expensed			59.3%	



**EXPENDITURES ANALYSIS BY FUNCTION - General Fund**

**Fire Department**

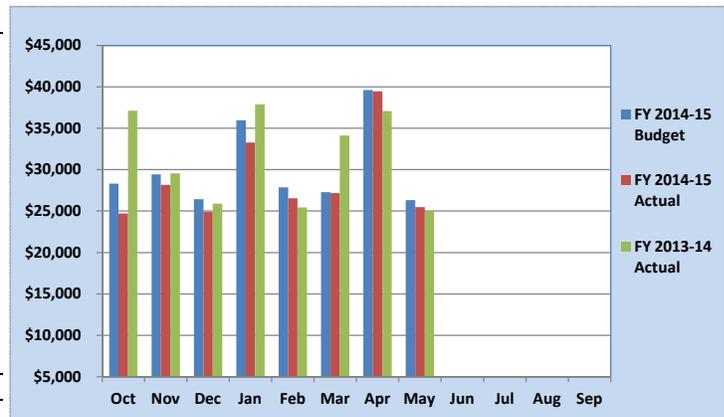
MONTH	FY 2013-14	FY 2014-15	FY 2014-15	Variance
	Actual	Budget	Actual	Favorable (Unfavorable)
Oct	\$ 107,084	\$ 78,136	\$ 71,099	\$ 7,037
Nov	72,154	85,601	85,089	512
Dec	56,611	73,773	72,301	1,472
Jan	75,569	96,470	92,841	3,629
Feb	68,184	86,138	81,581	4,557
Mar	70,148	72,944	71,192	1,752
Apr	118,947	114,709	114,096	613
May	64,192	78,976	78,512	465
Jun	70,073			
Jul	85,700			
Aug	72,740			
Sep	113,418			
<b>TOTAL</b>	<b>\$ 974,820</b>	<b>\$ 686,748</b>	<b>\$ 666,711</b>	<b>\$ 20,036</b>
Budget	\$ 970,290	\$ 1,021,287	\$ 1,021,287	
Over/(under)	\$ 4,530		\$ (354,576)	
YTD% expensed			65.3%	



**EXPENDITURES ANALYSIS BY FUNCTION - General Fund**

**Municipal Court**

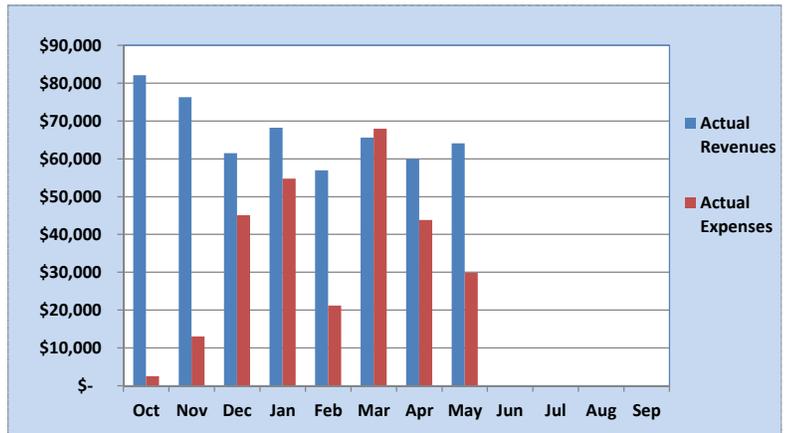
MONTH	FY 2013-14	FY 2014-15	FY 2014-15	Variance
	Actual	Budget	Actual	Favorable (Unfavorable)
Oct	\$ 37,104	\$ 28,302	\$ 24,727	\$ 3,575
Nov	29,562	29,443	28,182	1,261
Dec	25,905	26,425	24,888	1,537
Jan	37,889	35,951	33,267	2,684
Feb	25,425	27,845	26,562	1,283
Mar	34,119	27,275	27,183	92
Apr	37,062	39,591	39,444	147
May	25,026	26,321	25,462	859
Jun	23,054			
Jul	26,663			
Aug	25,604			
Sep	34,597			
<b>TOTAL</b>	<b>\$ 362,011</b>	<b>\$ 241,153</b>	<b>\$ 229,716</b>	<b>\$ 11,438</b>
Budget	\$ 371,232	\$ 352,441	\$ 352,441	
Over/(under)	\$ (9,221)		\$ (122,725)	
YTD% expensed			65.2%	



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**OVERALL FUND PERFORMANCE**  
**WATER AND SEWER OPERATING FUND REVENUES VS EXPENSES**

MONTH	Actual Revenues	Actual Expenses	Change in Net Position Increase (Decrease)
Oct	\$ 82,098	\$ 2,536	\$ 79,562
Nov	76,266	13,016	63,250
Dec	61,461	45,068	16,393
Jan	68,217	54,764	13,453
Feb	56,972	21,168	35,804
Mar	65,638	67,979	(2,341)
Apr	60,005	43,834	16,171
May	64,095	29,892	34,203
Jun			
Jul			
Aug			
Sep			
<b>TOTAL</b>	<b>\$ 534,752</b>	<b>\$ 278,257</b>	<b>\$ 256,495</b>
<i>Budget</i>	<i>\$ 919,700</i>	<i>\$ 697,453</i>	
<i>Over/(under)</i>	<i>\$ (384,948)</i>	<i>\$ (419,196)</i>	
<i>YTD % collected &amp; expensed</i>	<i>58.1%</i>	<i>39.9%</i>	



**Revenues:**

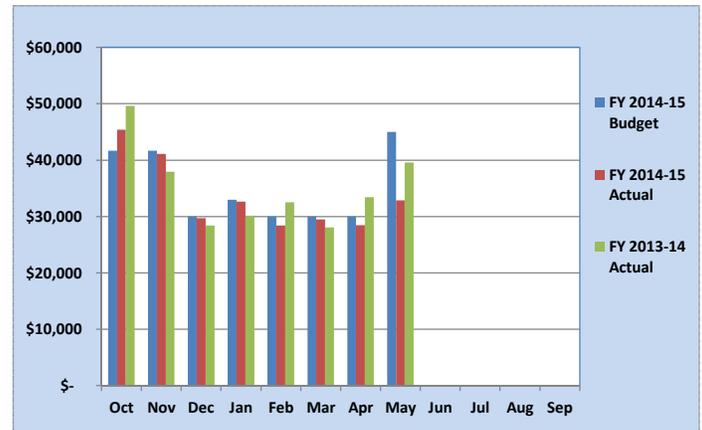
Revenues include collections from the sale of water, sewer service charge, late fees, admin service fees, interest earnings and other revenue. The Infrastructure Improvement fee is accounted for separately and therefore not included in this analysis. Water and Sewer operating fund revenues totaled \$534,752 as of May 31st. Compared to last year, revenues for the same period totaled \$552,474; about \$17,723 higher than the current fiscal year. Overall revenue period projections from water and sewer operations through the end of May were not met by approximately \$23,000.

**Expenses:**

Expenses through May 31st totaled \$278,257; approximately \$24,000 lower than last year's period expenses of \$303,075. The difference may be attributable to the timing of maintenance, repairs and capital purchases.

**REVENUE ANALYSIS - Water and Sewer Operating Fund**  
**FY 2015 WATER SALES**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 49,655	\$ 41,667	\$ 45,424	\$ 3,757
Nov	37,960	41,666	41,114	(552)
Dec	28,402	30,000	29,726	(274)
Jan	30,185	33,000	32,651	(349)
Feb	32,541	30,000	28,413	(1,587)
Mar	28,098	30,000	29,493	(507)
Apr	33,413	30,000	28,462	(1,538)
May	39,571	45,000	32,892	(12,108)
Jun	46,465	54,000		
Jul	40,468	54,000		
Aug	53,787	56,000		
Sep	43,337	54,667		
<b>TOTAL</b>	<b>\$ 463,881</b>	<b>\$ 500,000</b>	<b>\$ 268,176</b>	<b>\$ (13,157)</b>
<i>Budget</i>	<i>\$ 520,000</i>	<i>\$ 500,000</i>	<i>\$ 500,000</i>	
<i>Over/(under)</i>	<i>\$ (56,119)</i>		<i>\$ (231,824)</i>	
<i>YTD % collected</i>			<i>53.6%</i>	



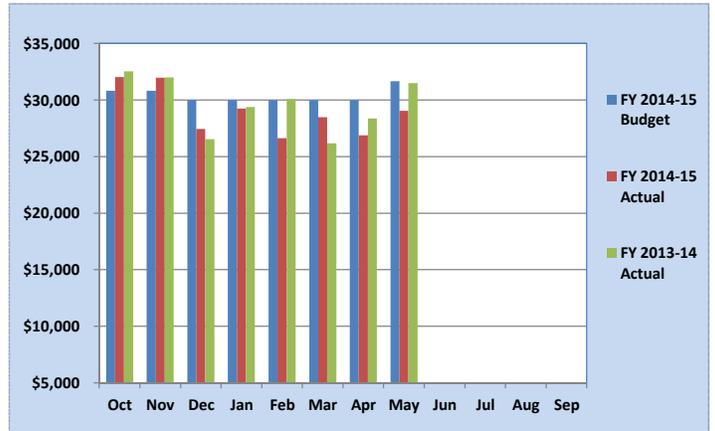
**Sale of Water**

**Description:** The Town of Pantego owns and operates a water system. Utility customer service bills and collects revenue from the sale of potable water to residential, commercial and mobile dwellings. Water sales are highly dependent upon weather conditions, therefore, revenue trends and projections are difficult to predict.

**Analysis:** Water sales through the end of May did not meet budget projections by \$13,157. Compared to last year's period revenue, revenue from the sale of water decreased by \$11,648 this year; from \$279,824 in FY 2014 to \$268,176 in FY 2015. If this trend continues through the end of the fiscal year, the overall budget projection of \$500,000 will not be met. At this point, staff anticipates this shortfall to be between \$30,000-\$35,000 in water revenue.

**REVENUE ANALYSIS - Water and Sewer Operating Fund  
FY 2015 SEWER SERVICE CHARGE**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 32,541	\$ 30,833	\$ 32,028	\$ 1,195
Nov	32,012	30,833	31,969	1,136
Dec	26,546	30,000	27,441	(2,559)
Jan	29,393	30,000	29,245	(755)
Feb	30,098	30,000	26,615	(3,385)
Mar	26,178	30,000	28,475	(1,525)
Apr	28,377	30,000	26,888	(3,112)
May	31,502	31,667	29,037	(2,630)
Jun	32,659	31,667		
Jul	30,709	31,667		
Aug	33,786	31,667		
Sep	26,299	31,666		
<b>TOTAL</b>	<b>\$ 360,099</b>	<b>\$ 370,000</b>	<b>\$ 231,698</b>	<b>\$ (11,635)</b>
Budget	\$ 375,000	\$ 370,000	\$ 370,000	
Over/(under)	\$ (14,901)		\$ (138,302)	
YTD % collected			62.6%	



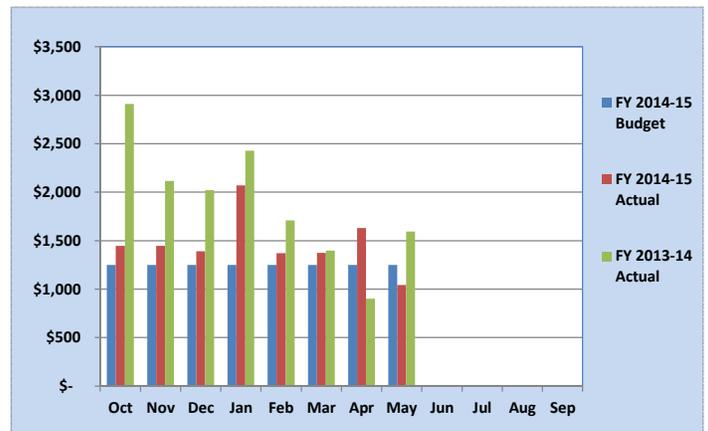
**Sewer Service Charge:**

**Description:** Utility customer service bills and collects revenue from the disposal of sewer discharge for residential, commercial and mobile dwellings. The Town of Pantego has contracts with the City of Fort Worth and the City of Arlington for the treatment of wastewater. These contracts require the Town to pay varying amounts based on the costs associated with the wastewater treated. As with water sales, sewer service charges are highly dependent upon weather conditions, therefore, revenue trends are more difficult to predict.

**Analysis:** Revenue collections from sewer service charges through May 31st failed to meet projections by \$11,635. However, when compared to last year's results, revenue from sewer service charges decreased only by \$4,948; from \$236,646 in FY 2014 to \$231,698 in FY 2015. So far, this year's sewer service charges are relatively similar to last year's sewer revenue trend. If this trend continues through the end of the fiscal year, staff expects overall revenue to be about \$10,000 - \$15,000 short of the original \$370,000 projection.

**REVENUE ANALYSIS - Water and Sewer Operating Fund  
FY 2015 LATE PAYMENT FEES**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 2,909	\$ 1,250	\$ 1,447	\$ 197
Nov	2,117	1,250	1,448	198
Dec	2,022	1,250	1,390	140
Jan	2,427	1,250	2,071	821
Feb	1,710	1,250	1,371	121
Mar	1,396	1,250	1,373	123
Apr	903	1,250	1,631	381
May	1,596	1,250	1,044	(206)
Jun	1,352	1,250		
Jul	1,397	1,250		
Aug	1,127	1,250		
Sep	1,589	1,250		
<b>TOTAL</b>	<b>\$ 20,545</b>	<b>\$ 15,000</b>	<b>\$ 11,775</b>	<b>\$ 1,775</b>
Budget	\$ 15,000	\$ 15,000	\$ 15,000	
Over/(under)	\$ 5,545		\$ (3,225)	
YTD % collected			78.5%	



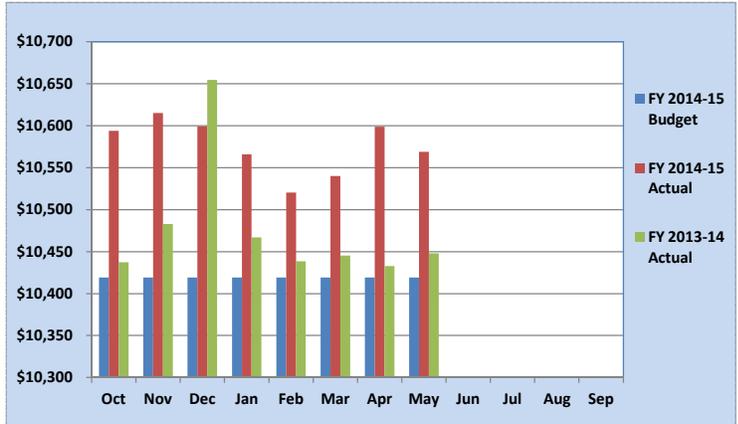
**Late payment fees:**

**Description:** All bills for monthly water, sewer and trash services are due upon receipt and are considered delinquent after the billing due date with a 10% of the balance due to be charged if payment in full is not received by the Town. In the event of delinquency in payment of the monthly service charges beyond 30 days after the date of billing, service is disconnected after two (2) days' notice to the customer. A fee is charged and collected for reconnection and restoration of service, as well as all unpaid billings plus penalties, before service is restored.

**Analysis:** Revenue from late fees through the end of May were \$1,775 higher than projected. However, compared to last year's actual revenue from late payments fees of \$15,080, collections this year for the same period are \$3,305 lower.

**REVENUE ANALYSIS - Water and Sewer Operating Fund  
FY 2015 GARBAGE & RECYCLING**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 10,438	\$ 10,419	\$ 10,594	\$ 175
Nov	10,483	10,419	10,615	196
Dec	10,654	10,419	10,599	180
Jan	10,467	10,419	10,566	147
Feb	10,438	10,419	10,520	101
Mar	10,445	10,419	10,540	121
Apr	10,433	10,419	10,599	180
May	10,448	10,419	10,569	150
Jun	10,485	10,419		
Jul	10,562	10,419		
Aug	10,561	10,419		
Sep	10,568	10,420		
<b>TOTAL</b>	<b>\$ 125,982</b>	<b>\$ 125,029</b>	<b>\$ 84,602</b>	<b>\$ 1,250</b>
Budget	\$ 130,700	\$ 125,029	\$ 125,029	
Over/(under)	\$ (4,718)		\$ (40,427)	
YTD % collected			67.7%	



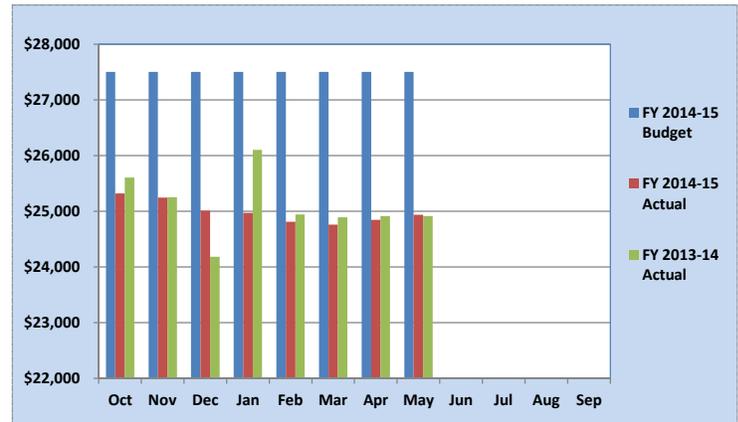
**Garbage & Recycling Fees**

**Description:** Revenue collected from garbage and recycling fees are charged for the residential and the commercial solid waste collection services. The Town of Pantego outsources this service, therefore the revenue collected through utility billing serves to cover the cost of the service to the Town.

**Analysis:** Garbage and recycling revenue collections through May 31st exceeded projections by \$1,250. Compared to last year's revenue of \$83,806, actual collections this year of \$84,602 reflect an increase of \$796 or 0.9%. Even though the number of garbage and recycling accounts remain almost unchanged, the cost of the garbage and recycling services to the Town increased slightly this year.

**REVENUE ANALYSIS - Water and Sewer - Infrastructure Fund  
FY 2015 INFRASTRUCTURE IMPROVEMENT FEES**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 25,603	\$ 27,500	\$ 25,318	\$ (2,182)
Nov	25,248	27,500	25,245	(2,255)
Dec	24,184	27,500	25,009	(2,491)
Jan	26,104	27,500	24,968	(2,532)
Feb	24,940	27,500	24,813	(2,687)
Mar	24,889	27,500	24,758	(2,742)
Apr	24,915	27,500	24,847	(2,653)
May	24,915	27,500	24,936	(2,564)
Jun	25,322	27,500		
Jul	25,252	27,500		
Aug	25,594	27,500		
Sep	23,147	27,500		
<b>TOTAL</b>	<b>\$ 300,113</b>	<b>\$ 330,000</b>	<b>\$ 199,894</b>	<b>\$ (20,106)</b>
Budget	\$ 330,000		\$ 330,000	
Over/(under)	\$ (29,887)		\$ (130,106)	
YTD % collected			60.6%	



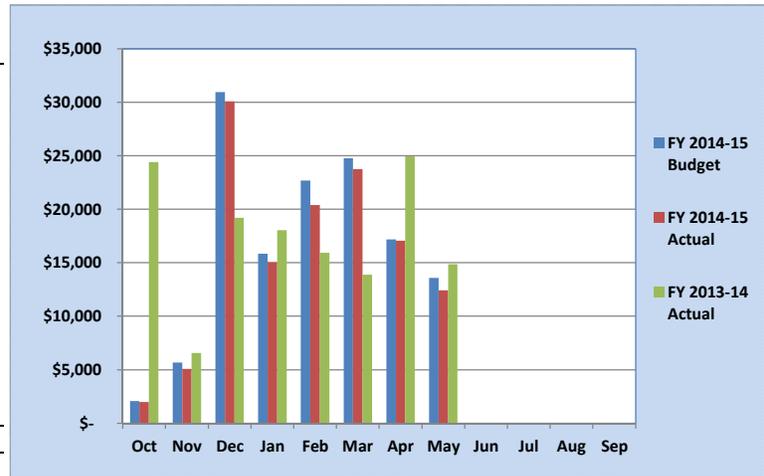
**Infrastructure Improvement Fee:**

**Description:** The object of the infrastructure improvement fee is to generate revenue from water sales by applying a specific charge that is based on the amounts of water each consumer consumes, and use it to pay for the water and sewer infrastructure projects identified by the water study commissioned by the Town Council in 2011.

**Analysis:** Revenue from infrastructure improvement fees through May 31st did not meet budget projections by \$20,106. When compared to last year revenue of \$200,798, this year's revenue for the same period decreased by \$904. If this trend continues through the end of the fiscal year, staff anticipates overall revenue to be about \$30,000 short of the original \$330,000 projection.

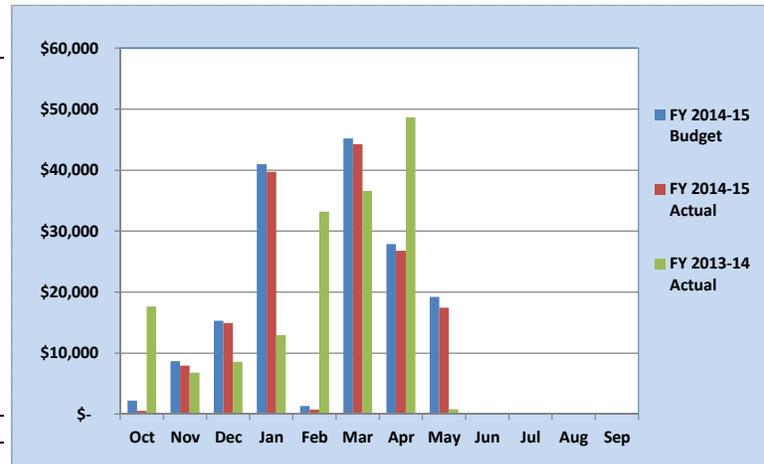
**EXPENSE ANALYSIS BY FUNCTION - Water and Sewer Operating Fund  
Water Department**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 24,410	\$ 2,083	\$ 1,975	\$ 108
Nov	6,560	5,656	5,073	583
Dec	19,214	30,967	30,108	859
Jan	18,043	15,857	15,039	818
Feb	15,934	22,703	20,394	2,309
Mar	13,888	24,789	23,766	1,023
Apr	24,953	17,180	17,056	124
May	14,864	13,595	12,427	1,167
Jun	2,849			
Jul	22,989			
Aug	3,753			
Sep	134,477			
<b>TOTAL</b>	<b>\$ 301,935</b>	<b>\$ 132,829</b>	<b>\$ 125,838</b>	<b>\$ 6,991</b>
Budget	\$ 292,887	\$ 324,070	\$ 324,070	
Over/(under)	\$ 9,048		\$ (198,232)	
YTD% expensed			38.8%	



**EXPENSE ANALYSIS BY FUNCTION - Water and Sewer Operating Fund  
Sewer Department**

MONTH	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Actual	Variance Favorable (Unfavorable)
Oct	\$ 17,659	\$ 2,199	\$ 561	\$ 1,638
Nov	6,799	8,699	7,943	756
Dec	8,565	15,300	14,960	340
Jan	12,974	40,996	39,725	1,271
Feb	33,206	1,329	738	591
Mar	36,584	45,199	44,250	949
Apr	48,641	27,898	26,778	1,120
May	780	19,199	17,465	1,734
Jun	7,698			
Jul	48,002			
Aug	28,949			
Sep	73,237			
<b>TOTAL</b>	<b>\$ 323,094</b>	<b>\$ 160,819</b>	<b>\$ 152,420</b>	<b>\$ 8,399</b>
Budget	\$ 331,605	\$ 373,383	\$ 373,383	
Over/(under)	\$ (8,511)		\$ (220,963)	
YTD% expensed			40.8%	





**TOWN OF PANTEGO, TEXAS**  
**Budget Summary of All Funds**  
**As of May 31, 2015**

**FISCAL YEAR 2014-2015**  
**SUMMARY OF ALL BUDGETED FUNDS**

	<u>BUDGET</u>	<u>YTD Actual</u>	<u>Variance Favorable (Unfavorable)</u>	<u>Percent Collected/ Expensed</u>
<b>REVENUES:</b>				
General Fund	\$ 3,732,484	\$ 2,860,633	\$ (871,851)	76.6%
Debt Service Fund	90,725	80,991	(9,734)	89.3%
Shamburger Fund	100	47	(53)	47.1%
Cartwright Fund	-	-	-	NA
Court Security Fund	15,000	8,644	(6,356)	57.6%
Court Technology Fund	32,000	21,746	(10,254)	68.0%
PantegoFest Fund	-	4,875	4,875	NA
Street Improvement Fund	260,332	190,116	(70,216)	73.0%
Park Row Fund	260,000	-	(260,000)	0.0%
Capital Project Fund	73,870	2,708	(71,162)	3.7%
Water/Sewer Operating	919,700	534,760	(384,940)	58.1%
Water/Sewer Construction	-	-	-	NA
Water/Sewer Infrastructure	330,000	199,894	(130,106)	60.6%
<b>Total Revenues</b>	<b>\$ 5,714,211</b>	<b>\$ 3,904,414</b>	<b>\$ (1,809,797)</b>	<b>68.3%</b>
<b>EXPENSES:</b>				
General Fund	\$ 4,034,978	\$ 2,492,161	\$ 1,542,817	61.8%
Debt Service Fund	87,475	3,860	83,615	4.4%
Shamburger Fund	1,200	927	273	77.3%
Cartwright Fund	3,500	3,473	27	99.2%
Court Security Fund	2,773	2,698	75	97.3%
Court Technology Fund	13,175	9,176	3,999	69.6%
PantegoFest Fund	-	5,484	(5,484)	NA
Street Improvement Fund	446,000	3,083	442,917	0.7%
Park Row Fund	1,767,000	10,439	1,756,561	0.6%
Capital Project Fund	299,078	237,858	61,220	79.5%
Water/Sewer Operating	697,453	278,258	419,195	39.9%
Water/Sewer Construction	368,800	8,669	360,131	2.4%
Water/Sewer Infrastructure	229,000	13,352	215,648	5.8%
<b>Total Expenses</b>	<b>\$ 7,950,432</b>	<b>\$ 3,069,438</b>	<b>\$ 4,880,994</b>	<b>38.6%</b>



## PANTEGO PUBLIC SAFETY



### **PUBLIC SAFETY MONTHLY ACTIVITY SUMMARY- May 2015**

#### **Personnel**

All positions have been filled for police officer and dispatcher. Tyler Bonner is the newest officer and he is fresh from the academy with no prior experience. The two dispatch positions are now occupied by Karen St. Valentine and Cindy Pontley. Karen has no previous experience and Cindy has worked at three previous agencies as a dispatcher.

Part-time firefighters are being utilized whenever possible to alleviate the use of overtime. The recruitment of additional part-time firefighters is ongoing.

Firefighter Reynolds has been informed that he will be deployed by the National Guard in 2017 with his pre-deployment training to begin in late 2016.

Officer Stephen Meinke received a card of thanks for his actions during a recent traffic stop. Officer Meinke also received a note of appreciation from Lieutenant Blake Slater for his alertness in discovering a small arching wire that prevented a more serious fire.

Officer Marquez received a thank you from a woman whose son was assisted by him during a storm in early May.

Ms. Theresa Kellam expressed her appreciation to the Police Department for helping her with a stalking situation. Credit goes to Detective Sergeant Chris Whitwell and to the officers who helped alleviate her situation.

On May 3<sup>rd</sup> Firefighters on A-Shift, De Leon, Nock and Reynolds, successfully treated and transported a patient who was suffering from a STEMI (ST segment elevation myocardial infarction). A STEMI is a deadly type of heart attack that is caused by a prolonged blockage of blood supply in the heart. Every year, approximately 250,000 people experience STEMI heart attacks. Our crew was congratulated by the staff at Medical Center of Arlington for their rapid recognition of the condition that resulted in a record time from patient arrival at the ER to reperfusion of the blocked artery.

All of the above mentioned commendations serve to reflect that our personnel are some of the best in the profession and that they deserve every possible recognition and reward that our citizens can provide.

#### **Operational Issues**

##### **Fire Department**

Licensing for the new Medic-1 is still waiting on the State. The State has provided authorization to utilize M-1 as a backup by removing the license from M-2 and placing it into the new ambulance until we receive the permanent license for M-1.

The new Lucas chest compression device has been utilized on at least one EMS incident.

Fire inspection billing totaled approximately \$1,675 for the month of May. Part-time fire inspectors are assisting with the backlog of inspections. Using part-time personnel is allowing for more inspections to be accomplished.

### **Police Department**

So far the department has received two applications for solicitor's permits. Both applications were processed without incident and the permits issued.

### **Training**

### **Police Department**

Assistant Chief Reeves and Sergeant Moore attended a Hiring and Recruiting class. Chief Reeves also attended a Freedom of Information Act seminar.

### **Emergency Management**

On May 26<sup>th</sup>-27<sup>th</sup> storms knocked over a tree at a residence on Cresthaven into utility lines. No one was injured and power was not interrupted.

Respectfully submitted,

A handwritten signature in blue ink that reads "Thomas D. Griffith". The signature is written in a cursive style.

Thomas D. Griffith  
Chief of Public Safety

# PANTEGO POLICE DEPARTMENT OFFICER ACTIVITY REPORT

May, 2015

## Citations/Traffic Stops

<b>Officer</b>	<b>Citations</b>	<b>Traffic Stops</b>	<b>Citations YTD</b>
Griffith	0	2	2
Reeves	4	4	26
Moore	104	81	506
Bruton	80	86	385
Hubbell	79	69	561
Meinke	79	62	320
Marquez	15	26	126
Morgan	103	107	348
Bonner	0	0	0
Watson	81	62	521
Martin	78	75	202
Whitwell	0	0	0
<b>TOTALS</b>	<b>623</b>	<b>574</b>	<b>2,438</b>

## Vehicle Crashes

<b>Crash Type</b>	<b>Quantity.</b>	<b>YTD</b>
<b>Minor</b>	11	28
<b>Major</b>	3	18
<b>Hit &amp; Run</b>	3	4
<b>TOTALS</b>	17	50
<b>Crashes reported to State</b>	6	27

## Incident Activity

<b>Officer</b>	<b>Total Calls</b>	<b>Dispatch</b>	<b>Self- Initiated</b>	<b>Arrests</b>	<b>Ytd/ arrests</b>
400 Griffith	20	7	13	0	0
600 Reeves	31	10	21	1	3
610 Whitwell	24	12	12	0	0
620 Moore	181	22	159	14	89
602 Bruton	310	54	256	15	51
603 Hubbell	162	29	133	1	28
604 Meinke	252	65	187	4	52

# PANTEGO POLICE DEPARTMENT OFFICER ACTIVITY REPORT

605	Marquez	151	27	124	10	37
606	Morgan	291	48	243	13	96
607	Bonner	0	0	0	0	0
608	Watson	227	73	156	7	45
609	Martin	281	34	247	23	68
710	Alexander				2	18
711	Hopkins				1	17
<b>Totals</b>		<b>1,930</b>	<b>381</b>	<b>1,551</b>	<b>91</b>	<b>504</b>

**Average     2:29**  
**Response**  
**Time**

Respectfully,



Barry Reeves  
Assistant Chief of Police

# PANTEGO POLICE DEPARTMENT CRIMINAL INVESTIGATIONS REPORT



This report includes cases received in CID for the month of May, 2015 including cases filed with the District Attorney's office, active cases, and offenses cleared.

<b>Offenses Received</b>	<b>Quan.</b>	<b>YTD</b>
Assault	3	7
Assault Family Violence	1	2
Burglary/Building	1	4
Burglary/Coin-op	1	1
Burglary/Vehicle	3	6
Burglary/Residence	0	3
Manufacture and Delivery	0	2
Criminal Mischief	3	9
DWI	6	29
DWLI	0	1
Evading or Resisting Arrest/Detention	0	3
Failure to ID	1	12
Fraud	6	18
Graffiti	0	0
Poss. Controlled Subst.	6	22
Poss. Marijuana	12	39
Robbery	0	0
Theft	8	30
Theft of Motor Vehicle	1	2
Other	4	15
<b>Total Received</b>	<b>56</b>	<b>205</b>

<b>Case Dispositions of Above Totals</b>	<b>Month</b>	<b>YTD</b>
Cases Active	15	59
Cases Cleared	41	141
Cleared Cases Filed with DA	21	77
Cases Suspended-Pending Leads	0	5

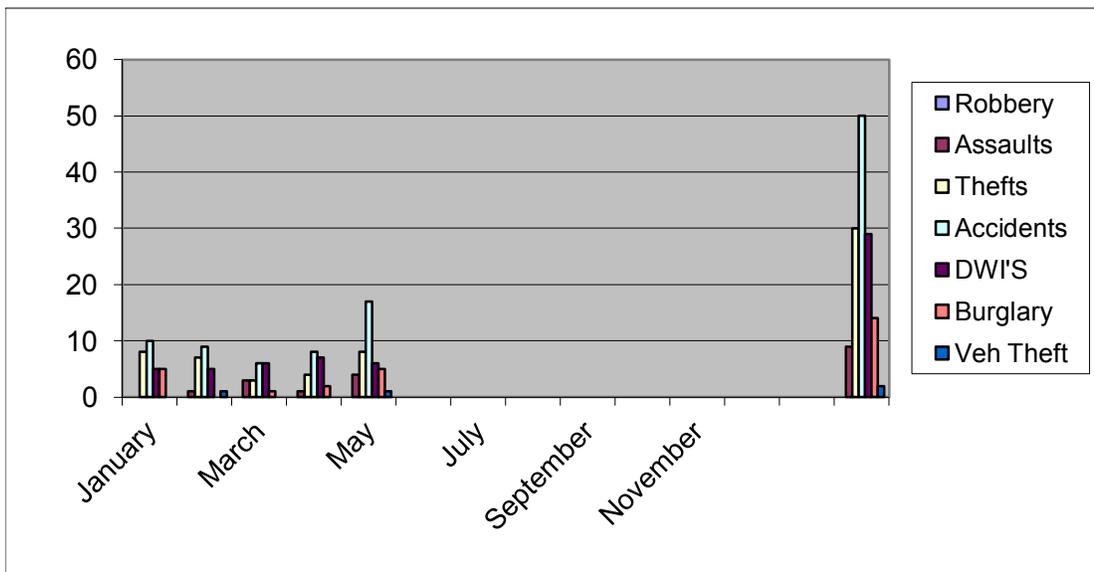
<b>Cases Filed with DA from Previous Report Periods</b>	6	20
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Respectfully submitted,

Chris Whitwell, Detective

2015 Crime Stat's

2015 Monthly	Robbery	Assaults	Thefts	Accidents	DWI'S	Burglary	Veh Theft
January	0	0	8	10	5	5	0
February	0	1	7	9	5	0	1
March	0	3	3	6	6	1	0
April	0	1	4	8	7	2	0
May	0	4	8	17	6	5	1
June							
July							
August							
September							
October							
November							
December							
Totals	0	9	30	50	29	14	2





Unintentional Transmission of Alarm					2	3	
Smoke Detector Activation - No Fire		3	2		1	2	
Bomb Scare - No Bomb							
System Malfunction		1	1		1	1	
False Alarm or False Call, Other		4	6	2	12	10	
CO Detector Activation, Malfunction			1			1	
Sprinkler Activation, no fire							
<b>Special Incident Type</b>							
Citizen Complaint							
Special Incident Type, Other							
Mutual Aid							
<b>TOTAL FIRE INCIDENTS</b>		<b>21</b>	<b>113</b>	<b>72</b>	<b>29</b>	<b>196</b>	<b>128</b>
<b>AVERAGE FIRE RESPONSE TIME - PANTEGO</b>			3.4				
<b>AVERAGE FIRE SCENE TIME - PANTEGO</b>			30.7				
<b>AVERAGE FIRE TIME - ARLINGTON</b>			14.7				



<b>PANTEGO FIRE RESCUE</b>							
<b>MONTHLY ACTIVITY SUMMARY</b>							
<b>31-May-15</b>							
<b>FIRE TRAINING</b>							
<b>CLASS SUBJECT</b>	<b>HOURS</b>	<b>YTD</b>					
Fire Behavior	4	30					
Live Fire Training.	4						
<b>TOTAL HOURS</b>							
<b>EMS TRAINING</b>							
<b>CLASS SUBJECT</b>	<b>HOURS</b>	<b>YTD</b>					
Abuse and Assault, EMS special considerations.	4	24					
<b>PUBLIC EDUCATION</b>	<b>MONTH</b>	<b>YTD</b>	<b>MONTH</b>	<b>YTD</b>	<b>MONTH</b>	<b>YTD</b>	<b>MONTH</b>
			<b>ADULTS</b>	<b>YTD</b>	<b>CHILDREN</b>	<b>YTD</b>	
Fire Extinguisher Class							
School Presentations							
B-day parties							
Spray Downs							
Station Tours		1	10	10	25	25	
Special Events		1	100	100	200	200	
Home Inspections							
Public Safety Forums							
Fall Risk Assessment							
<b>TOTAL CONTACTS</b>							
<b>BUSINESS INSPECTIONS</b>	<b>MONTH</b>	<b>YTD</b>					
Initial	92	321					
Re-Inspections	12	12					
Plans Review Completed		5					
C.O Issued	7	36					



OFF. STEPHEN MEINKE

As you know, we are strong supporters of Panteqo and have been for some forty years. The Panteqo Police & fire department are super in always. I recently had a very good experience with Officer Steven as he did his duties in a great & very courteous manner. I was wrong, even though my actions had no evil intent, & learned a lesson from this experience. He handled it well & very professional & courteous manner. It made us even more proud of our city & police. His alertness & professional manner was great.

Dary Brabham

**Tom Griffith**

---

**From:** Blake Slater  
**Sent:** Sunday, May 10, 2015 10:35 AM  
**To:** Robert Coker; Barry Reeves  
**Cc:** Tom Griffith  
**Subject:** Meinke/15-0695 2221 Arkansas ste 102

I don't give many "atta boys" but Stephen is getting a good one. He was on his patrol and noticed a business with a tiny arching wire and further investigated. We responded and witnessed a very small smoldering 110 line to a exterior A-B corner to a light with scoring to the structure. It is my opinion that the wire would have ignited the underside of the eve and extended into their attic space. Most people would have never noticed what he saw...He was paying attention to detail and that saved one of our towns businesses. Proud to be working with some good folks.

**Tom Griffith**

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**From:** Barry Reeves  
**Sent:** Monday, May 11, 2015 10:48 AM  
**To:** Michael Marquez  
**Cc:** Tom Griffith; Ben Moore; Christopher Whitwell  
**Subject:** Compliment

I received a voice mail from a mother(DWG resident) of a young man you assisting during the storm on Friday night. She wanted to let us know that she was very thankful for your assistance with her son.

Barry Reeves  
Assistant Chief of Police  
Pantego Police Department  
2600 Miller Lane  
Pantego, Texas 76013  
Main: 817-274-2511  
Office: 817-617-3741

**Tom Griffith**

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**From:** noreply@civicplus.com  
**Sent:** Monday, May 11, 2015 2:02 PM  
**To:** Matthew Fielder; Josh Brown; Barry Reeves; Robert Coker; Chad Joyce; Scott Williams; Tom Griffith; Junior Marquez; municipalservices@sbcglobal.net  
**Subject:** Online Form Submittal: FixIt Form

The following form was submitted via your website: FixIt Form

Your Name:: Theresa Kellam

Your Address:: 1600 Arrowhead Dr.

Phone Number: (numeric only): 8173137899

Email Address:: [drkellam@well.com](mailto:drkellam@well.com)

<br>Please Indicate Your Problem by Checking the Appropriate Box: Other

<br>Brief Description (or other problem not listed): I don't have a complaint. I just want to say how much I appreciate the Pantego Police. Is there a place I can post publicly on the site? They have helped me deal with a very stressful situation with someone who has harassed and stalked me for 3 years. I've worked with the Fort Worth, Arlington and San Antonio Police department, but only Pantego Police helped me. They went above and beyond, especially Sgt. Moore. I feel so lucky to live in a community where the policeman really care about me and my family. Sincerely, Theresa Kellam

Additional Information:

Form submitted on: 5/11/2015 2:02:29 PM

Submitted from IP Address: 68.94.7.38

Referrer Page: <http://www.townofpantego.com/index.aspx?nid=431>

Form Address: <http://www.townofpantego.com/Forms.aspx?FID=39>

**Tom Griffith**

---

**From:** Robert Coker  
**Sent:** Thursday, May 07, 2015 1:21 PM  
**To:** Tom Griffith  
**Subject:** Fwd: STEMI FOLLOW-UP  
**Attachments:** I00968176745.pdf

This is the stemi the guys ran.

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** [Donald.Tucker2@hcahealthcare.com](mailto:Donald.Tucker2@hcahealthcare.com)  
**Date:** 05/07/2015 10:09 AM (GMT-06:00)  
**To:** Robert Coker <[rcoker@townofpantego.com](mailto:rcoker@townofpantego.com)>, [ryamada@phihelico.com](mailto:ryamada@phihelico.com)  
**Subject:** STEMI FOLLOW-UP

Please review the following. Your crew did an amazing job especially with the early notification and transmission of the EKG.

-Don

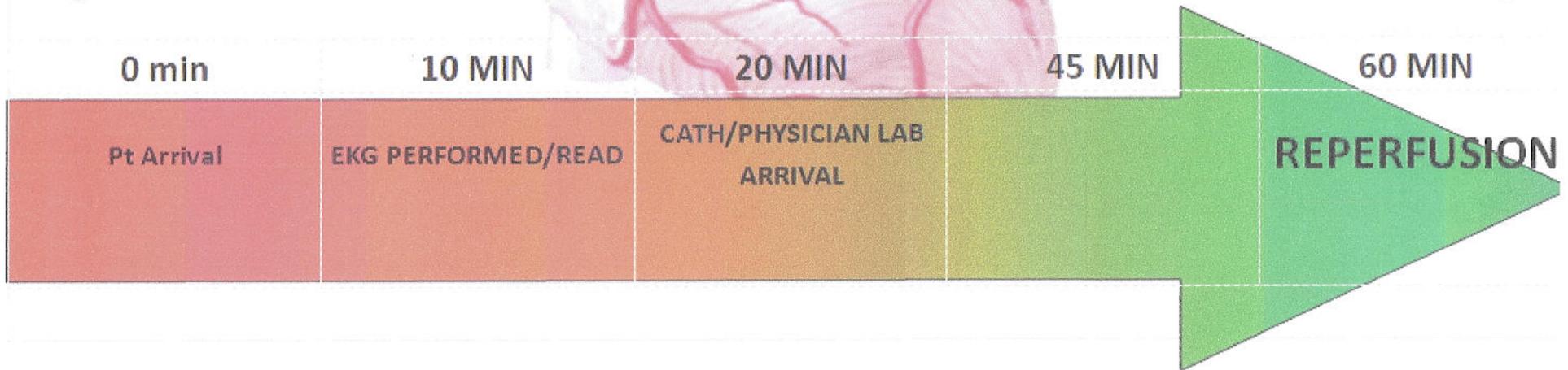


# EMS STEMI: TIME IS MUSCLE

CURRENT FASTEST TIME FOR MAY:  
UNIT 2 ON 05/03/15



ED DOOR TO REPERFUSION **56** MINUTES



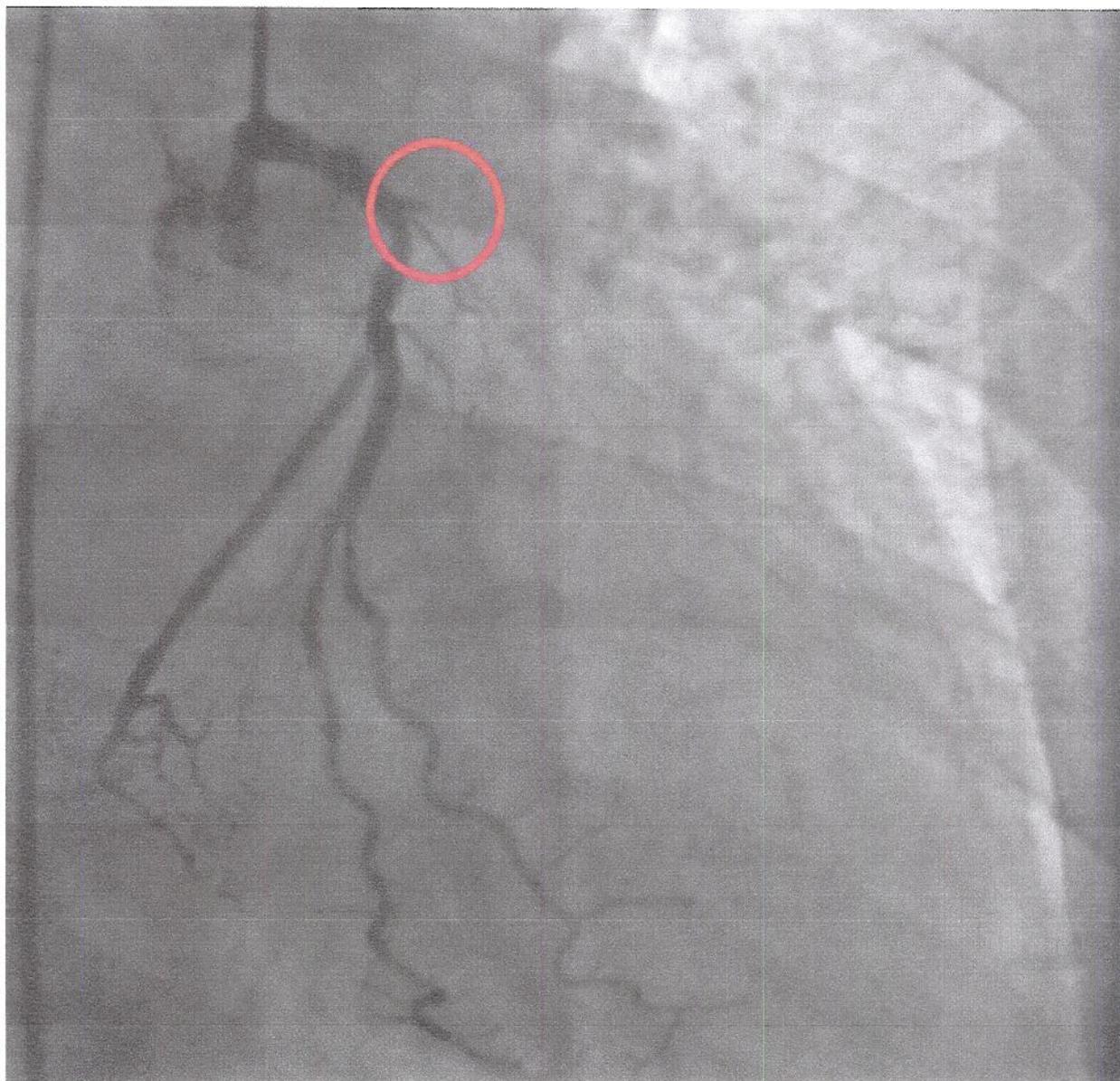
**EMS Follow Up Form**

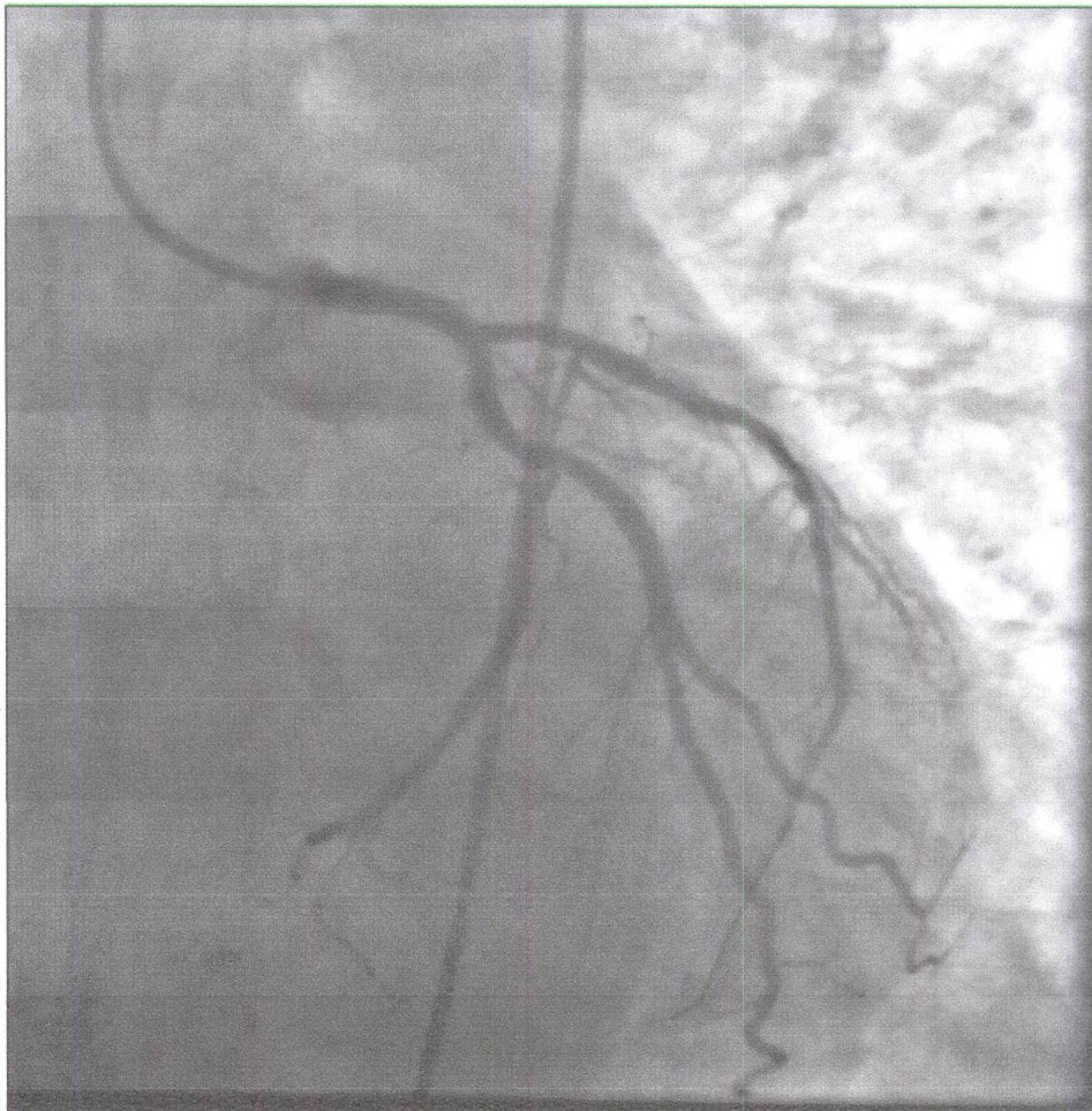
Date: 5/3/2015

47

Transporting Unit: PANTEGO M2

Run Number: NA







## PUBLIC WORKS REPORT May 2015

### **AMINISTRATIVE/PROJECTS/ENGINEERING**

- Capital Improvement: Utility lines were located and notices were handed out to all businesses on Park Row that would be affected by the Park Row water line replacement
- Reviewed the 65% plans - Wagon Wheel W/WW line replacement
- Park Row Project Started – SYB mobilized Set up traffic control



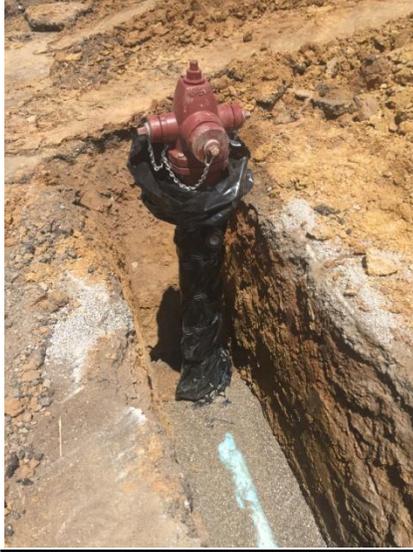
## **CONTINUED: AMINISTRATIVE/PROJECTS/ENGINEERING**

- SYB – started laying pipe As of 5/29/2015 700' of 10" pipe has been installed
- SYB – has installed 3 – 10" valves 3 – 6" valve



## **CONTINUED: AMINISTRATIVE/PROJECTS/ENGINEERING**

- Private Development: Dollar Tree contractors successfully completed pressure and Bac-T test adding one more operating hydrant to our system.



- Contractor completed bore into existing manhole, cleaned and opened main line at manhole.



## **STREETS and DRAINAGE**

- (5) street signs were replaced that were cracked and faded
- Swept street on Silverleaf to help drainage and prevent gravel buildup
- Branches were chipped and trash was picked up behind 2224 Park Row for contractors to use as staging area for their equipment
- Inspected and removed debris from creek channel and flumes
- Pioneer Parkway medians and Bowen centerline sprayed for weeds
- (3) yards of hot mix asphalt filled potholes at Bowen and Park Row and around town
- Trees were trimmed around southern most school zone light on Bowen to increase visibility
- Mowed, edge, and blow Pompano Court, Westchester, Arkansas medians, Alley, and Cobble Ct
- Filled pothole at Silverleaf and Peachtree - Country Club and Arrowhead - 1607 Wagonwheel - Bowen and Par Row intersection - 2400 Park Row – Newsome - Peachtree and Chisholm - Doral and Smith Barry – Kidd
- Filled potholes at Town Hall parking lot
- Total amount of potholes filled approximately 450sqft
- Note: We survived the record rain falls of May 2015!

## **TOWN FACILITIES**

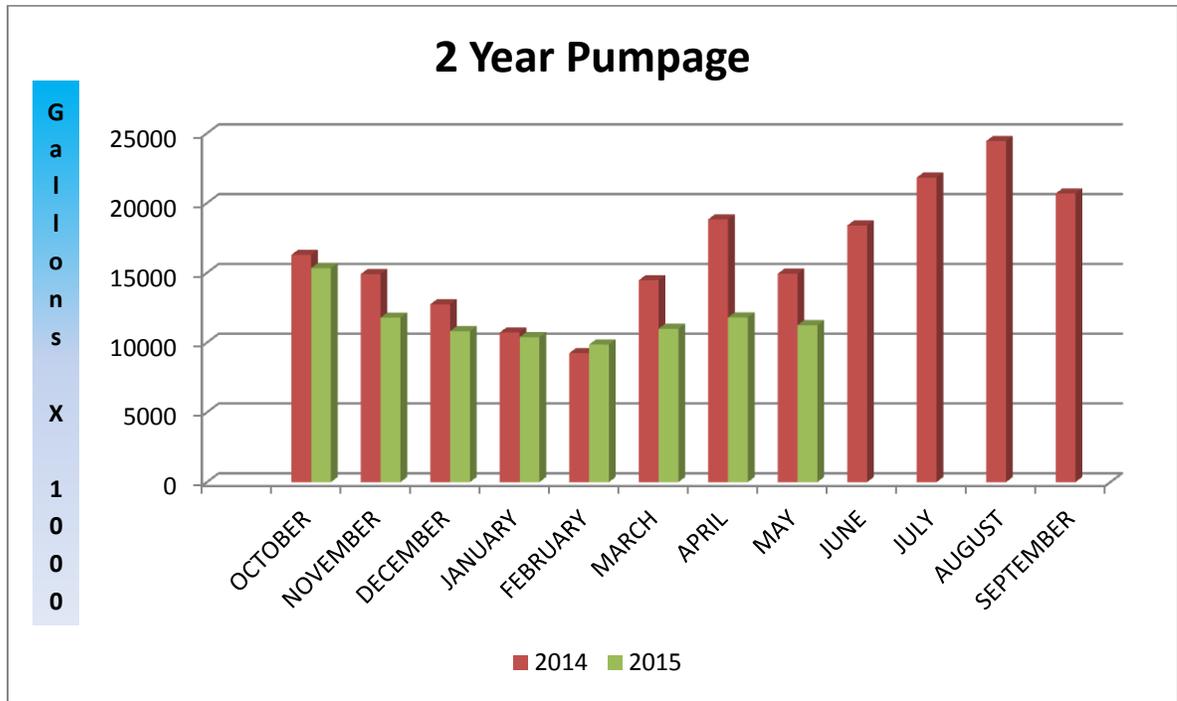
- Daily general policing of the Town Hall building and surrounding area
- Replaced 9 HVAC filters at PW, Town Hall, and Fire Dept
- Town Hall and Police Dept. - mowed, edged, and blown off

## **PARK OPERATIONS**

- Daily cleaning at the restrooms
- Ron worked with Lions Club to spread mulch
- New ballasts were installed on park marquee to replace nonworking lights
- Park mowed by Landtech Systems

## **UTILITY BILLING**

May Billing for 1,193 Accounts \$96,153.18	May Past Due Balances \$1,742.68
May Billing for Garbage \$7,735.56	May Billing for Recycling \$2,044.15



## **WATER: WELLS AND DISTRIBUTION**

- Total water production 11,246,000
- Average daily production 362,800
- 162 residual samples taken – average chlorine residual (.40)
- 2 total coliform / ecoli samples taken – all tests negative
- 1193 meters read, 15 rereads
- 26 - dead end hydrants flushed
- 32 - work orders completed relating to water turn on and turn offs, leaks, meter replacements, etc
- Replaced failed gasket and bolts on meter at 2424 W. Pioneer(McDonalds)
- Replace failed gasket on hydrant at 2401 W. Pioneer
- (4) Leaking services valves replaced
- Installed valve stacks around valves and added sod to area around hydrant at 2401 Pioneer (Water main repair, with (2) 10" control valves added and (1) 6" hydrant valve replaced from previous report)



## **CONTINUED: WATER: WELLS AND DISTRIBUTION**

- 5 meters on well heads were calibrated for TCEQ Compliance
- Nora, 303, Lane, and Stolper well site mowed, edged, and blown
- (3) Cut off notices were issued
- (1) setter updated to re-setter after service valve was broken
- (1) residential meter replaced

## **WASTEWATER**

- Cleaned the Lift Station bar screen and bagged the solids (12) times for the month.
- Lift Station was mowed, edged, and blown
- Lift station high level alarm has been active from excessive rain and I&I but there have been no overflows
- (29) Inflow manhole catch basins were installed to prevent inflow and infiltration (I&I)
- 500 ft of sewer jetting was completed
- Coordinated with SYB Construction to affect an emergency sewer lateral repair at Dairy Queen. The lateral line is the section of pipe that is in the dedicated ROW, which had a 100% failure from a collapsed section.



## **PUBLIC WORKS MAINTENANCE**

- State Inspection and registration was completed on (2) trucks
- Backhoe was repaired and serviced by Dan's Automotive, exhaust leak and broken bolt in motor housing
- Catalytic converter was stolen / remove from the dump truck and had to be replaced before the truck was operational
- General gas powered equipment serviced
- (12) Work orders and service calls, relating to trap requests, animal locates, line locates, sinkholes, residential sewer issues, and misc

## **ANIMAL SERVICES**

- (2) Dogs were picked up and the owners were located, (1) was fostered by Cherie Charboneau until the owner was located.
- (4) Cats were picked up and taken to Ft Worth Animal Services
- (1) Raccoon picked up and relocated

## **CONTINUED: ANIMAL SERVICES**

- (1) Dog was picked up and is now being fostered by Sheila Sherman
- Mosquito traps placed and recovered and taken to Tarrant County for analysis-(4) traps-(1) time per week

## **EVENTS**

- Memorial Day Event was cancelled due to inclement weather
- Planning for the June "Movie Night"

## **ADDITIONAL ITEMS**

- Memorial Day Holiday was on May 25<sup>th</sup>
- Ron Johnston celebrated his Birthday
- Scott Williams attended the Texas Municipal Utility Association (TMUA) Conference, TML Affiliate Organization, additionally, he moved from serving as the President elect, to serving as the President for the TMUA
- Joshua Brown attended Water Utilities Management



## COMMUNITY DEVELOPMENT REPORT – MAY 2015

### **ENVIRONMENTAL SERVICES**

- **Storm Water Ordinance**

Staff has been working to update the Storm Water Ordinance for the Town. The proposed ordinance will be presented to Town Council at the June 8, 2015 meeting.

- **West Nile Testing**

	2600 Miller Lane	3613 Shady Valley Drive	Roaming #1	Roaming #2
5/6*	0	6	6 (4 Cobble Court)	0 (2610 Melbourne Court)
5/13	10	11	22 (3524 Garner Blvd)	1 (2007 W Pioneer Pkwy)
5/20	3	9	122 (2800 Sarah Drive)	15 (1709 Hilltop Lane)
5/27	14	18	46 (1604 Nora Drive)	13 (1927 W Arkansas Lane)

\*Rain Event during this week caused malfunction of traps.

This season Tarrant County is monitoring for human cases of the following viruses:

- Dengue Virus (DENV) – 1 imported case
- Chikungunya Virus (CHIKV) – 1 imported case
- St. Louis Encephalitis Virus (SLEV) - none
- West Nile Virus (WNV) - none

### **PLANNING AND ZONING**

- **Zoning Ordinance Update**

Town Council met on May 18, 2015 to discuss the Zoning Ordinance Update. A draft is being created and sent to the City Attorney for review. Town Council will continue review once the City Attorney review is complete.

- **ASE ICE Special Use Permit Update**

The Planning and Zoning Commission recommended, and Town Council approved, the Special Use Permit renewal for ASE ICE at 1555 S Bowen Road. The SUP was extended for ten years until 2026.

- **Linda Simic Special Use Permits**

The Planning and Zoning Commission recommended, and Town Council approved, the Special Use Permit requests for Linda Simic to locate an alcoholic beverage establishment and to sell alcohol (mixed beverage-late hours) at 2304 W Park Row Drive #25 in the Lakewood Shopping Center.

- **Verizon Special Use Permit**

The Planning and Zoning Commission recommended, and Town Council approved, the Special Use Permit request from Verizon Wireless to amend the Special Use Permit for the cellular tower at 3253 W Pioneer Pkwy, in Northlake Shopping Center, to collocate antennae and ground equipment on the existing tower and site.

- **The Prayer Room**

Brad Stroup has made application for a Special Use Permit to establish a ministry center at 1503 Nora Drive. This application will be placed on the Planning and Zoning Commission agenda for June 1, 2015.

- **Church of Hope, Inc.**

Philip E. Parker has made application for a Special Use Permit to establish a church at 2401 W Pioneer Pkwy #151 in the Pecan Park Shopping Center. This application will be placed on the Planning and Zoning Commission agenda for June 1, 2015.

## **CONSTRUCTION AND DEVELOPMENT**

- **2305 West Park Row Drive**

Construction is ongoing for a 10,000 square foot building on the Westbury Square property. The building will be occupied by Dollar Tree.

- **Camp Thurman**

The pool improvements for Camp Thurman are well underway. The concrete has been poured for the pool remodel and lazy river. The pool mechanical building and utility upgrades are under construction as well.

- **1607 S Bowen Road**

Construction is underway for the remodel of the 5,400 square foot building at 1607 S Bowen Road (previously Papa Murphy's and Bullchicks). The new use will be Complete Emergency Care, a 24-hour emergency care clinic.

- **1503 Nora Drive**

Plans and permit applications have been submitted to remodel the existing two-story building at 1503 Nora Drive. Proposed improvements include the enclosure of the area under the second story balcony, enclosure of the stairways and interior remodel. The plans are under review.

- **2416 W Park Row Drive**

Plans and permits have been approved to expand Dr. Jeckyll's Beer Lab to an adjacent suite and to the exterior of the present building. The interior remodel will include additional seating area, a future kitchen and office space. The plans also include an outside patio seating area under the existing sidewalk awning.

- **2227 W Park Row Drive, Suite C**

Construction is near completion for the remodel of this suite in Park Row West shopping center. Elgan's Salon will be moving from their present location in the same shopping center to this location.

- **2304 W Park Row Drive, Suite 10**

Plans and permits have been approved to remodel the interior and patio areas of Mijo's Mexican Restaurant. The improvements will include a new bar, improved patio access, a new grease trap and the enclosure of the kitchen area. Construction is underway.

- **2306 Superior Drive**

Plans and permit applications have been submitted for the addition of a second floor showroom area at North Texas Carpet. Plans are currently under review.

- **Mistletoe Court Construction**

Construction of a 5,531 square foot single-family residential building at 2917 Mistletoe Court is ongoing.

- **Park Row Court Construction**

Construction of a 3,445 square foot single-family residential building at 14 Park Row Court is ongoing.

- **Nora Drive Construction**

Plans and permits have been submitted to construct a 3,083 square foot single-family residential building at 1704 Nora Drive. The plans are currently under review.

- **Smith Barry Farms Subdivision**

- Construction of a 3,187 square foot single-family residential building at 2610 Melbourne Court is complete.

## **CERTIFICATES OF OCCUPANCY**

### **Issued**

- United Educators Association – 2918 W Park Row Dr – Educator Association – New Business
- Kap-Stohn Electric – 2407 W Park Row Dr (B) – Electrical Contractor – New Business
- Luxury Autosports – 1924 W Pioneer Pkwy (A) – Auto Repair – New Business

### **Pending**

- Brighter Days STEM Academy – 2221 W Arkansas Ln #106 – Learning Center – New Business
- A Better You Counseling Service – 3603 W Pioneer Pkwy (A) – Counseling Service – New Business
- Triton Tree and Lawn Care – 2026 W Pioneer Pkwy (D1) – Tree and Lawn Care – New Business
- Perna’s – 2304 W Park Row Dr #21 – Restaurant – New Business
- Reeves Law Center – 2615 W Pioneer Pkwy (C) – Law Firm – New Business
- Uncle Fred’s Treasures – 2026 W Pioneer Pkwy (C6) – Antiques – New Business
- Dr. Jeckyll’s Beer Lab, Draft House and Home Brew Supply – 2420 W Park Row Dr – Alcoholic Beverage Establishment – Business Expansion

## **INSPECTIONS**

	MAY TOTAL	YTD TOTAL
BUILDING INSPECTION	13	57
CERTIFICATE OF OCCUPANCY	5	61
CUSTOMER SERVICE INSPECTION	2	4
ELECTRICAL INSPECTION	5	46
MECHANICAL INSPECTION	3	26
PLUMBING INSPECTION	12	87
REINSPECTION	17	86
CODE ENFORCEMENT INSPECTIONS	0	56
TOTAL INSPECTIONS	57	423

**CONSTRUCTION VALUES**

	MAY TOTAL	2014/2015 YTD TOTAL	2013/2014 MAY YTD TOTAL
NEW RESIDENTIAL CONSTRUCTION	\$0.00	\$55,000.00	\$1,395,000.00
EXISTING RESIDENTIAL REMODEL	\$43,499.00	\$262,570.00	\$236,025.00
NEW COMMERCIAL CONSTRUCTION	\$0.00	\$1,863,538.00	\$0.00
EXISTING COMMERCIAL REMODEL	\$34,800.00	\$1,667,669.00	\$606,167.00
<b>TOTAL VALUE</b>	<b>\$78,299.00</b>	<b>\$3,848,777.00</b>	<b>\$2,237,192.00</b>

**FEES COLLECTED**

	MAY TOTAL	MAY FEES	YTD TOTAL	YTD FEES	YTD BUDGET	YTD DIFF.
CERTIFICATE OF OCCUPANCY	4	\$400.00	55	\$5,320.00	\$4,666.67	\$653.33
ZONING FEES	0	\$0.00	9	\$5,200.00	\$5,000.00	\$200.00
DEVELOPMENT FEE	0	\$0.00	2	\$1,082.80	\$0.00	\$1,082.80
PLAN REVIEW	4	\$572.96	21	\$7,585.61	\$4,666.67	\$2,918.94
BUILDING PERMIT	22	\$2,962.50	182	\$30,567.23	\$31,333.33	(\$766.10)
UTILITY RELEASE	2	\$80.00	16	\$640.00	\$200.00	\$440.00
CONTRACTOR REGISTRATION	12	\$1,150.00	89	\$8,550.00	\$7,333.33	\$1,216.67
LIQUOR PERMITS	0	\$0.00	10	\$5,670.00	\$1,333.33	\$4,336.67
<b>TOTAL FEES</b>		<b>\$5,165.46</b>		<b>\$64,615.64</b>	<b>\$53,200.00</b>	<b>\$11,415.64</b>




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**MUNICIPAL COURT**


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## Municipal Court Collections / May 2015

### On-Time Citations

Fines- \$24,071.80  
Fees- \$15,075.95  
 Total- \$39,147.75

### Warrants

Fines- \$36,757.80  
Fees- \$14,983.95  
 Total- \$51,741.75

Court Security Fund- \$1,089.00

Court Technology Fund- \$1,414.00

Accident Reports- \$10.00

Collection Fees- \$913.55

Gross Total Revenue- \$ 90,889.50  
Less State Fee's- \$ 30,059.90  
 Net Revenue- \$ 60,829.60

Presented by: Thressa Householder



## WARRANT MONTHLY TOTALS FOR MAY 2015

<b>TOTAL WARRANTS VALUE CLEARED</b> -----	\$81,194.90
FYTD-----	\$680,353.72
<b>TOTAL PAYMENTS COLLECTED</b> -----	\$51,287.65
FYTD-----	\$445,082.52
<b>TOTAL NON-CASH CLEARED</b> -----	\$27,071.15
FYTD-----	\$222,064.55
<b>WARRANT FEES COLLECTED</b> -----	\$7,791.10
FYTD-----	\$71,031.72
<b>BONDS/FORFEITURES</b> -----	\$2,836.10
<b>TOTAL PHONE CALLS</b> -----	710 - 160,OUT 136 IN
	711 - 370 OUT 115 IN
	Tot - 530 Tot - 251
<b>TOTAL POST CARDS</b> -----	710 - 118
	711 - 50
	Tot - 168
<b>PERSONAL STOPS/ATTEMPS</b> -----	0
<b>CONTACTS</b> -----	0
<b>DOOR HANGERS</b> -----	0
<b>ARRESTS</b> -----	710 - 2
	711 - 1 ----- Tot - 3
<b>PAY PLANS</b> -----	710 - 12
	711 - 15 ----- Tot - 27
<b>BONDS/COURT DATES</b> -----	710 - 1
	711 - 1
<b>BOND AMOUNT</b> -----	710 - \$464.00
	711 - \$1,128.00
<b>LETTERS</b> -----	710 - 113
	711 - 163
<b>TOTAL WARRANTS CONTACTED</b> ----	710 - 98
	711 - 105
<b>TOTAL WARRANTS CLEARED</b> -----	710 - 74
	711 - 102

<b>TOTAL VALUE-----</b>	<b>710 - \$33,051.30</b>	<b>711 - \$32,295.00</b>
<b>TOTAL AMOUNT COLLECTED-----</b>	<b>710 - \$10,307.50</b>	<b>711 - \$16,198.80</b>
<b>FUTURE REVENUE-----</b>	<b>710 - \$10,305.80</b>	<b>711 - \$11,778.10</b>

**EXTRA DUTIES/VACATION/OTHER FOR APRIL**

Both officers out for a total of 3 days for the TMCEC Bailiff/Warrant Officer conference in Austin, Tx

Ofcr. Hopkins out total 1 day – medical

Ofcr. Alexander out half day, personal

11 Total Calls for Service

7 Prisoner Services

17 Arraignments

Additional warrants cleared – 254

**Respectfully submitted,**

**Warrant Officer: Freddie Alexander 710**

**Warrant Officer: Robert Hopkins 711**

Report for fees collected: 5/01/2015 - 5/31/2015

Street:

Fee	Citation	Violation	Amount	Posting Date	Docket	Name
COLAGY COLLECTIONS FEE	122743	01	70.50	5/11/2015	122743	01
COLAGY COLLECTIONS FEE	139652	01	45.75	5/29/2015	139652	01
COLAGY COLLECTIONS FEE	146262F	01	150.00	5/13/2015	146262F01	
COLAGY COLLECTIONS FEE	500931	02	150.00	5/01/2015	500931	02
COLAGY COLLECTIONS FEE	E001437V	01	91.50	5/14/2015	E001437V01	
COLAGY COLLECTIONS FEE	E004202	01	125.00	5/15/2015	E004202	01
COLAGY COLLECTIONS FEE	E004202	02	54.00	5/15/2015	E004202	02
COLAGY COLLECTIONS FEE	E005383	02	16.80	5/01/2015	E005383	02
COLAGY COLLECTIONS FEE	E005383F	02	90.00	5/01/2015	E005383F02	
COLAGY COLLECTIONS FEE	E008086	01	99.00	5/27/2015	E008086	01
COLAGY COLLECTIONS FEE	E008086	01	99.00-	5/27/2015	E008086	01
COLAGY COLLECTIONS FEE	E010216	01	91.50	5/18/2015	E010216	01
COLAGY COLLECTIONS FEE	E010216V	01	28.50	5/18/2015	E010216V01	

11 913.55 COLAGY COLLECTIONS FEE  
 TOTAL: 913.55



***THE TEXAS MUNICIPAL COURTS  
EDUCATION CENTER***

*of the*

***TEXAS MUNICIPAL COURTS ASSOCIATION***

*Be It Known That*

**Thressa J. Householder**

*Has successfully completed the  
following described course of study  
in judicial education*

Course attended:

Regional Clerks Seminar, South Padre Island

Apr 27, 2015 - Apr 29, 2015

16.00 Hours

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*Executive Director  
Texas Municipal Courts Education Center*

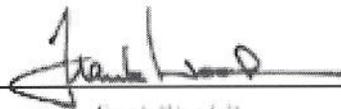
# TEXAS DEPARTMENT OF PUBLIC SAFETY

## *SHANNON STORY*

has successfully completed the required course of study approved by the Law Enforcement Training Academy for the State of Texas, and is therefore awarded this

## *CJIS Security Awareness*

*May 08, 2015*



Frank Woodall

Deputy Assistant Director, Education, Training & Research Bureau



Steven C. McCraw

Director, Texas Department of Public Safety

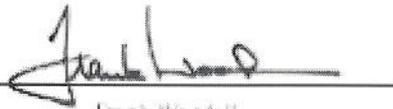
# TEXAS DEPARTMENT OF PUBLIC SAFETY

## *SHANNON STORY*

has successfully completed the required course of study approved by the Law Enforcement Training Academy for the State of Texas, and is therefore awarded this

### *TCIC Criminal Justice Practitioner Online Training*

*May 20, 2015*



Frank Woodall

Deputy Assistant Director, Education, Training & Research Bureau



Steven C. McCraw

Director, Texas Department of Public Safety

5-3-15

OFFICER ALEXANDER V  
PANTER Police Dept.,

I FIRST WANT TO APOLOGIZE FOR MY (~~IMPATIENT~~)<sup>IMPATIENT</sup>  
BEHAVIOR DURING MY TIME IN JAIL LAST WEEK.  
MAY GOD BLESS YOU & YOUR FAMILIES  
EACH & EVERYDAY!!

Sincerely,

Frank Cotton

Michael FRANK COTTON

5-3-15

PANTEGO Municipal Court,

I appreciate your understanding with me during a time of need. You are a very compassionate court!!

Sincerely,

Michael F. Cotton

Michael F. Cotton



# AGENDA BACKGROUND

**AGENDA ITEM:** Approval of Bills Payable and Purchase Orders over \$1,000.

**DATE:** June 8, 2015

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**PRESENTER:** Matthew Fielder, City Manager

**BACKGROUND:**

This agenda item includes a listing of bills payable over \$1,000. Included are copies of invoices for professional services and purchase orders over \$1,000, their attached memo, and invoice copies, if available.

**FISCAL IMPACT:**

Please review report for individual account number.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of the listing of bills payable over \$1,000 and purchase orders as submitted.

**ATTACHMENTS:**

Expenditure Summary of approval list over \$1,000 and purchase orders for June 8, 2015:

Professional Services:

- Sara Jane del Carmen
- Craig Magnuson
- Jim Jeffrey

Purchase Order:

- 1744 – Siddons Martin
- 1745 – Auto Nation

**Summary of Bills Payable over \$1,000.00 and Purchase Orders Requiring Council Approval  
6/8/2015**

<u>PROFESSIONAL SERVICES</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
Sara Jane del Carmen	\$1,250.00	May 2015 Magstration Services
C.A. Magnuson	\$1,300.00	May 2015 Prosecution Services
Jim Jeffrey	\$1,680.00	May 2015 Attorney Services
<u>PURCHASE ORDERS</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
1744 - Siddons Martin	\$1,159.11	Emergency Repairs to Q1
1745 - Auto Nation	\$1,527.02	Emergency Repairs to '03 Expedition
<u>GENERAL BILLS</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
Duncan - Garbage	\$8,320.87	May 2015 Trash Removal
Duncan - Recycling	\$2,074.01	May 2015 Recycling Removal
Voyager Fleet Systems	\$4,260.35	May 2015 Oil & Gas Expense
Gexa Energy	\$16,838.89	Electricity Billing Thru 6/08/15
City of Fort Worth	\$13,973.74	April 2015 Wastewater Services
Wells Fargo	\$1,561.16	May 2015 Copier Lease Payment
Denitech	\$1,310.74	Contract Usage Overages
Verizon Wireless	\$1,418.20	May 2015 Cell Phone Bill
Iwerk	\$1,905.00	April 2015 Tech Support Services
Time Warner Cable	\$2,283.06	Telephone Bill Thru 6/16/15
Commerce Bank	\$4,667.81	May 2015 Credit Card Expenses
Texas Municipal League	\$20,851.73	June 2015 Employee Life Insurance
Arlington Utilities	\$8,052.60	April 2015 Wastewater Services

**MAGISTRATION SERVICE FOR THE MONTH OF MAY 2015**

ACCOUNT # 100-5-160-210.00

## INVOICE FOR SERVICES

SERVICES PERFORMED: ARRAIGNMENTS/WARRANTS/MAGISTRATION  
DUTIES

VENDOR # 11022

Sara Jane del Carmen

BLOOD DRAW WARRANTS  
MAGISTRATIONS

TOTAL - \$1,250.00

BILLING ADDRESS: Sara Jane del Carmen  
3051 Trevino  
Grand Prairie, Texas 75054

**PROSECUTOR SERVICE FOR THE MONTH OF MAY 2015**

ACCOUNT # 100-5-160-210.00

## INVOICE FOR SERVICES

SERVICES PERFORMED: PROSECUTOR FOR MUNICIPAL COURT

VENDOR # 10123	CRAIG MAGNUSON	\$1,300.00
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BILLING ADDRESS: CRAIG MAGNUSON  
6000 WESTERN PLACE #200  
FT WORTH, TEXAS 76103

**LAW OFFICES OF JIM JEFFREY**

2214 Park Springs Blvd  
Arlington, Texas 76013  
Phone: (817) 261-4640  
Fax: (817) 275-5826  
Federal Tax I.D. # 75-2947449

Town of Pantego  
1614 S. Bowen Road  
Pantego, TX 76013

6/1/2015  
Account No. – 09.01.06  
Invoice # 21925

Legal services

May 1 – May 31, 2015

Attorney Total Hours:	9.6
Hourly Rate:	\$175.00
Paralegal Total Hours	\$ ---
Hourly Rate	\$90.00
Total for Services:	\$1,680.00
Expenses:	\$ None
TOTAL BALANCE DUE:	\$ 1,680.00
Nolan County land issue	\$ 0



Pantego Fire Department

**To:** City Manager, Matt Fielder  
**From:** Assistant Fire Chief, Robert Coker  
**Through:** Public Safety Chief, Tom Griffith  
**Subject:** Purchase Order.

**Release Date:** 05-18 -2015

I am requesting approval to expend \$1,159.11 to Siddons-Martin. The requested amount is for the emergency repairs to Quint One.

The quint lost power to the transmission shift selector pad. The repair tech was able to find a plug under the vehicle that had a pin within the plug that was not making contact. The repair tech was able to locate the pin after tracing wires for several hours. The pin was repaired and the truck returned to service.

This is not an approved budgeted amount in the 2014/2015 budget. This is an emergency repair.

Cc: R. A. Carmona

# Siddons-Martin Emergency Group

Protecting the Business

Please remit payment to:  
PO Box 974615  
Dallas, TX 75397-4615

Invoice # <sup>77</sup> 2004720

Date : 5/1/15

Page : 1

Center : 5

P.O.# :AWA PO

**Customer :** PANTEGO FIRE DEPARTMENT

**Address :** 1614 S. BOWEN

**City :** ARLINGTON, TX 76013-

**Phone 1 :** ( 817 ) 274-1384 **Ext :**

**Phone 2 :** ( 817 ) - **Ext :**

**Vehicle :** 2010 PRC IMPEL AERIAL

**Job # :** 23319

**Ehrs :** 3434

**VIN :** 4P1CJ01A7AA011159

**Engine :** ISL

**Trans :** 4000 EVSP

**Mileage :** 22673

**Flt# :** Q1

Tech	Quantity	Part Number	Job Description	Part Description	Labor Total	Parts Total	Subtotal
						Parts Price	
TD			COMPLAINT: TRANSMISSION SHIFT PAD HAS NO POWER. CAUSE: FOUND GROUND HARNESS PINS IN PLUG HAD COME LOOSE AND WERE NOT MAKING GOOD CONTACT. CORRECTION: REPIAIED PINS AND RECONNECTED THE ELECTRICAL HARNESS THEN RETESTED WITH NO PROBLEMS.		850.50		850.50
TD			DRIVE TIME TO AND FROM FIRE STATION. -----		243.00		243.00

Payments:  
(On Account), \$1159.11, on 04/30/15

108-3-150-356.00

**Siddons**  
Fire Apparatus



A Siddons-Martin Emergency Group Co. spa s

We (the Customer) are responsible for all costs and expenses listed on this invoice. I, the undersigned, am authorized to agree, on behalf of the owner of the vehicle, to pay all outstanding charges in accordance with the terms and conditions agreed to between us and the Company. Unless otherwise stated, all invoices are due and payable 30 days from the date of the invoice. We have granted the Company, its employees, and agents permission to operate the vehicle on any streets as necessary for testing, inspection, or other services requested. We are responsible for insuring the vehicle at all times. We release the Company for any loss, damage or theft of any items left in the vehicle for any reason. All parts and labor on this invoice are warranted for purpose and fitness for 90 days from the date of the invoice. In order to recover against any warranty, we agree to return the vehicle to the Company for all warranty repairs. Failure to return the vehicle cancels all warranties provided. All other warranties are expressly disclaimed by Company.

Acknowledged and Received by: \_\_\_\_\_

**Labor :** \$1,093.50  
**Parts :** \$0.00  
**Sublet :** \$0.00  
**Other Fees :** \$0.00  
**Supply Fee :** \$65.61  
**Subtotal :** \$1,159.11  
**Sales Tax :** \$0.00

**Paid By :** Total : \$1,159.11  
**On Account**  
**Pay Ref :** Paid : \$0.00  
Due : \$1,159.11

[www.Siddons-Martin.com](http://www.Siddons-Martin.com)

PAYMENT TERMS ARE NET 30 UNLESS OTHERWISE NOTED

We appreciate your business  
email: [service@siddons-martin.com](mailto:service@siddons-martin.com)

# TOWN OF PANTEGO

1614 S. BOWEN  
PANTEGO, TEXAS 76013

No. 1744

78

**INSTRUCTIONS TO VENDOR**

1. PURCHASE ORDER NUMBER. Vendor must show purchase order number on all packages, shipping papers, invoices and relative correspondence.
2. INVOICING. Send invoices in duplicate to:  
TOWN OF PANTEGO  
PURCHASING DEPARTMENT  
CITY HALL  
PANTEGO, TEXAS 76013
3. TAXES. Municipality Tax Exempt  
Entity I.D. #75-1291097

TOS: eddons - Martin

SHIP TO Pantego Fire.

DATE		ACCT #	DEPT.			
5-18-15		100-S-150-356.00	Fire.			
QUANTITY		STOCK NUMBER / DESCRIPTION	PRICE	PER	AMOUNT	
ORDERED	RECEIVED					
		Emergency Repairs to quint one. Transmission Shifted had no power. Found ground harness pins in plug. Loose nut making good contact. Repaired pins in plug.  Not Budgeted.				

*Robert Baker*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
APPROVED BY

TOTAL 1,159.11



**PANTEGO PUBLIC  
SAFETY**



**MEMO #: 000**

**To:** Matt Fielder, City Manager  
**From:** Chief Thomas Griffith  
**Subject:** Repairs to 2003 Expedition  
**Release Date:** May 26, 2015  
**Effective:**

An ongoing problem with the 2003 Ford Expedition that I drive, whereby the vehicle will suddenly lose power, has forced me to have repairs performed. The vehicle lost power three times during my drive to work on Monday May 18<sup>th</sup>.

It was determined that the issue was either fuel related or electrical in nature. I have had this problem for at least the last two years and have taken the vehicle to various facilities in town without any definitive determination of the cause of the problems. I decided to take the vehicle to the local Ford dealer for diagnosis and repair. Due to the amount of time until the next Council meeting I determined that the repairs needed to be done on an emergency basis due to the unreliability of the vehicle.

RECEIVED  
5/28/15

# AutoNation

AutoNation Ford Arlington

CUSTOMER #: 1557948

589780

\*INVOICE\*

1400 I-20 West  
Arlington, Texas 76017  
Phone # 817-784-0808  
Fax # 817-557-8826

PANTEGO FIRE RESCUE  
RICHARD WOOD

1614 S BOWEN RD  
PANTEGO, TX 76013-3336

HOME: 817-274-1384 CONT: 817-274-1384

BUS: CELL: 817-480-2035

PAGE 2

SERVICE ADVISOR: 4495 DAVE MORRISON

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG
	03	FORD EXPEDITION	1FMRU15W23LB27586		188269/188320	T1832

DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
30DEC02 DD			18:00 18MAY15			CASH	22MAY15

R.O. OPENED	READY	OPTIONS:
08:03 18MAY15	18:45 22MAY15	ENG:4.6_Liter

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
1	F1AZ*6731*BE	FILTER	ASY - OIL		6.62	5.35	5.35
PARTS: 28.87 LABOR: 18.00 OTHER: 0.00					TOTAL LINE C:		46.87
188320 CHANGE OIL AND FILTER							

\*\*\*\*\*

MISS SUPP / HAZ WASTE REMOVAL

2.43

Dealer is not authorized to perform recall repairs for non-Dealer brand vehicles and Dealer's Vehicle Safety and Condition Inspection and/or service does not include a review of possible pending recalls or service campaigns issued by manufacturers of other makes and models.



**If Payment Made By Check**

When you provide a check as payment, you authorize us to either use information from your check to make a one-time electronic fund transfer ("EFT") from your account or to process the payment as a check transaction. If processed as an EFT, funds may be withdrawn from your account as soon as today. You agree that you will not dispute us electronically debiting your account, so long as the amount corresponds to the amount on this invoice. In the event your check or EFT is returned unpaid for any reason, you authorize us or our agent to charge a service fee up to the maximum amount permitted by law.

**WARRANTY STATEMENT AND DISCLAIMER: PLEASE SEE THE REVERSE SIDE OF THIS REPAIR INVOICE FOR THE DEALERSHIP'S LIMITED WARRANTY.**

By signing below, you acknowledge that you were notified of and authorized the Dealership to perform services/repairs itemized in this invoice and that you received (or had the opportunity to inspect) any replaced parts as requested by you. The vehicle is being returned to you in exchange for your payment of the Amount Due.

**\*SHOP SUPPLY COSTS:**  
We have added a charge equal to 13.5% of the total cost of labor and parts, not to exceed \$49.95, to the Repair Order for shop supplies used in connection with this repair.

**ALL PARTS ARE NEW UNLESS OTHERWISE INDICATED.**

DESCRIPTION	TOTALS
LABOR AMOUNT	497.95
PARTS AMOUNT	1026.64
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES *	2.43
TOTAL CHARGES	1527.02
LESS INSURANCE	0.00
SALES TAX	0.00

DATE CUSTOMER SIGNATURE AUTHORIZED DEALERSHIP REPRESENTATIVE SIGNATURE

PLEASE PAY THIS AMOUNT 1527.02

NOTICE OF WORKER'S LIEN PURSUANT TO TEXAS PROPERTY CODE § 70.001: The undersigned, being the person who has paid for repairs to the vehicle described in this Repair Invoice, understands that if the Dealership relinquishes possession of the vehicle in return for payment via a check, money order or credit card transaction that is stopped or dishonored due to insufficient funds, no funds, or because the account does not exist or has been closed, the worker's lien continues to exist and the Dealership is entitled to possession of the vehicle in accordance with S. 9.609 of the Texas Business & Commerce Code until the amount due is paid. Customer X



AutoNation Ford Arlington

CUSTOMER #: 1557948

589780

1400 I-20 West  
Arlington, Texas 76017  
Phone # 817-784-0808  
Fax # 817-557-8826

PANTEGO FIRE RESCUE  
RICHARD WOOD

\*INVOICE\*

1614 S BOWEN RD

PANTEGO, TX 76013-3336

PAGE 1

HOME: 817-274-1384 CONT: 817-274-1384

BUS: CELL: 817-480-2035

SERVICE ADVISOR: 4495 DAVE MORRISON

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
	03	FORD EXPEDITION	1FMRU15W23LB27586		188269/188320	T1832	
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
30DEC02 DD			18:00 18MAY15			CASH	22MAY15
R.O. OPENED	READY	OPTIONS: ENG:4.6_Liter					
08:03 18MAY15	18:45 22MAY15						

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A CUSTOMER STATES THAT ENGINE WILL DIE WHILE DRIVING  
 EC001 CUSTOMER STATES THAT ENGINE WILL DIE WHILE DRIVING  
 4058CFXTO  
 1 2L1Z\*9155\*AA FILTER ASY - FUEL 39.09 39.09 39.09  
 1 2L1Z\*9H307\*CJ SENDER AND PUMP ASY 484.68 484.68 484.68  
 1 3L1Z\*14A068\*AA BOX ASY - FUSE 463.42 463.42 463.42  
 1 1L2Z\*9417\*AA GASKET 10.58 10.58 10.58

PARTS: 997.77 LABOR: 479.95 OTHER: 0.00 TOTAL LINE A: 1477.72

188320 4058 F.5 ENGINE ANALYSIS HAS CODE P0231, VEHICLE HAS AN INTERMITTANT CONCERN, ROAD TESTED ABOUT 60MILES, TIME REPLACE FUEL PUMP ASSEMBLY POWER DISTRIBUTION BOX DUE TO FAULTY RELAY INTERNAL TO DISTRIBUTION BOX

\*\*\*\*\*

B Customer requested to have Multi Point Inspection performed this visit  
 MULTI-A Customer requested to have Multi Point Inspection performed this visit  
 4058 CFZM 0.00 0.00  
 GBATT BATTERY PASSED LOAD TEST AND IS GOOD  
 CONDITION 0.00 0.00  
 4058 CFZM 0.00 0.00  
 GBK BRAKE PADS MEET OR EXCEED FACTORY THICKNESS REQUIREMENTS  
 4058 CFZM 0.00 0.00  
 GTIRE TIRES MEET MINIMUM OR BETTER TREAD DEPTH  
 4058 CFZM 0.00 0.00  
 PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00  
 188320 A/C COMPRESSOR NOISY

\*\*\*\*\*

C Oil and Filter - Change and Lube  
 MA11 Oil and Filter - Change and Lube  
 4058 CFZM 18.00 18.00  
 7 XO\*5W20\*DSP OIL - ENGINE 4.85 3.36 23.52

When you provide a check as payment, you authorize us to either use information from your check to make a one-time electronic fund transfer ("EFT") from your account or to process the payment as a check transaction. If processed as an EFT, funds may be withdrawn from your account as soon as today. You agree that you will not dispute us electronically debiting your account, so long as the amount corresponds to the amount on this invoice. In the event your check or EFT is returned unpaid for any reason, you authorize us or our agent to charge a service fee up to the maximum amount permitted by law. <b>WARRANTY STATEMENT AND DISCLAIMER: PLEASE SEE THE REVERSE SIDE OF THIS REPAIR INVOICE FOR THE DEALERSHIP'S LIMITED WARRANTY.</b> By signing below, you acknowledge that you were notified of and authorized the Dealership to perform services/repairs itemized in this Invoice and that you received (or had the opportunity to inspect) any replaced parts as requested by you. The vehicle is being returned to you in exchange for your payment of the Amount Due.	If Payment Made By Check *SHOP SUPPLY COSTS: We have added a charge equal to 13.5% of the total cost of labor and parts, not to exceed \$49.95, to the Repair Order for shop supplies used in connection with this repair.	DESCRIPTION LABOR AMOUNT PARTS AMOUNT GAS, OIL, LUBE SUBLET AMOUNT MISC. CHARGES * TOTAL CHARGES LESS INSURANCE SALES TAX PLEASE PAY THIS AMOUNT	TOTALS 4.85 3.36 23.52
	ALL PARTS ARE NEW UNLESS OTHERWISE INDICATED.		
DATE	CUSTOMER SIGNATURE	AUTHORIZED DEALERSHIP REPRESENTATIVE SIGNATURE	

# TOWN OF PANTEGO

1614 S. BOWEN  
PANTEGO, TEXAS 76013

No. 1745

82

**INSTRUCTIONS TO VENDOR**

1. PURCHASE ORDER NUMBER. Vendor must show purchase order number on all packages, shipping papers, invoices and relative correspondence.
2. INVOICING. Send invoices in duplicate to:  
TOWN OF PANTEGO  
PURCHASING DEPARTMENT  
CITY HALL  
PANTEGO, TEXAS 76013
3. TAXES. Municipality Tax Exempt  
Entity I.D. #75-1291097

TO AUTO NATION FORD.

SHIP  
TO

DATE		ACCT #	DEPT.	PRICE		PER	AMOUNT		
ORDERED	RECEIVED	STOCK NUMBER / DESCRIPTION							
5-18-15		100-5-140-356- <del>763.51</del>	FD / PD						
		100-5-150-356- <del>763.51</del>							
		REPLACED FUEL PUMP							
		REPLACED ELEC JUNCTION BOX							
		REPLACED FUEL FILTER							
		OIL CHANGE							
		PARTS					1026	64	
		LABOR					497	95	
		MISC					2	43	
							<b>TOTAL</b>	1527	02

*[Handwritten Signature]*

APPROVED BY



# AGENDA BACKGROUND

**AGENDA ITEM:** Approval of the Town Council minutes and acceptance of Minutes of the various Boards and Commissions.

**Date:** June 8, 2015

**PRESENTER:**

Julie Arrington, City Secretary

**BACKGROUND:**

Minutes from Town Council and Pantego's various Boards and Commissions.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Staff recommends the approval of the minutes as presented.

**ATTACHMENTS:**

Town Council minutes from May 11, 2015

Town Council minutes from May 18, 2015

PEDC minutes from May 13, 2015

Planning & Zoning minutes from May 4, 2015

Town Council Minutes  
May 11, 2015

STATE OF TEXAS §

COUNTY OF TARRANT §

TOWN OF PANTEGO §

The Town Council of the Town of Pantego, Texas, met in regular session at 6:30 p.m. in the Council Chamber of Town Hall, 1614 South Bowen Road, Pantego, on the 11<sup>th</sup> day of May 2015 with the following members present:

Melody Paradise	Mayor
Russ Brewster	Mayor Pro-Tem
Fred Adair	Council Member
Jane Barrett	Council Member
Don Funderlic	Council Member
Don Surratt	Council Member

Members absent:

None.

Constituting a quorum. The following staff members were present:

Matt Fielder	City Manager
Julie Arrington	City Secretary
Jim Jeffrey	Town Attorney
Ariel Carmona	Finance Director
Chad Joyce	Community Development Director
Scott Williams	Public Works Director
Tom Griffith	Chief of Public Safety
Barry Reeves	Assistant Police Chief
Robert Coker	Assistant Fire Chief
Thressa Householder	Court Administrator

Also in attendance:

None.

WORK SESSION 6:30 P.M.

Mayor Paradise called the work session to order at 6:33 p.m.

Mayor, Council, and Staff discussed the following consent agenda items:

**1. City Manager Report**

Mr. Fielder advised there are still two vacancies for two dispatchers and one patrol position with a third vacancy for dispatching coming up in July. The police department is currently working through the background checks of some applicants.

Mr. Fielder stated flyers were sent to all business located on Park Row. There was a meeting with the property owners, property managers, businesses, and schools that would be affected by the Park Row Waterline project, three representatives showed. There was one business owner that expressed his concerns regarding the possible impact the construction may have on his business. Pantego Christian Academy will be out of school for the summer just after the project begins. The contractor

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has revised the direction of the work and will start on the Eastern side and work west. He informed Council the Traffic Control Plan was received today. The materials will be staged within the worksite.

Mr. Fielder stated April Coltharp, with Flair Events, has been communicating with Ben E. Keith to find a sponsor for PantegoFest 2015. She believes she has a possible lead sponsorship with St. Arnold's Brewery for \$3,000 plus all signage. She is currently working to collect all the bids for the logistics.

Mr. Fielder informed Council Mr. Joyce has been working on the Storm Water Pollution Prevention Permit five year renewal with the Texas Commission on Environmental Quality (TCEQ). The renewal requires the Town's ordinance to be updated. This will be an item on the first meeting in June. He explained one of the major changes is residents will no longer be allowed to drain their pool into the street without first de-chlorinating the water first. The Mayor informed Council there will be educational material regarding the new regulations for the residents and advised staff the ordinance will take two readings for passage.

Mr. Fielder informed Council the revised Utility Ordinance has been uploaded to Dropbox for their review. The new ordinance will impose the Northern Trinity Groundwater Conservation District fees, address outstanding account balances, and put a process in place for adjustment flexibility for staff.

## 2. Monthly Staff Reports

Council inquired on the low sales tax revenue. Mr. Fielder informed them it is down but has gone back up. There was discussion on the TexPool and the TexPool Prime numbers, footnotes, the difference in the two, and a spike in the expenses. Mrs. Carmona explained the numbers come from the TexPool website and the increase in expenses is partially due to having three pay periods for the month of April.

Council asked staff to enforce the weed ordinance with all the rain the Town has received recently there will be a mosquito issue and inquired if staff has looked at the areas with drainage issues for flooding. Mr. Williams stated he has several pictures of areas around town with standing water. Mayor Paradise requested Public Works to take notice of the corner of Woodwind and Forest with the next rain stating it has a tendency to flood.

There was discussion on the landscaping located on Pioneer Parkway. Mr. Williams informed Council the Texas Department of Transportation (TxDOT) has agreed to replace two out of the ten dead trees that were planted. TxDOT claims the trees died due to the water conservation efforts by the Town over the summer. They will replace the two that were damaged from vehicles jumping the curb. Council directed staff to have the trees replaced. There was discussion on the standard operating procedures for a trench safety program.

## 3. Approval of Bills Payable and Purchase Orders in excess of \$1,000.

Council asked if the cost of the Tyler U invoice included the implementation and if the Fire Department utilized the Buy Board. Ms. Arrington informed Council the cost of implementation was included. Assistant Fire Chief Coker advised he did not use the Buy Board process; however, he did shop for the best price.

## 4. Approval and Acceptance of Minutes

Approval of Town Council Minutes:

- Town Council minutes from April 27, 2015

There was a change to the Mayor's Council Inquiry.

Acceptance of Minutes of Boards and Commissions:

- P & Z Minutes from March 2, 2015
- CRB minutes from March 17, 2015

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- CRB minutes from April 7, 2015

There was clarification to the actual cost of the costume discussed in the CRB minutes for March 17, 2015. The minutes state the cost was \$575 when it was actually \$330. The additional \$240 was for the rental of all four elf costumes in 2013, which is an approved cost to the CRB 2013-14 Budget.

## **RESOLUTIONS**

- 5. Discuss, direct, and consider action on Resolution 15-15 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with Deltatek Engineering for a water line crossover connection on West Pioneer Parkway; providing for an effective date.**

Council would like to add the word "services" behind "Engineering" to show Deltatek is hired for engineering services on the Resolution. There was discussion on including the cost of the services within the contract. Council requested the following changes in the contract: the definition of the Town to also show the Town and the owner are the same and in the insurance clause to add the Town as the additionally insured and a waiver of subrogation. The Resolution covers the contract pages 1-9 and not the proposal. There was discussion on how a vertical survey will be done.

- 6. Discuss, direct, and consider action on Resolution 15-16 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to proceed with the Lane water well repairs in an amount not to exceed \$12,282.00; providing for an effective date.**

Mr. Williams informed Council Patrick Moseley with Alan Plummer Associates, Inc. outlined the scope of work for repairs to the Lane Well. Staff has received three bids with R & R Electric coming in as the lowest bidder. Council requested a scope of work with a detailed breakdown of charges. Council verified all bids were based on the same filters and equipment. Mr. Williams assured Council there were not any alternates contained in the bids. There was discussion on who will be responsible for signing off on the completion of the work as being correct to the scope. Due to the many issues with the well Council requested to have Patrick Moseley with Alan Plummer Associate, Inc. to perform the final sign off on the work. There was discussion on the Resolution procedures to include the not to exceed cost within the resolution when there is not a contract available for Council. Since there is not a contract provided with this resolution, the purchase order will act as the contract. Council requested a contract to be provided.

## **REGULAR SESSION 7:30 P. M.** **CALL TO ORDER/WELCOME**

Mayor Paradise called the regular session to order at 7: 45 p.m.

Councilmember Barrett led the invocation which was immediately followed by the Pledge of Allegiance.

## **MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS**

Councilmember Surratt welcomed the audience, stated it was nice to have a full house, and hoped everyone weathered the storms safely.

Councilmember Funderlic thanked everyone for coming, stated it was good to have a full house and to hear their opinion, concerns, and issues. Council does not always get direct feedback from the citizens.

Councilmember Barrett agreed with Councilmember's Surratt and Funderlic and thanked everyone for coming tonight.

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Councilmember Adair stated it was nice to see so many people in the audience and appreciates their support.

Mayor Pro-Tem Brewster stated it was great to have a full house, thanked staff and Council for working together, and hoped all mother's had a wonderful Mother's Day.

Mayor Paradise gave a special thank you to the Public Works Department who worked diligently in helping to clean up the town from the last storms. There are not many cities where you can call town hall or public works to help clear your trees and yards from debris that has fallen from a storm and is thankful for the quality of life staff provides.

### **COUNCIL LIAISON TO BOARD REPORT**

#### **Community Relations Board**

Councilmember Barrett stated the last CRB meeting was May 5<sup>th</sup>. The board planned the Memorial Day event on May 25<sup>th</sup> at Bicentennial Park at 7:00 p.m. During this event, the essay contest winners will read their essays. There were over 100 essays this year. Sheila Sherman, Support Specialist, is collecting the names of veterans to be printed in the program. The board also discussed the plans for the Movies in the Park on the 2<sup>nd</sup> Saturday of every month from June through September. The next CRB meeting will be held on June 7<sup>th</sup> at 7:00 p.m. Councilmember Barrett informed Council that after 15 years of service Chairman Barbara Rogers has tendered her resignation and she will be missed.

#### **Pantego Youth Leadership Council**

Mayor Paradise informed Council the PYLC is wrapping up their year with an Awards Banquet next Tuesday at Coker's BBQ. PYLC will take a few months off and start a new year in late August or early September. This will be their fifth year. The PYLC meets the third Tuesday of every month.

### **PEDC REPORT**

Councilmember Surratt informed Council PEDC has not met since the last Council meeting.

### **CITIZENS OPEN FORUM**

None.

### **APPROVAL OF CONSENT AGENDA ITEMS**

Councilmember Funderlic made a motion to approve consent agenda items 1 thru 4 as discussed in the work session with the modifications to the minutes of April 27, 2015. Mayor Pro Tem Brewster seconded the motion.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

### **RESOLUTION**

- 5. Discuss, direct, and consider action on Resolution 15-15 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into a contract with Deltatek Engineering for a water line crossover connection on West Pioneer Parkway; providing for an effective date.**

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This item was discussed during the work session. The discussion continued with Mr. Williams reminding Council during the council meeting on April 13<sup>th</sup> the Public Works Department presented and identified a critical failure within the water distribution infrastructure and outlined potential corrective actions. At the direction of Council staff sought out engineering services for the repairs and has a proposal from Deltatek Engineering.

Mayor Paradise announced the changes to the contract that were made during the work session discussions. Bahram Niknam P.E., Deltatek Engineering, agreed to the changes. Council inquired on the procedure for identifying and determining underground utilities through a vertical survey if the proposal only calls for an above ground survey. Mr. Niknam stated they would identify the piping, cables, and information from the different franchise companies and possible pot holing or exploratory excavations to create a vertical survey. Council requested a scope of work to outline this process.

Councilmember Funderlic made a motion to approve Resolution 15-15 authorizing the City Manager to enter into a contract with Deltatek Engineering for engineering services for Pioneer Parkway not to exceed \$17,550.00 with the changes as discussed to the contract. Councilmember Adair seconded the motion.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

**6. Discuss, direct, and consider action on Resolution 15-16 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to proceed with the Lane water well repairs in an amount not to exceed \$12,282.00; providing for an effective date.**

This item was discussed during the work session. The discussion continued with Mayor Paradise outlining the changes made during the work session regarding the additionally insured and the waiver of subrogation in the proposal and making sure the policy will cover it accordingly per the written contract. Mr. Fielder will contact Alan Plummer Associates, Inc. for inspection and final approval of the work performed.

Mayor Pro-Tem Brewster made a motion to approve Resolution 15-16 for the Lane water well repairs as stated and with the changes as discussed. Councilmember Funderlic seconded the motion.

Mayor Pro-Tem amended the motion to include "not to exceed \$12,282." Councilmember Funderlic seconded the amendment.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

**ORDINANCE**

**7. Public Hearing, discuss, direct, and consider action on Ordinance 15-757 an ordinance of the Town Council of the Town of Pantego, Texas, for Zoning Case Z-207, a proposed Special Use Permit as requested by Verizon Wireless to co-locate cellular antennas and accessory ground equipment on an existing cellular tower site at 3253 West Pioneer Parkway, West 303 Centre, Pantego, Tarrant County, Texas. The property is generally located in the Northlake Shopping**

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**Center on the North side of West Pioneer Parkway between Showplace circle and Roosevelt Drive.**

Ms. Arrington read the caption for the record.

Public Hearing was opened at 8:07 p.m.

Kathy Zibilich with Verizon Wireless 8150 N. Central Expressway, Dallas, Texas 75206, commented there was already an existing tower in this location. Verizon would be adding new equipment to what is already there. She confirmed the new equipment is what triggered the SUP process. She informed Council the generator is for emergency power only and is electric. She inquired if the recommendation for termination of ownership could be removed from the conditions because a new owner would be required to comply with the SUP upon new ownership and requested a 50 year termination time limit.

Public Hearing closed at 8:11 p.m.

Council inquired on the dB levels and Kw's of the generator and the structural integrity of the pole and its evaluation. Ms. Zibilich confirmed there is a sound muffling device on the generator. Mr. Joyce verified he has the ability to monitor the noise levels of the generator. There was discussion on the lack of a structural evaluation of the tower, term of the lease being typically ten years, the required enclosures outlined in the Zoning ordinance, and the terms of the SUP. Mr. Joyce clarified his recommendation for noise reduction options; such as a shroud to put over the generator and an exhaust silencer critical muffler. Mr. Jeffery's stated his concerns with the change of ownership term and suggestions tying the terms to the lease renewal. There was a consensus of Council to pass this ordinance in one reading.

Councilmember Adair made a motion to approve zoning case Z-207 a Special Use Permit for Verizon Wireless to co-locate the cellular antenna and ground equipment to include the sound enclosure and exhaust silencer on the generator for a term to last until the change of ownership. Councilmember Surratt seconded the motion.

The vote was as follows:

Ayes: Surratt, Barrett, Adair, and Brewster.

Nayes: Funderlic.

Abstentions: None.

Mayor Paradise declared the vote passed 4-1.

Councilmember Funderlic made the comment he voted against the ordinance due to not having a time limit expiration.

8. **Public Hearing, discuss, direct, and consider action on Ordinance 15-758 an ordinance of the Town Council of the Town of Pantego, Texas, for Zoning Case Z-208, a proposed Special Use Permit renewal as requested by ASE ICE to continue use of a self service ice dispensing building at 1555 S. Bowen Road, Tracts 1A1A, 1A1B and 1A5A of the William J. Barry Survey, Pantego, Tarrant County, Texas. The property is generally located in the Westwood Village Shopping Center on the Southeast corner of S. Bowen Road and W. Park Row Drive.**

Ms. Arrington read the caption of the ordinance for the record.

The public hearing was opened at 8:37 p.m.

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Matthew Arno, with ASE Ice, 835 E. Lamar Arlington, Texas 76011, stated he has been in the location for a few years and has increased his revenue from the projections. He is requesting an extension to his SUP to match his lease.

The public hearing closed 8:38 p.m.

There was a consensus of Council to pass this ordinance in one reading. Councilmember Surratt made a motion to approve zoning case Z-208 as staff recommends with an expiration date of June 2026 or change of ownership. Councilmember Funderlic seconded the motion.

Councilmember Surratt amended his motion to include Ordinance 15-758. Councilmember Funderlic seconded the amended motion.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

- 9. Public Hearing, discuss, direct, and consider action on Ordinance 15-759 an ordinance of the Town Council of the Town of Pantego, Texas, for Zoning Case Z-209, a proposed Special Use Permit as requested by Linda Simic to establish an alcoholic beverage establishment at 2304 W. Park Row Drive #25, Tract 1A3, 1A3A, 1A3B, 1A5, 1A5B, and 1A5C of the William J Barry Survey, Pantego, Tarrant County, Texas. The property is generally located in the Lakewood Shopping Center on the south side of the West Park Row Drive between South Bowen Road and Milby Road.**

Council combined the public hearing for Agenda Item number 9 and 10 as one public hearing but conducted the items separately as two different votes.

Ms. Arrington read the ordinance captions for Ordinances 15-759 and 15-760 for the record.

The public hearing was open at 8:43 p.m.

The following speakers spoke in favor of the SUP.

Linda Simic, 4002 Sumac Ct. Arlington, Tx. 76017, the owner of escapades. Ms. Simmic discussed the concerns raised by the Planning & Zoning Commission regarding her regular patrons and the noise levels on the patio. She stated she has been in her present location 16 years and has not received a noise complaint from the residents behind her. She is looking to run a nice upscale establishment from 11:00 a.m. to 2:00 a.m. She is willing to work with the town on any restrictions they feel necessary. She named the various charity events and non-profit organizations she has helped in the past and feels her establishment would be an asset to Pantego.

Todd Harrison, 3507 Halifax Rd. Arlington, TX 76013  
Don Worley, 2608 Cinnamon Park Circle #822 Arlington, TX 76016  
Carmen McNabb, 925 Gillon Dr. Arlington, TX 76001  
James Borneman, 5709 Round Up Trail, Arlington, TX 76017  
Linda Deleon, 4905 Thoroughbred Arlington, TX 76017  
Barbara Brown, 2227 W. Park Row #A Pantego, TX 76013  
Sara DeMore, 1706 Highview St. Arlington, TX. 76013  
John DeMore, 1706 Highview St. Arlington, TX. 76013  
Charles Kemper, 5607 Trailcrest Arlington, TX. 76017  
Noland Harmon 1250 Cross Creek Dr. Kennedale, TX 76060

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Jim Trimble, 1705 Fieldstone Ct. Arlington, TX.  
Mary Kay Dudek 5681 Beaver Creek Cir. Midlothian, TX  
Randy Bell, 2304 W. Park Row Dr #7. Arlington, TX. 76015  
Michael Galloway, 2304 W. Park Row #24 Pantego, TX. 76013  
Barbara Fern, 1906 Layton Dr. Arlington, TX 76015

All speakers are current patrons of the establishment and many take part in her pool tournaments and open mic nights. Several of them have known Ms. Simic for well over 10 years. Many commented on the enjoyment they received from the lounge and the reputation of the lounge as an up scaled establishment with acoustical and open mic nights. Some of the speakers expressed their safety concerns with the current location and would feel safer in the proposed Pantego location. There were also comments on the Pantego location being more family oriented.

The Public Hearing closed at 9:03 p.m.

There was discussion on the music from the patio and the way sound travels through the buildings. The previous owner experienced many noise complaints from the sound traveling through the storage buildings next to the shopping center. Ms. Simic confirmed there will not be live music from the patio with the exception of acoustic music. Ms. Simic assured Council she will investigate the noise levels and do what is best for her neighbors. Mr. Joyce confirmed the capacity of the lounge will be 90 people. There was discussion on the nightly venue schedule and what time to close the patio to outdoor music. There was a consensus of Council to pass this ordinance in one reading.

Councilmember Funderlic made a motion to approve zoning case Z-209 and adopt Ordinance 15-759 authorizing the SUP to Linda Simic and the establishment Escapades as submitted with the following conditions that the SUP be granted for 5 years or change of ownership and no music on the patio after midnight. Mayor Pro-Tem Brewster seconded the motion.

The vote was as follows:  
Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.  
Nays: None.  
Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

- 10. Public Hearing, discuss, direct, and consider action on Ordinance 15-760 an ordinance of the Town Council of the Town of Pantego, Texas, for Zoning Case Z-210, a proposed Special Use Permit as requested by Linda Simic to sell alcohol (mixed beverage/late hours) for on-premise establishment at 2304 W. Park Row Drive #25, Tract 1A3. 1A3A, 1A3B, 1A5, 1A5B, and 1A5C of the William J Barry Survey, Pantego, Tarrant County, Texas. The property is generally located in the Lakewood Shopping Center on the south side of the West Park Row Drive between South Bowen Road and Milby Road.**

Ms. Arrington read the caption of the ordinance with agenda item number 9.

The public hearing opened at 8:43 p.m. with agenda item number 9.

All comments are contained within agenda item number 9.

The public hearing closed at 9:03 p.m. with agenda item number 9.

Mr. Joyce clarified this is a variance due to the location in regards to Bailey Junior High. Mr. Jeffery verified this needs to be outlined within the ordinance and the motion. Mr. Jeffery reviewed the Alcoholic Beverage Code, he recommends the ordinance referencing Texas Alcoholic Beverage Code Section 109.33 Subpart (e) and Town Municipal Code Chapter 4.02.001d, which states the variance may be granted by the town council if the town council determines that enforcement of the

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regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, created an undue hardship on an applicant for a license or permit, does not serve its intended purpose, or is not effective or necessary, or for any other reason the council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

Ms. Simic stated she should be ready to open the end of June. She commented on how helpful Mr. Joyce and Chelsea Nelson, Support Specialist, have been with her through this process. There was a consensus of Council to waive the second reading of the ordinance.

Mayor Pro-Tem Brewster made a motion to approve zoning case Z-210 along with ordinance 15-760 with the addition of TABC §109.33 Subpart (e) and Town Code §4.02.001d upon advise of the Town Attorney and Council has determined the enforcement of the distance requirement is not effective to this case and will expire upon change of ownership. Councilmember Surratt seconded the motion.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

**11. Public Hearing, discuss, direct, and consider action on Ordinance 15-761 an ordinance of the Town Council of the Town of Pantego, Texas, for Zoning Case Z-211, a proposed Special Use Permit as requested by Nicole Myers to establish an alcoholic beverage establishment at 2416 West Park Row, Tracts 1A3, 1A3A, 1A3B, 1A5, 1A5B, and 1A5C of the William J Barry Survey, Pantego, Tarrant County, Texas. The property is generally located in the Lakewood Shopping Center on the south side of West Park Row Drive between South Bowen Road and Milby Road.**

Ms. Arrington read the caption of the ordinance for the record.

The public hearing was opened at 9:39 p.m.

Patrick Myers, 10 Country Club Ct Pantego, TX 76013, explained the establishment is expanding and due to the expansion is requesting a second SUP to cover the expansion.

The public hearing closed at 9:40 p.m.

Mr. Joyce clarified the expansion allows the establishment to have seating space and less than 51% of the business is food, which actually defines the establishment as a bar. The original SUP was for the mercantile space, which requires less seating space. This enforces consistent requirements for all establishments within the town. There was discussion on the TABC requirements and definitions, site plans, and the distance from Bailey Junior High School.

Councilmember Surratt made a motion to approve zoning case Z-211 and ordinance 15-761 as submitted with the staff recommendations for expiration upon change of ownership. Councilmember Barrett seconded the motion. There was a consensus to waive the second reading.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

**NEW BUSINESS FOR DISCUSSION, REVIEW, APPROVAL, AND/OR DIRECT STAFF.**

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**12. Discuss, direct, and consider action on a mid-year Budget Adjustment to the 2014/15 PEDC Budget**

Mr. Fielder informed Council the Pantego Economic Development Board (PEDC) is proposing to re-allocate funds within the budget by taking \$24,000 that was never allocated and combining it with the \$56,000 for incentives giving them \$80,000 for park improvements. He explained this will be used to re-surface the playground matting, some painting, and other repairs to the playground. PEDC passed this measure at their March 25<sup>th</sup> meeting. As a Type B EDC they are required to declare a project by posting a publication in the newspaper, which was done on March 30, 2015 and a public hearing was held on April 8, 2015. There were no comments made at the PEDC public hearing and the funds will be available on May 29, 2015.

Councilmember Adair made a motion to approve the Mid-Year Budget Adjustment for PEDC in the amount of \$80,000 as discussed and presented. Councilmember Funderlic seconded the motion.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

Mayor Paradise recessed the regular session at 10:01 p.m. for the Executive Session.

SCHEDULED EXECUTIVE SESSION ITEMS

- The Council will convene in the City Manager's Office pursuant to the Texas Government Code for an executive session on the following items:
  1. Pursuant to Government Code Section 551.071 Consultation with Attorney, seeking advice, on pending or contemplating litigation, settlement offers, and other legal matters that implicates the attorney-client privilege – Van Hoosier.

Following the Scheduled Executive Session, the Council will reconvene in public session and may take any and all action necessary concerning the Executive Session agenda item.

Mayor Paradise reconvened the regular session at 10:33 p.m. and declared no action was taken on the Executive Session item listed above.

COUNCIL INQUIRY

None.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 10:34 p.m.

APPROVED:

\_\_\_\_\_  
Melody Paradise, Mayor

ATTEST:

\_\_\_\_\_  
Julie Arrington, City Secretary

Town Council Minutes  
May 18, 2015

STATE OF TEXAS                   §

COUNTY OF TARRANT           §

TOWN OF PANTEGO               §

The Town Council of the Town of Pantego, Texas, met in regular session at 6:30 p.m. in the Council Chamber of Town Hall, 1614 South Bowen Road, Pantego, on the 18<sup>th</sup> day of May 2015 with the following members present:

<p><b>Melody Paradise</b> <b>Russ Brewster</b> <b>Fred Adair</b> <b>Jane Barrett</b> <b>Don Funderlic</b> <b>Don Surratt</b></p>	<p><b>Mayor</b> <b>Mayor Pro-Tem</b> <b>Council Member</b> <b>Council Member</b> <b>Council Member</b> <b>Council Member</b></p>
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**Members absent:**

None.

**Constituting a quorum. The following staff members were present:**

<p><b>Matt Fielder</b> <b>Julie Arrington</b> <b>Ariel Carmona</b> <b>Chad Joyce</b> <b>Scott Williams</b> <b>Thressa Householder</b></p>	<p><b>City Manager</b> <b>City Secretary</b> <b>Finance Director</b> <b>Community Development Director</b> <b>Public Works Director</b> <b>Court Administrator</b></p>
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**Also in attendance:**

None.

**WORK SESSION 6:30 P.M.**

Mayor Paradise called the work session to order at 6:37 p.m.

Mayor, Council, and Staff discussed the following consent agenda items:

**1. City Manager Report**

Mr. Fielder notified Council the weather has slowed the progress on the Park Row Project and the traffic plan was approved by Alan Plummer Associates, Inc. today. They are ready to proceed as soon as it dries out a little bit.

Mr. Fielder informed Council he spoke with Robert Jordan, with RJ Construction and a Pantego resident. He is proposing tougher regulations of roofers specifically proposing to control the fly by night roofing companies after a storm. Currently, the town does not require a permit for roof repairs unless the decking is being replaced. Mr. Jordan is requesting the town to require a permit to replace shingles, a copy of the general liability insurance, their DBA information, and a 30-day waiting period for all new contractors in the town. The City of Arlington has added all of these requirements, except the waiting period. The idea behind this is to protect the residents. Council has concerns on the limits this will place on the competition and the infringement on the rights of the citizens to choose their own contractor.

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**2. Approval and Acceptance of Minutes**

Acceptance of Minutes of Boards and Commissions:

- PEDC minutes from April 22, 2015

No Comments

**ORDINANCE**

**5. Public Hearing, discuss, direct, and consider action on Ordinance 15-763 an ordinance of the Town Council of the Town of Pantego, Texas, approving the fees associated with the Atmos Settlement; containing a savings clause; repealing all ordinances in conflict herewith; and declaring an effective date.**

Mr. Fielder explained this ordinance was generated from the settlement regarding the lawsuit challenging the 2014 Atmos rate increases. The Model Staff report was included in the agenda packet for review. Atmos has negotiated an acceptable rate for all parties as part of the settlement we need to approve the ordinance.

**OLD BUSINESS FOR DISCUSSION, REVIEW APPROVAL AND/OR DIRECT STAFF**

**6. Discuss, direct, and consider action on plans and expenditures for PantegoFest 2015.**

Mr. Fielder presented a PowerPoint outlining proposals from three companies regarding the bounce houses and kids activities; proposals on fencing and port-a-potty's; and proposals on sound, lights, and stage. Council discussed various options for the kid's activities and requested pictures from Bouncing Stars showing their products. Council agreed to the Viking Fence proposal for fences and port-a-potty's. There was discussion on the bands from last year, the pet parade, and volunteers. Council suggested contacting the local churches for volunteers. Mr. Fielder stated there are sixteen vendors that have signed up at this time and approximately \$3,000 in sponsorships. The beer sales are still in the development stage. Currently, proposals are being accepted, costs are being compared, and the logistics with cash handling and staffing requirements are being discussed. There is a wine vineyard that may be interested in selling wine at the festival. Mr. Fielder will meet with the Lions Club to discuss the chili cook-off.

Mr. Fielder informed Council the Pantego Economic Development Corporation (PEDC) has begun discussions with the Star Telegram in regards to marketing the Pantego businesses. The topic of discussion quickly turned to PantegoFest marketing and sharing the cost with the Town. Council suggested him to approach the Star Telegram with sponsorship ideas. Council decided the direct mail piece that was done for last year would be more beneficial than an insert in the Arlington Citizen Journal. Council directed Mr. Fielder to inform the PEDC Board they are willing to split the cost of option one as presented and would like to send out a direct mail piece with an expanded delivery area; along with a map and directions to the Festival.

Mayor Paradise adjourned the work session at 7:28 p.m.

**REGULAR SESSION 7:30 P. M.**  
**CALL TO ORDER/WELCOME**

Mayor Paradise called the regular session to order at 7: 38 p.m.

Mayor Paradise led the invocation which was immediately followed by the Pledge of Allegiance.

**MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS**

Mayor Pro-Tem Brewster thanked the audience for their attendance and staff and Council for working together as usual.

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Councilmember Adair welcomed the audience for coming tonight and appreciates all of staff's hard work.

Councilmember Barrett agreed with the previous comments.

Councilmember Funderlic agreed with the previous comments.

Councilmember Surratt thanked the police department for running traffic at the new Dairy Queen and supporting the local businesses.

Mayor Paradise the opening of Dairy Queen has been anticipated; along with the ribbon cutting that will be mid-June.

### **COUNCIL LIAISON TO BOARD REPORT**

#### **Community Relations Board**

Councilmember Barrett reminded Council, staff and the audience the Memorial Day event will be held on Monday, May 25<sup>th</sup> at 7:00 p.m. at Bicentennial Park. The winners of the Junior High and High School essays will read their essays and there will be a color guard at the event. There were over 100 essays received.

#### **Pantego Youth Leadership Council**

Mayor Paradise informed Council the PYLC year end dinner and awards will be tomorrow night at Coker's BBQ starting at 6:30 p.m.

### **PEDC REPORT**

Councilmember Adair informed Council PEDC discussed advertising at the last meeting with the Star Telegram representatives. The discussion of the meeting was over everything discusses tonight at the work session.

### **CITIZENS OPEN FORUM**

None.

### **APPROVAL OF CONSENT AGENDA ITEMS**

Councilmember Funderlic made a motion to approve consent agenda items 1 and 2 as presented. Mayor Pro-Tem Brewster seconded the motion.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

### **CANVASSING OF MUNICIPAL ELECTION**

- 3. Discuss, direct, and consider action on Ordinance 15-762 an ordinance of the Town of Pantego canvassing the returns and declaring the results of the General Election held on May 9, 2015 for the purpose of electing two (2) Councilmember's and the Mayor to the Town Council of the Town of Pantego.**

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Ms. Arrington reminded Council the Town was due to hold an election on May 9, 2015 for the purpose of electing a Mayor and Councilmember's 4 and 5. The election was allowed to be cancelled due to unopposed candidacy. However, the election results must still be canvassed as if the Town held an actual election.

Councilmember Adair made a motion to approve Ordinance 15-762 canvassing the returns and declaring the results to the General Election held on Saturday, May 9, 2015. Councilmember Funderlic seconded the motion.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

### **INAUGURATION**

- **Oath of Office for Unopposed Candidates**
  - **Melody Paradise, Mayor**
  - **Russell Brewster, Councilmember Place 4**
  - **Don Surratt, Councilmember, Place 5**

The City Secretary, Ms. Arrington, administered the Oath of Office to Mayor Paradise. Mayor Paradise delivered the Oath of Office to Mayor Pro-Tem Brewster and Councilmember Surratt.

### **RECEPTION**

Mayor Paradise recessed the Council meeting for a reception honoring the elected officials at 7:58 p.m. Mayor Paradise reconvened the Council meeting at 8:13 p.m.

### **NEW BUSINESS FOR DISCUSSION, REVIEW, APPROVAL, AND/OR DIRECT STAFF.**

#### **4. Discuss, nominate, and elect a Mayor Pro-Tem for the Town of Pantego.**

Mayor Pro-Tem Brewster made a motion to nominate Councilmember Surratt for the Mayor Pro-Tem position. Councilmember Barrett seconded the nomination.

Councilmember Funderlic made a motion to nominate Councilmember Brewster to remain in the Mayor Pro-Tem position. Councilmember Surratt seconded the motion.

Councilmember Barrett made a motion to nominate Councilmember Adair for the Mayor Pro-Tem Position. This motion died for a lack of a second.

The vote was as follows for Councilmember Surratt's nomination:

Ayes: Surratt.

Nays: None.

Abstentions: Funderlic, Barrett, Adair, and Brewster.

The Vote was as follows for Mayor Pro-Tem Brewster's nomination:

Ayes: Funderlic, Barrett, Adair, and Brewster.

Nays: None.

Abstentions: Surratt.

Mayor Paradise declared Russell Brewster as the 2015-2016 Mayor Pro-Tem.

## **ORDINANCE**

- 5. Public Hearing, discuss, direct, and consider action on Ordinance 15-763 an ordinance of the Town Council of the Town of Pantego, Texas, approving the fees associated with the Atmos Settlement; containing a savings clause,; repealing all ordinance in conflict herewith; and declaring and effective date.**

Ms. Arrington read the caption of the ordinance for the record. This item was discussed during the work session. There was no further discussion on this item. Council waived the Town of Pantego Municipal Code Chapter 1 General Provisions; Section 1.03.035 requirement for two readings of an ordinance.

Councilmember Surratt made a motion to approve Ordinance 15-763 as presented. Councilmember Barrett seconded the motion.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nayes: None.

Abstentions: None.

Mayor Paradise declared this vote passed unanimously.

## **OLD BUSINESS FOR DISCUSSION, REVIEW, APPROVAL, AND/OR DIRECT STAFF.**

- 6. Discuss, direct, and consider action on plans and expenditures for PantegoFest 2015.**

Mr. Fielder opened discussion for the sound and stage. He presented Council with several options combining the sound and stage with one contractor or using separate contractors for each. Council agreed on Mr. Fielder's recommendation of Eagle AVL and he will present a resolution for the contract at the next council meeting. Council requested a dedicated microphone for the announcers.

Councilmember Adair made a motion to authorize the City Manager to execute the contracts for \$1,300 for Escape and \$1,200 for Me & My Monkey and to approve a 50/50 cost sharing for advertisement with PEDC for option one presented by the Star Telegram as discussed. Mayor Pro-Tem Brewster seconded the motion.

The vote was as follows:

Ayes: Surratt, Funderlic, Barrett, Adair, and Brewster.

Nayes: None.

Abstentions: None.

Mayor Paradise declared the vote passed unanimously.

- 7. Discuss and review major revisions to the Town of Pantego Municipal Code of Ordinances Chapter 14 Zoning.**

Mr. Joyce delivered a quick overview and summary of the last council meeting regarding the zoning ordinance. He presented a summary of the suggestions regarding the changes Council requested to ensure he is proceeding in the right direction. The difference in the meaning of regulations and guidelines was settled; guidelines have more flexibility in enforcement. Council agreed to allow the smoked glass but not a mirrored glass or highly reflective materials. There was discussion on the permitted materials leaving PVC and vinyl as the same thing and to leave them as allowed for accents making vinyl match the PVC requirements. Off street parking requirements were clarified by Mr. Joyce. There was discussion on illumination requirements of the parking lots. Mr. Joyce suggested a minimum foot candle value. Council directed Mr. Joyce to review what other municipalities require. Mr. Joyce informed Council of the results of his research regarding e-cigarettes

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of other municipalities including them in their tobacco definitions. There was discussion on the consequences to the businesses that allow smoking at this time within their establishment. Mr. Joyce stated he spoke with the City Engineer and learned there are many factors that go into the visibility triangle; such as, the speed of the traffic and size of the roads. He stated he will present his clean up of the visibility triangle across all ordinances at a later time. There was discussion on the changes made to Chapter 1 of the Town's Municipal Code in regards to the Planning & Zoning Commission and changes made to the powers and duties of the Zoning Board of Adjustments. Council suggested the Town Attorney review only the notes and highlights of the ordinance and to review the previous dumpster discussions in regards to retroactive enforcement. Council requested Mr. Joyce to add a definition of a lift compressor and to eliminate stucco from the masonry definition ensuring all definitions match the changes made throughout the ordinance. There was discussion on triggers for compliance of businesses and structures that would become noncompliant with the passing of this ordinance and the consequences for those businesses.

COUNCIL INQUIRY

None.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 9:56 p.m.

APPROVED:

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Melody Paradise, Mayor

ATTEST:

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Julie Arrington, City Secretary

STATE OF TEXAS §

COUNTY OF TARRANT §

TOWN OF PANTEGO §

The Pantego Economic Development Corporation of the Town of Pantego, Texas, met in regular session at 7:00 p.m. in the Council Chamber, 1614 South Bowen Road, Pantego, on the 13<sup>th</sup> day of May 2015 with the following members present:

Bill Brown	President
Fred Adair	Secretary
Don Surratt	Director
Gloria Van Zandt	Director

**Members Absent:**

Danny Lakey	Vice President
Arsalan Gittiban	Treasurer
Stephanie Springer	Director

**Constituting a quorum. Staff present was:**

Matt Fielder	City Manager
Chelsea Nelson	Support Specialist
Scott Williams	Public Works Director

**Also in attendance:**

Pam Mundo	Economic Development Coordinator
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**REGULAR SESSION 7:00 P.M.**  
**CALL TO ORDER AND GENERAL COMMENTS**

President Bill Brown called the meeting to order at 7:00 p.m.

**INVOCATION**

President Brown led the invocation which was followed by the Pledge of Allegiance.

**PRESIDENT'S COMMENTS**

None.

**PEDC MEMBER REPORTS/COMMENTS OF COMMUNITY INTEREST**

None.

**REGULAR BUSINESS**

**1. Executive Director Report**

Mr. Fielder informed the Board the Park Row Construction is set to begin this week; however, the weather is causing delays. Flyers were sent to all businesses located on Park Row regarding an informational meeting for the property owners, property managers, businesses, and schools that

would be affected by the project; three representatives showed. The construction contract requires water service to continue throughout the project. The direction of the work was revised to begin on the Eastern side and work west. The materials will be staged within the worksite. There was discussion on the planned lane closures.

Mr. Fielder informed the Board of upcoming businesses in town. The Dairy Queen was scheduled to open on May 18<sup>th</sup> but have decided to open on Saturday May 16<sup>th</sup> instead. They have hired off duty police officers for traffic control. They tried to schedule a Ribbon Cutting for Memorial Day weekend and since have decided to reschedule for June. The emergency room clinic, Complete Care, construction is under way. The Family Dollar is also under construction.

Mr. Fielder advised Council has approved the budget amendment for the park improvements. He is working on obtaining quotes for the playground padding.

## 2. Approval of PEDC Minutes

- April 22, 2015

No comments. Director Van Zandt made a motion to approve the minutes from April 22, 2015. Director Surratt seconded the motion.

The vote was as follows:

Ayes: Surratt, Adair, Brown, and Van Zandt.

Nays: None

Abstention: None

President Brown declared the motion passed unanimously.

## 3. Summary of Revenues and Expenditures

- May 13, 2015

The Board inquired on the deed copies expense. Secretary Adair made a motion to approve the expenses as submitted. Director Van Zandt seconded the motion.

The vote was as follows:

Ayes: Surratt, Adair, Brown, and Van Zandt

Nays: None

Abstentions: None

President Brown declared the motion passed unanimously.

## CITIZEN'S OPEN FORUM

None.

## DISCUSS, REVIEW AND CONSIDER ANY ACTION AND/OR DIRECT STAFF ON THE FOLLOWING ITEMS OF BUSINESS

### 4. Discuss, direct, and consider action on a proposal from the Star Telegram Newspaper regarding digital and print advertising.

Mrs. Mundo introduced Tobin Morgan and Amanda Onorato with the Star Telegram to discuss advertising options. Mrs. Onorato explained this is the same proposal from the last meeting; however, the options and costs were scaled down. She explained option one is online only advertising. The ads will use target words and geographical locations for the selection of ad recipients. There was discussion on the statistics and tracking availability of the search and the cost of a click being \$1 to

\$3 dollars. The Board discussed sharing the cost between Shop Pantego and PantegoFest and having the ad tie back to the website with a coupon. There was discussion on which page to tie the ad to and adding hyperlinks for the Shop Pantego and the PantegoFest websites.

There was discussion on option two regarding glossy inserts in the newspaper and their effectiveness. The Board inquired on the statistics regarding the inserts showing its effectiveness. Mr. Morgan stated the benefit to the insert is it is tangible, included with the grocery ads, and can be kept; however, there is not a good way to track the success unless there was a coupon. Mrs. Oronato stated the insert could have Shop Pantego on one side and PantegoFest on the other side giving the town two ads for the cost of one.

Option three gives both, the insert and more digital advertising. There was discussion on how they obtain the email addresses for the e-mail blast and on the cost of the direct mailer used for PantegoFest 2014. There was discussion on the information to include in the advertising, Council's involvement, and the timeline for creation and launch of the advertising. The Board set their deadline for the first meeting in June for a decision and discussed how to bring the businesses on Pioneer Parkway into the advertising opportunity. The Board directed Mr. Fielder to present these options to Council for cost sharing and place it on the next PEDC meeting for a decision.

**5. Discuss, direct, and consider action on the involvement of PEDC and options for marketing at PantegoFest 2015.**

Mrs. Mundo suggested a coupon for the businesses and presented a sample for the Board to review. The total cost for 1,000 copies is \$130.00. The idea is to take the sample to the local businesses offering them the opportunity to have the coupon printed at Sign-a-Rama for this same cost. There would be additional charges for art work if the business does not have available artwork. There was discussion on the shopping bags used last year for PantegoFest and ordering more. The Board requested to have a discussion on ordering the bags at the next meeting. Mrs. Mundo explained this would be a sample and the coupons would be inserted into the shopping bags in an effort to have more participation in the shopping bags. There was a consensus of the Board for Mrs. Mundo to discuss this item with the local businesses.

**6. Discuss, direct, and consider action on changing the dates and times for the PEDC meetings.**

Mr. Fielder introduced this item to the Board stating there have been several inquiries to the need of two meetings a month. There was discussion regarding the start time and cancelling the meetings if there is not a need for a second meeting and leaving the schedule as it is.

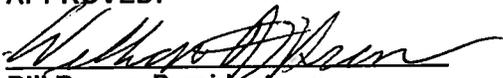
**PEDC MEMBER INQUIRY**

Director Van Zandt complimented the Public Works Department for cleaning up the cul-de-sacs near her home.

**ADJOURNMENT**

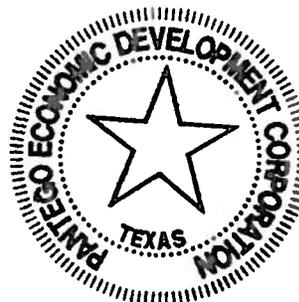
President Brown adjourned the regular session at 8:19 p.m.

**APPROVED:**

  
Bill Brown, President

**ATTEST:**

  
Fred Adair, Secretary



STATE OF TEXAS           §  
COUNTY OF TARRANT   §  
TOWN OF PANTEGO       §

The Planning and Zoning Commission of the Town of Pantego, Texas, met in regular session at 7:00 p.m. in the Town Council Chambers, 1614 South Bowen Road, Pantego, Texas on the 4th day of May 2015 with the following members present:

Stephen Smith	Chairman
John Kushma	Vice Chairman
Jason Bergin	
Clifton Cassell	

Constituting a quorum. The following staff members were present:

Matthew Fielder	City Manager
Chad Joyce	Community Development Director
Chelsea Nelson	P&Z Secretary

Also in attendance:

Don Surratt	Council Member
Fred Adair	Council Member

(The following items were considered in accordance with the official agenda posted on the 1st day of May 2015.)

#### **REGULAR SESSION 7:00 P.M.**

#### **CALL TO ORDER AND GENERAL COMMENTS**

Chairman Smith called the regular session to order at 7:00 PM.

#### **PLEDGE OF ALLEGIANCE**

Invocation led by Chad Joyce which was followed by the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

1. Approval of Planning and Zoning March 2, 2015 Minutes.

Commissioner Kushma made a motion to approve the minutes from the March 2, 2015. Commissioner Cassell seconded the motion.

#### **NEW BUSINESS**

2. Public Hearing, Review and Consider a recommendation for Zoning Case Z-207, a proposed Special Use Permit as requested by Verizon Wireless to co-locate cellular antennas and accessory ground equipment on an existing cellular tower site at 3253 West Pioneer Parkway, West 303 Centre, Pantego, Tarrant County, Texas. The property is generally located in the Northlake Shopping Center on the North side of West Pioneer Parkway between Showplace circle and Roosevelt Drive.

Chairman Smith introduced the item, opened the Public Hearing at 7:02 pm for Zoning case Z-207 and recognized the following individual(s):

Kathy Ziblich, 8150 N. Central Expressway (#1475) Dallas, TX 75206, representative for Verizon Wireless. Ms. Ziblich explained Verizon's proposition and was available for any additional questions that the Commission had while reviewing the request for a Special Use Permit.

There being no one else to speak, Chairman Smith closed the Public Hearing at 7:04 p.m.

The Commission inquired about the height of the fence and whether there was cause for concern regarding the safety of the new installation. Mr. Joyce and Ms. Ziblich reassured them that there would be no reason for concern about any of the issues brought up over the course of the discussion.

Commissioner Cassell made a motion to recommend the approval of the Special Use Permit for Verizon Wireless. Commissioner Bergin seconded the motion. The motion passed unanimously.

3. **Public Hearing, Review, and Consider a recommendation for Zoning Case Z-208, a proposed Special Use Permit renewal as requested by ASE ICE to continue use of a self service ice dispensing building at 1555 S. Bowen Road, Tracts 1A1A, 1A1B and 1A5A of the William J. Barry Survey, Pantego, Tarrant County, Texas. The property is generally located in the Westwood Village Shopping Center on the Southeast corner of S. Bowen Road and W. Park Row Drive.**

Chairman Smith introduced the item, opened the Public Hearing at 7:10 pm for Zoning case Z-208 and recognized the following individual(s):

Matt Arno, 835 E. Lamar Blvd. Arlington, TX 76011, owner of ASE ICE. Mr. Arno explained the extension of his original Special Use Permit and was available for any additional questions that the Commission had while reviewing the request for a Special Use Permit.

Lindsay Pancoast, 3811 Ichabod Circle, Arlington, TX 76013, concerned resident of Arlington. Ms. Pancoast finds ASE ICE to be an asset to the community and hopes that the Special Use Permit for this business will be renewed.

There being no one else to speak, Chairman Smith closed the Public Hearing at 7:11 p.m.

The Commission only had good things to say about the business and had no inquiries aside from the requested length of the new Special Use permit (ten (10) years) and when the old Special Use Permit expired (still has one (1) more year).

Commissioner Kushma made a motion to recommend the approval of the Special Use Permit for Case Z-208. Commissioner Cassell seconded the motion. The motion passed unanimously.

4. **Public Hearing, Review, and Consider a recommendation for Zoning Case Z-209, a proposed Special Use Permit as requested by Linda Simic to establish an alcoholic beverage establishment at 2304 W. Park Row Drive #25, Tract 1A3. 1A3A, 1A3B, 1A5, 1A5B, and 1A5C of the William J Barry Survey, Pantego, Tarrant County, Texas. The property is generally located in the Lakewood Shopping Center on the south side of the West Park Row Drive between South Bowen Road and Milby Road.**

Chairman Smith introduced the item, opened the Public Hearing at 7:14 pm for Zoning case Z-209 and recognized the following individual(s):

Linda Simic, 4002 Sumac Court, Arlington, TX 76017, owner of establishment. Ms. Simic explained the benefits of her establishment and the need for the Special Use Permit. She was available for any additional questions that the Commission had while reviewing the request for a Special Use Permit.

Randy E. Bell, 3004 Canongate Dr., Arlington, Texas 76013, spoke in favor of Case Z-209.

Barbara Brown, 2227 W. Park Row Drive, Pantego, TX 76013, spoke in favor of Case Z-209. Was a patron of Ms. Simic's business in Arlington and spoke highly of both the environment and people.

There being no one else to speak, Chairman Smith closed the Public Hearing at 7:19 p.m.

The Commission inquired about noise containment, hours of operation, kids being close to the establishment, what the percentage of food versus alcohol would be, and on the use of the patio space. Ms. Simic explained her intentions to be open from 11:00 a.m. 2 a.m. seven (7) days a week. Her staff and patrons would be closely monitored by her; therefore, children being close to her establishment would not be an issue. Her intentions for the business are for it to be a lounge, which would make the percentage of alcohol served much higher than the food service, and the lounge would have a very low impact patio that would not disturb any residents. All the questions directed to Ms. Simic were answered by her with flexibility to what was best for the Town.

Commissioner Kushma suggested a year limit on the Special Use Permit for the protection of the Town and Ms. Simic brought to the attention of the Commission that she has signed a five (5) year lease. Chairman Smith suggested reminding Council of the option to put a limit on the Special Use Permit for them to decide.

Commissioner Cassell made a motion to recommend the approval of the Special Use Permit for Zoning Case Z-209. Commissioner Kushma seconded the motion. The motion passed unanimously.

5. **Public Hearing, Review, and Consider a recommendation for Zoning Case Z-210, a proposed Special Use Permit as requested by Linda Simic to sell alcohol (mixed beverage/late hours) for on-premise establishment at 2304 W. Park Row Drive #25, Tract 1A3, 1A3A, 1A3B, 1A5, 1A5B, and 1A5C of the William J Barry Survey, Pantego, Tarrant County, Texas. The property is generally located in the Lakewood Shopping Center on the south side of the West Park Row Drive between South Bowen Road and Milby Road.**

Chairman Smith introduced the item, opened the Public Hearing at 7:36 pm for Zoning case Z-210 and recognized the following individual(s):

Same people were present in support of Case Z-209 as for Case Z-210.

There being no one else to speak, Chairman Smith closed the Public Hearing at 7:36 p.m.

The Commission inquired about the variance being the same as the variance that was approved for other establishments in the Lakewood Shopping center. Mr. Joyce informed the Commission that it was; therefore, there had been a precedent set for this particular Special Use Permit.

Commissioner Cassell made a motion to recommend the approval of the Special Use Permit for Zoning Case Z-210. Commissioner Bergin seconded the motion. The motion passed unanimously.

6. **Public Hearing, Review, and Consider a recommendation for Zoning Case Z-211, a proposed Special Use Permit as requested by Nicole Myers to establish an alcoholic beverage establishment at 2416 West Park Row, Tracts 1A3, 1A3A, 1A3B, 1A5, 1A5B, and 1A5C of the William J Barry Survey, Pantego, Tarrant County, Texas. The property is generally located in the Lakewood Shopping Center on the south side of West Park Row Drive between South Bowen Road and Milby Road.**

Chairman Smith introduced the item, opened the Public Hearing at 7:39 pm for Zoning case Z-211 and recognized the following individual(s):

Pat Myer, 1712 Seseu Street, Arlington, Texas 76013, spoke in favor of Zoning Case Z-211.

Douglas Cannon, 4930 Geddes Avenue, Ft. Worth, Texas 76107, also spoke in favor of Zoning Case Z-211.

There being no one else to speak, Chairman Smith closed the Public Hearing at 7:48 p.m.

Commissioner Bergin made a motion to recommend the approval of the Special Use Permit for Zoning Case Z-211 until change of ownership. Commissioner Kushma seconded the motion. The motion passed unanimously.

**ADJOURNMENT**

Chairman Smith declared the meeting adjourned at 7:52 p.m.

ATTEST:

*Chelsea Nelson*

Chelsea Nelson, Planning & Zoning Secretary



*Stephen C. Smith*  
Stephen Smith, Chairman



# AGENDA BACKGROUND

**AGENDA ITEM:** Community Relations Board Memorial Day Essay Contest Winners Presentation

**Date:** June 8, 2015

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**PRESENTER:**

Julie Arrington, City Secretary

**BACKGROUND:**

Each year, the Community Relations Board holds a Memorial Day essay contest open to select local High schools and Jr. High schools. The winners are invited to read their essays at the Memorial Day ceremony. The ceremony this year was cancelled due to inclement weather; therefore, the winners were invited to be recognized at the next Town Council meeting.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

None.

**ATTACHMENTS:**

Certificate of Award – Aubrey Holland, 2<sup>nd</sup> place, Jr High  
 Certificate of Award – Devin Rossman, 1<sup>st</sup> place, Jr High  
 Certificate of Award – Thierry Doda, 2<sup>nd</sup> place, High School  
 Certificate of Award – Taryn Cates, 1<sup>st</sup> place, High School

Director's Review: ICA  
 City Manager's Review: MDF

# CERTIFICATE OF AWARD

*This Certificate is Presented to*

*Aubrey Holland*

*2<sup>nd</sup> Place Memorial Day Junior High Essay Contest*

*Community Relations Board*

*2015*

*Thank you for your outstanding performance and written essay.*



*Chuck White*  
\_\_\_\_\_  
*Chuck White, CRB Chairman*

# CERTIFICATE OF AWARD

*This Certificate is Presented to*

*Devin Rossman*

*1<sup>st</sup> Place Memorial Day Junior High Essay Contest*

*Community Relations Board*

*2015*

*Thank you for your outstanding performance and written essay.*



*Chuck White*  
\_\_\_\_\_  
*Chuck White, CRB Chairman*

110

# CERTIFICATE OF AWARD

*This Certificate is Presented to*

*Thierry Doda*

*2<sup>nd</sup> Place Memorial Day High School Essay Contest*

*Community Relations Board*

*2015*

*Thank you for your outstanding performance and written essay.*



  
\_\_\_\_\_  
*Chuck White, CRB Chairman*

# CERTIFICATE OF AWARD

*This Certificate is Presented to*

*Taryn Cates*

*1<sup>st</sup> Place Memorial Day High School Essay Contest*

*Community Relations Board*

*2015*

*Thank you for your outstanding performance and written essay.*



*Chuck White*  
\_\_\_\_\_  
*Chuck White, CRB Chairman*



# AGENDA BACKGROUND

**AGENDA ITEM:** Discuss, direct and consider action on Resolution 15-17 a Resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into an agreement with the Tarrant County Tax Assessor to provide assessment and collection services Ad Valorem taxes levied by Town; declaring an effective date.

**DATE:** June 8, 2015

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**PRESENTER:** Ariel Carmona, Finance Director

**BACKGROUND:**

Annual contract with the Tarrant County Tax Assessor for the collection of ad valorem taxes presented to the Town Council for review and approval.

**FISCAL IMPACT:**

Except for date revisions, this contract is identical to last year's contract = \$1.10 per account.

Estimated number of accounts for 2015 Tax Year = 8,935. Total collection cost = \$9,828.50.

**RECOMMENDATION:**

Approval of the resolution authorizing the City Manager to enter into a contract between the Town of Pantego and the Tarrant County Tax Assessor for the assessment and collection of ad valorem taxes.

**ATTACHMENTS:**

Resolution  
Tax Year 2015 Agreement for Collection of Taxes

Director's Review: \_\_\_\_\_  
City Manager's Review: MDF

**RESOLUTION NO. 15-17**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PANTEGO AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH AND BETWEEN THE TARRANT COUNTY TAX ASSESSOR/COLLECTOR TO PROVIDE ASSESSMENT AND COLLECTION SERVICES OF AD VALOREM TAXES LEVIED BY THE TOWN; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** The Town of Pantego and Tarrant County mutually desire to enter into an Interlocal agreement to provide assessment and collection of services of Ad Valorem Taxes levied by the Town; and

**WHEREAS,** the Texas Government Code, Chapter 791, authorizes the formulation of Interlocal Cooperation Agreements between and among local governments; and

**WHEREAS,** Tarrant County and the Town of Pantego desire to enter into an Interlocal Agreement whereby the Tarrant County Tax Assessor will assess, bill, and collect the taxes due and owing on taxable property upon which the Town has imposed said taxes.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS THAT:**

**Section 1:** The Town Council hereby authorizes the City Manager to enter into the Interlocal Agreement with the Tarrant County Tax Assessor.

**Section 2:** The Tarrant County Tax Assessor/Collector shall perform the said services as outlined in Exhibit A in the same manner and fashion as Tarrant County collects its own taxes due and owing on taxable property.

**Section 3:** This resolution is effective immediately upon passage and shall continue in effect during the 2015 tax year as outlined in Exhibit A.

**PASSED AND APPROVED this the 8<sup>th</sup> day of June 2015, at a regular meeting of the Town Council of the Town of Pantego, Texas, by a vote of \_\_ ayes, \_\_ nays and \_\_ abstentions.**

\_\_\_\_\_  
**Melody Paradise, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Julie Arrington, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Jim Jeffrey, City Attorney**

## Exhibit A

**COUNTY OF TARRANT**                    §                    *Agreement For the Collection of Taxes*  
    §

Agreement made this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between the Tarrant County Tax Assessor/Collector, hereinafter referred to as **ASSESSOR/COLLECTOR**, and Tarrant County, hereinafter referred to as the **COUNTY**, both of whom are addressed at 100 E. Weatherford Street, Fort Worth, Texas 76196-0301, and the Town of Pantego hereinafter referred to as **Town**, whose address is PO Box 13210, Pantego, TX 76094-0210.

**PURPOSE OF AGREEMENT**

The purpose of this Agreement is to state the terms and conditions under which the **ASSESSOR/COLLECTOR** will provide assessment and collection services of Ad Valorem taxes levied by the Town.

NOW THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree as follows:

**I.**

**SERVICES TO BE PERFORMED**

The **ASSESSOR/COLLECTOR** agrees to bill and collect the taxes due and owing on taxable property upon which the Town has imposed said taxes. The **ASSESSOR/COLLECTOR** shall perform the said services in the same manner and fashion as Tarrant County collects its own taxes due and owing on taxable property. The services performed are as follows: receiving the Certified Appraisal Roll from the appropriate Appraisal District and monthly changes thereto; providing mortgage companies, property owners and tax representatives, tax roll and payment data; providing all necessary assessments of taxes and Truth in Taxation calculations as required; the transmittal of tax statements via the U.S. Mail or electronic transfer of data; and payment processing. All Town disbursements, made by check or by electronic transfer (ACH), for collected tax accounts will be made to the Town on the day the **COUNTY** Depository Bank indicates the mandatory assigned "float" period has elapsed and the funds are posted to the collected balance. If any daily collection total is less than one hundred dollars (\$100.00), the disbursement may be withheld until the cumulative total of taxes collected for the Town equals at least one hundred dollars (\$100.00), or at the close of the month.

**II.**

**REPORTS**

The **ASSESSOR/COLLECTOR** will provide the Town the following reports, if requested:

Daily:	General Ledger Distribution Report
Weekly:	Detail Collection Report (Summary)
Monthly:	Tax Roll Summary (Totals Only)
	Year-to-Date Summary Report
	Detail Collection Report (Summary)
	Distribution Report (Summary)
	Delinquent Tax Attorney Tape
Annual:	Paid Tax Roll
	Delinquent Tax Roll
	Current Tax Roll

A selection of the above listed Reports will only be available by internet access. The **ASSESSOR/COLLECTOR** will provide the Town the General Ledger Revenue & Expense Report monthly as required by Sec. 31.10 of the Texas Property Tax Code.

**III.**

**COMPENSATION**

In consideration of the services to be performed by the **ASSESSOR/COLLECTOR**, compensation for the services rendered is a rate of one-dollar and ten cents (\$1.10) per account located within Tarrant County, and two-dollars and sixty cents (\$2.60) per account located outside Tarrant County. The number of accounts billed will be based on the July 25 billing roll certified to the **ASSESSOR/COLLECTOR**, net of subsequent account additions and deletions made by the Appraisal District. The **ASSESSOR/COLLECTOR** will invoice for these accounts by **January 31, 2016** with payment to be received from the Town by **February 28, 2016**.

The scope of services identified in this contract does not include the administration of a rollback election. In the event of

a successful rollback election, these costs incurred by the Tarrant County Tax Office will be separately identified, billed, and paid by the entity.

**IV.  
AUDITS**

The ASSESSOR/COLLECTOR will provide to the Town auditor necessary explanations of all reports and access to ASSESSOR/COLLECTOR in-house tax system computer terminals to assist the Town auditor in verifying audit samples of the financial data previously provided by the ASSESSOR/COLLECTOR during the past audit period. Additional support for entity verification or entity auditor verification is not a part of this contract. Each request for support will be reviewed individually. Costs for providing audit support will be determined by the ASSESSOR/COLLECTOR and will be charged to and must be paid by the Town.

**V.  
TAX RATE REQUIREMENT**

The Town will provide the ASSESSOR/COLLECTOR, in writing, the Town's newly adopted tax rate and exemption schedule to be applied for assessing purposes by Wednesday, September 16, 2015. Under authority of Section 31.01 (h) of the Property Tax Code, any additional cost of printing and mailing tax statements because of late reporting of the tax rate or the exemption schedule will be charged to and must be paid by the Town.

The tax rate and the exemption schedule for each of the last five (5) years in which an ad valorem tax was levied, or all prior years where there remains delinquent tax, must be furnished in writing to the ASSESSOR/COLLECTOR at the time of the initial contract.

**VI.  
COMPLIANCE WITH APPLICABLE  
STATUTES, ORDINANCES, AND REGULATIONS**

In performing the services required under this Agreement, the ASSESSOR/COLLECTOR shall comply with all applicable federal and state statutes, final Court orders and Comptroller regulations. If such compliance is impossible for reasons beyond its control, the ASSESSOR/COLLECTOR shall immediately notify the Town of that fact and the reasons therefore.

**VII.  
DEPOSIT OF FUNDS**

All funds collected by the ASSESSOR/COLLECTOR in the performance of the services stated herein for the Town shall be promptly transferred to the account of the Town at the Town's depository bank. All payments to entities will be made electronically by the automated clearing house (ACH). The ASSESSOR/COLLECTOR has no liability for the funds after initiation of the ACH transfer of the Town's funds from the COUNTY Depository to the Town's designated depository.

**VIII.  
INVESTMENT OF FUNDS**

The Town hereby agrees that the COUNTY, acting through the COUNTY Auditor, may invest collected ad valorem tax funds of the Town during the period between collection and payment. The COUNTY agrees that it will invest such funds in compliance with the Public Funds Investment Act. The COUNTY further agrees that it will pay to the Town all interest or other earnings attributable to taxes owed to the Town. All parties agree that this Agreement will not be construed to lengthen the time period during which the COUNTY or the ASSESSOR/COLLECTOR may hold such funds before payment to the Town.

**IX.  
REFUNDS**

Refunds will be made by the ASSESSOR/COLLECTOR except as set forth herein. The ASSESSOR/COLLECTOR will advise the Town of changes in the tax roll which were mandated by the appropriate Appraisal District.

The ASSESSOR/COLLECTOR will not make refunds on prior year paid accounts unless the prior year paid accounts

for the past five (5) years are provided to the ASSESSOR/COLLECTOR.

All refunds of overpayments or erroneous payments due, but not requested, and as described in Section 31.11 of the Texas Property Tax Code, will after three years from the date of payment, be proportionately disbursed to those entities contracting with the ASSESSOR/COLLECTOR. The contract must have been in force, actual assessment and collection functions begun and the tax account was at the time of the over or erroneous payment within the Town's jurisdiction. The proportional share is based upon the Town's percent of the tax account's total levy assessed at the time of receipt of the over or erroneous payment.

In the event any lawsuit regarding the collection of taxes provided for in this agreement to which the Town is a party, is settled or a final judgment rendered, and which final judgment is not appealed, and the terms of such settlement agreement or final judgment require that a refund be issued by the Town to the taxpayer, such refund shall be made by ASSESSOR/COLLECTOR by debiting funds collected by ASSESSOR/COLLECTOR on behalf of the Town and remitting such refund to the taxpayer in conformity with the terms of the settlement agreement or final judgment.

#### **X.**

##### ***DELINQUENT COLLECTIONS***

The ASSESSOR/COLLECTOR will assess and collect the collection fee pursuant to Sections, 33.07, 33.08, 33.11 and 33.48 of the Property Tax Code, when allowed. The ASSESSOR/COLLECTOR will collect attorney fees that are specified by the Town through written agreement with a delinquent collection Attorney. The ASSESSOR/COLLECTOR will disburse the amount directly to the Town for compensation to a Firm under contract to the Town.

If the delinquent collection Attorney contracted by the Town requires attendance of ASSESSOR/COLLECTOR personnel at a court other than the District Courts in downtown Fort Worth, and the COUNTY is not a party, the employee's expenses and proportionate salary will be the responsibility of the Town and will be added to the collection expenses and charged to the Town.

The ASSESSOR/COLLECTOR will not be responsible for the collection of prior year delinquent accounts unless all delinquent accounts information is provided to the ASSESSOR/COLLECTOR.

#### **XI.**

##### ***TERM OF AGREEMENT***

This Agreement shall become effective as of the date hereinabove set out, and shall continue in effect during the 2015 tax year, unless sooner terminated by providing sixty (60) day written notice, as outlined in paragraph XII.

#### **XII.**

##### ***NOTICES***

Any notices to be given hereunder by either party to the other may be effected, in writing, either by personal delivery or by mail, registered or certified, postage prepaid with return receipt requested. Mailed notices shall be addressed to the address of the parties as they appear in the introductory paragraph of this Agreement, but each party may change this address by written notice in accordance with this paragraph.

**XIII.**

**MISCELLANEOUS PROVISIONS**

This instrument hereto contains the entire Agreement between the parties relating to the rights herein granted and obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force or effect.

This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Tarrant County, Texas.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives and successors.

In case any one 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 enforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provisions had never been contained.

This Agreement and the attachments hereto constitutes the sole and only agreement of the parties hereto and supersedes any prior understandings or written or oral agreements between the parties respecting the within subject matter.

Executed on the day and year first above written, Tarrant County, Texas.

**BY:** \_\_\_\_\_ **DATE** \_\_\_\_\_  
**RON WRIGHT,**  
**TAX ASSESSOR/COLLECTOR**  
**TARRANT COUNTY**

**FOR Town of Pantego**

**BY:** \_\_\_\_\_ **DATE** \_\_\_\_\_  
**TITLE:** \_\_\_\_\_

**FOR TARRANT COUNTY:**

**BY:** \_\_\_\_\_ **DATE** \_\_\_\_\_  
**B. GLEN WHITLEY**  
**TARRANT COUNTY JUDGE**

**APPROVED AS TO FORM:**

**BY:** \_\_\_\_\_ **DATE** \_\_\_\_\_  
**CRIMINAL DISTRICT ATTORNEY'S OFFICE\***

\*By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead those parties should seek contract review from independent counsel.



# AGENDA BACKGROUND

**AGENDA ITEM:** Discuss, direct, and consider action on Resolution 15-18 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into contracts for entertainment and logistics for PantegoFest 2015.

**Date:** June 8, 2015

**PRESENTER:**

Matt Fielder, City Manager

**BACKGROUND:**

Resolution R 15-18 authorizes the City Manager to approve contracts/proposals for Pantego Fest that were previously reviewed with the Council on May 18<sup>th</sup>. These include:

Me and My Monkey – Band  
 Escape – Band  
 Eagle AVL – Stage and Sound  
 Viking Fence – Fencing and Porta-Johns

**FISCAL IMPACT:**

\$14,160.67

**RECOMMENDATION:**

Staff recommends the approval to Resolution 15-18

**ATTACHMENTS:**

Resolution 15-18

Director's Review: \_\_\_\_\_  
 City Manager's Review: MDF

**RESOLUTION NO. 15-18**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR PROVIDING ENTERTAINMENT AND LOGISTICS AT THE 2015 PANTEGOFEST.**

**WHEREAS,** the Town Council sees the need to furnish entertainment and logistics at the 2015 PantegoFest for the enjoyment of the festival by the attendees; and

**WHEREAS,** the Town Council believes the contracts outlined within this resolution are to the best benefit of the festival attendees.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS:**

**Section 1:** the Town Council authorizes the City Manager to enter into a contract with Eagle AVL for providing the stage, sound, and lighting entertainment as outlined in Exhibit A.

**Section 2:** the Town Council authorizes the City Manager to enter into a contract with Viking Fence to provide adequate temporary fencing and adequate restrooms as outlined in Exhibit B

**Section 3:** the Town Council authorizes the City Manager to enter into a contract with Escape- the Dallas Journey Tribute Band and agrees to the terms and conditions of the contract as outlined in Exhibit C.

**Section 4:** the Town Council authorizes the City Manager to enter into a contract with Me & My Monkey and agrees to the terms and conditions of the contract as outlined in Exhibit D.

**Section 5:** this resolution is effective immediately upon passage.

**PASSED AND APPROVED this the 8<sup>th</sup> day of June 2015, at a regular meeting of the Town Council of the Town of Pantego, Texas, by a vote of \_\_ ayes, \_\_ nays and \_\_ abstentions.**

\_\_\_\_\_  
**Melody Paradise, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Julie Arrington, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**James T. Jeffrey, Jr., City Attorney**

**Eagle AVL**

5043 Martin Luther King Fwy

Fort Worth, TX 76119

USA

Phone: (817) 654-9905

www.eagleavl.com

Q  
FlairEventsF

<b>Client</b>	<b>Venue / Site</b>
Flair Events April Coltharp Phone: 817-614-5530 april@flairftworth.com	Pantego Texas

<b>Account Manager</b>	<b>Shipping Method</b>	<b>Customer PO</b>	<b>Warehouse</b>
Danny Miller	N/A		Dallas/Fortworth

<b>Ship Date</b>	<b>Load In</b>	<b>Show Start</b>	<b>Load Out</b>
9/25/2015 6:30 AM	9/25/2015 9:00 AM	9/25/2015 6:00 PM	9/27/2015 5:00 PM

Type	Qty.	Description	Note	Tit
<b>Audio</b>				
Production	1	FOH 32-ch console/process pack		
Production	1	Mic Pack (Standard)-containing 2-kick/16-instrument/6condenser/12-D		
Production	1	Stands Pack (Standard) 20-Tall Boom/12-Med Boom/8-Claw Type		
Production	1	4-mix/6-wedge /amp pack/NL4 pack		
Production	1	Mains Pack-6-OmegaU12/6-OmegaU218/2-OC/HA amp process pack/		
<b>Lighting</b>				
Production	1	Levitron 16ch Console		
Production	24	ToughParFab5/Weatherproof LED PAR/7x15watt RGBAW		
<b>Staging</b>				
Production	1	Stageline SL100 with skirt/1-Steps and rear windwall		
Production	1	8x8 Wings Package with 2-side safety rail		
Production	1	Tent 10x10-Pop Up /with Anchors		
Production	1	8x8x12" Riser Pack		
<b>Labor</b>				
Production	1	Production Tech		



PORTABLE  
EVENT  
RESTROOMS

**PORTABLE SITE SERVICES**  
Cell (214)476-5904

Company: Flair Events  
Address:  
Phone:  
Email:  
Event Name: Pantego Fest  
Event Addr:  
City: Pantego  
State: TX

BID  
DATE:  
Cust#:  
Job #  
Contact April Coltharp  
Cell  
Phone: 817-614-5530  
Fax:  
Site  
Contact:

**EVENT INFORMATION**

RO#  
:  
PO#  
:  
Zip  
Code:  
e:

Map Page:

**EVENT RESTROOMS**

Quantity	Item Description	Delivery Info	Pickup Date & Time	Service Date & Time	Price Each	TOTAL
					\$0.00	\$0.00
14	Event toilets	9/25/2015	9/27/2015		\$50.00	\$700.00
2	ADA				\$95.00	\$190.00
3	Hand Sanitizer				\$75.00	\$225.00
19	Services			9/26/15- 6am	\$12.50	\$237.50
19	Services			9/26/15 12PM	\$15.50	\$294.50
0			or	9/27/15 9AM		\$0.00
						\$0.00
						<b>TOTAL \$1,647.00</b>

**TEMPORARY FENCE**

Quantity	Item Description	Delivery Date & Time	Pickup Date & Time	Price Per Foot/Unit	TOTAL
					\$0.00
828	Event panels	9/25/15 8:00	AM9/27/15 5:30pm	\$1.10	\$910.80
69	sand bags	9/25/15 8:00	AM9/27/15 5:30pm	\$1.50	\$103.50
340	Bike Rack	9/25/15 8:00	AM9/27/15 5:30pm	\$1.50	\$510.00
					\$0.00
1	Sunday pickup charge				\$175.00
					\$0.00
					<b>TOTAL \$1,699.30</b>

\*THERE IS AN INITIAL \$400.00 MINIMUM FOR THIS SITE/PROJECT.  
\*RETURN TRIPS ARE \$250.00 MINIMUM.

Fuel: \$40.00  
Subtotal: \$3,386.30  
Tax (8.25%): \$279.37  
**TOTAL: \$3,665.67**

Sales Rep: Wendy Simmons

Email: Wendy@Vikingfencedallas.com

**Escape - The Dallas Journey Tribute Band****PERFORMANCE AGREEMENT**

THIS AGREEMENT is entered into this 23th day of April, 2015, by and between the Performance Group named below (hereforth referred to as the "Artist") and the Buyer identified below, collectively the "Parties."

IN CONSIDERATION of the mutual promises set forth herein, and for other good and valuable considerations, the receipt of which is hereby acknowledged, the Buyer hereby engages the Artist to provide a Performance set upon the following terms:

- 1) Performance Group Name: **Escape - The Dallas Journey Tribute Band** (www.EscapeRocks.com)
- 2) Artist Contact/Authorized Agent: Andie Jones, 817-291-3642, Fax 817-962-0131, tributebands@yahoo.com
- 3) Buyer Name and Address: Town of Pantego, 1614 S. Bowen Road, Pantego TX 76013, 817-617-3700
- 4) Buyer Contact/Authorized Agent: Matthew Fielder, 817-617-3700
- 5) Place of Performance: PantegoFest
- 6) Date of Performance: Saturday, September 26, 2015
- 7) Time of Performance: 7:30 to 9:00 p.m.
- 8) Dressing Room: When applicable, Artist will have a clean, private dressing room area with easy access to restroom facilities and at least one security personnel on duty.
- 9) Performance Fee: Buyer shall pay a Fee of **\$1300.00** for the Performance.
  - a. A Deposit of **\$700.00** is due upon execution of the Agreement, payable to **Infinite Source Productions**.
  - b. The Balance of **\$600.00** is due immediately following the Performance, payable to **Mike Heup**.
- 10) Promotion: Buyer shall be responsible for all promotion of the Performance. When possible, the band shall be listed as "**Escape - The Dallas Journey Tribute Band**" or "**Escape (Journey tribute)**".
- 11) Insurance: Buyer warrants and represents that Buyer has, or shall obtain, sufficient personal injury and property damage liability insurance with respect to the activities of Artist at the Place of Performance, except for claims arising from Artist's willful misconduct or gross negligence.
- 12) Accommodations: Buyer shall provide the members of the Performance Group with:
  - a. Reasonable amounts of free water and soft drinks during the Performance.
  - b. Guests/Comps: (N/A)
  - c. Meals: Hospitality snacks provided for band and crew.
  - d. Lodging: (N/A)
  - e. Transportation: (N/A)
- 13) Cancellation and Inclement Weather: If Buyer cancels the Performance less than three (3) weeks before the Date of Performance, Buyer shall forfeit any Deposit to Artist as liquidated damages. In addition, if Buyer cancels the Performance less than two (2) weeks before the Date of Performance, Buyer shall pay Artist half of the agreed Performance Fee as liquidated damages, to be paid by the Performance Date. The obligation of Artist to perform shall be excused by detention of personnel due to sickness, accidents, riots, strikes, epidemics, acts of God, weather, or any other legitimate condition beyond the control of Artist. If the Performance is cancelled on the Performance Date due to inclement weather, the Artist will still be paid the agreed Performance Fee in full.
- 14) Merchandise: Artist shall, at its option, sell promotional material at the Performance, retaining all proceeds associated therewith. An 8 ft. table, 2 chairs, and access to power will be provided by Buyer for merch sales.
- 15) General: This Agreement will be governed and construed in accordance with the laws of the State of Texas. This Agreement, and any attached Riders and Addendums, constitutes the entire Agreement between the Parties.
- 16) Additional Provisions: The Parties agree to the following additional terms:
  - a. Artist will provide their own backline for the Performance.
  - b. Buyer will provide covered stage, lights, and sound for the Performance.

I have read and agree to all terms as written in this Performance Agreement.

BUYER: **Town of Pantego**

ARTIST: **Escape - The Dallas Journey Tribute Band**

By \_\_\_\_\_

By Andie Jones

Date \_\_\_\_\_

Date 4-23-2015

Exhibit D

AMERICAN FEDERATION OF MUSICIANS OF THE UNITED STATES AND CANADA

(HEREIN CALLED "FEDERATION")



**CONTRACT**

(Form L-2)

FOR LOCAL ENGAGEMENTS ONLY

(NOT FOR USE IN CANADA)

Whenever The Term "The Local Union" Is Used In This Contract, It Shall Mean Local Union No. 72-147 Of The Federation.

THIS CONTRACT for the personal services of musicians on the engagement described below is made this 23rd day of APRIL, 2015, between the undersigned purchaser of music (herein called "Purchaser") and the undersigned musician or musicians.

- Name and Address of Place of Engagement: 2223 W. PARK ROW DR. PANTEGO, TX 76013
- Name of Band or Group: ME: MY MONKEY "The Beatles Tribute"  
Number of Musicians: 4 Number of Vocalists: 4
- Date(s) of Engagement; daily or weekly schedule and daily clock hours: SUNDAY, SEPT. 27, 2015 3:30pm-5pm
- Type of Engagement (specify whether dance, stage show, banquet, etc.): PANTEGO FEST
- Compensation Agreed Upon: \$ 1200.00 FLAT GUARANTEE RAIN OR SHINE WITH PURCHASER PROVIDING SOUND & ENGINEER  
(Amount and Terms)
- Purchaser Will Make Payments As Follows: PAYMENT ON AFTERNOON OF PERFORMANCE  
(Specify when payments are to be made)  
(PLEASE MAKE CHECK PAYABLE TO GEORGE JARA)

IN WITNESS WHEREOF, the parties hereto have hereunto set their names and seals on the day and year first above written.

<p><u>X</u> _____ Print Purchaser's Full and Correct Name (If Purchaser is Corporation, Full and Correct Corporate Name)</p> <p>_____ <u>X</u> _____ Signature of Purchaser (or Agent thereof)</p> <p>_____ <u>1013 BONNIE BRAE</u> _____ Street Address Musician's Home Address</p> <p>_____ <u>FT. WORTH, TX 76111</u> _____ City State Zip Code City State Zip Code</p> <p>_____ <u>817-838-5922</u> _____ Telephone Telephone</p> <p>_____ _____ Booking Agent Agreement No. Address</p>	<p><u>GEORGE JARA</u> _____ Print Name of Signatory Musician Home Local Union No.</p> <p>_____ <u>X</u> _____ Signature of Signatory Musician</p>
--	---

Names of All Musicians	Local Union No.	U.S. Social Security Nos.	Direct Pay
_____	_____	_____	\$ _____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



# AGENDA BACKGROUND

**AGENDA ITEM:** Public Hearing, review and consider action on Ordinance 15-764 an ordinance of the Town Council of the Town of Pantego, Texas, authorizing Zoning Case Z-212, a proposed Special Use Permit as requested by Brad Stroup (The Prayer Room) to establish a nonprofit parachurch organization at 1503 Nora Drive, Tract 4Q of the Nathan Smith Survey, Pantego, Tarrant County, Texas; and declaring an effective date. The property is generally located on the east side of Nora Drive between West Park Row Drive and Whispering Trail Circle.

**Date:** June 8, 2015

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**PRESENTER:** Chad Joyce, Community Development Director

**BACKGROUND:**

See Community Development Staff Report.

The Notice of Public Hearing was published on Friday May 22, 2015 in the Fort Worth Commercial Recorder, the Town's official newspaper. This Notice was also posted on the Town's bulletin board and the Town's website. Owners of property within two hundred (200) feet of the applicant property were given notice via U.S. Mail.

**RECOMMENDATION:**

Staff recommends approval of this Special Use Permit with a time limit of change of ownership.

**ATTACHMENTS:**

Ordinance 15-764  
 Community Development Staff Report  
 Application, Zoning Case Z-212  
 Notification Map  
 Notification List

Director's Review: ej  
 City Manager's Review: MDF

**ORDINANCE NO. 15-764**

**AN ORDINANCE OF THE TOWN OF PANTEGO AUTHORIZING A SPECIAL USE PERMIT ISSUED TO BRAD STROUP (THE PRAYER ROOM) TO ESTABLISH A NONPROFIT PARACHURCH ORGANIZATION LOCATED AT 1503 NORA DRIVE, TRACT 4Q OF THE NATHAN SMITH SURVEY, PANTEGO, TARRANT COUNTY, TEXAS; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Pantego, Texas is a Type A General Law Municipality located in Tarrant County, Texas, created in accordance with provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Chapter 14, Section 14.02.513(5) of the Town of Pantego Municipal Code allows for an exception for any public or government building or use not elsewhere permitted in a particular district; and

**WHEREAS**, the Planning & Zoning Commission as required by Chapter 211 of the Texas Local Government Code has duly published a Notice of Public Hearing in the Fort Worth Commercial Recorder, the official newspaper for the Town of Pantego, on May 22, 2015; and

**WHEREAS**, the Planning and Zoning Commission has received and reviewed the application from Brad Stroup and has determined that it complies with all requirements for the Special Use Permit; and

**WHEREAS**, the Commissioners recommended approval of this application at their regularly scheduled meeting on June 1, 2015; and

**WHEREAS**, the Town Council by affirmative vote of four of its members may by ordinance authorize special use permits; and

**WHEREAS**, presentation of this ordinance at a meeting preceding the meeting at which the ordinance is enacted places an undue burden in administrative time and expense to the Town, and as reflected by the vote of two-thirds of the Councilmember's present, the requirements of Section 1.03.035(b) are hereby waived.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS THAT:**

**SECTION 1:**

The Town Council authorizes a Special Use Permit for the use of a nonprofit parachurch organization located at:

Tract 4Q of the Nathan Smith Survey in Pantego, Tarrant County, Texas  
1503 Nora Drive, Pantego, Texas

as requested by Brad Stroup (The Prayer Room).

**SECTION 2:**

This Special Use Permit shall expire upon change of ownership.

**SECTION 3:  
PROVISIONS CUMULATIVE**

This ordinance shall be cumulative of all provisions of the ordinances of the Town of Pantego, Texas, as amended, 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 4:  
EFFECTIVE DATE**

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

**PASSED AND APPROVED AFTER WAIVER OF THE REQUIREMENTS OF TOWN CODE SECTION 1.03.035(b) THIS THE 8<sup>th</sup> DAY OF JUNE 2015 BY A VOTE OF \_\_ AYES, \_\_ NAYS, AND \_\_ ABSTENTIONS, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS.**

\_\_\_\_\_  
**Melody Paradise, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Julie Arrington, City Secretary**

**APPROVE AS TO FORM:**

\_\_\_\_\_  
**Jim Jeffrey, City Attorney**



## COMMUNITY DEVELOPMENT STAFF REPORT

<b>MEETING DATE:</b>	June 8, 2015
<b>ACTION REQUESTED:</b>	Consider action for a Special Use Permit to establish a nonprofit parachurch organization at 1503 Nora Drive.
<b>PROPERTY DESCRIPTION:</b>	Tract 4Q of the Nathan Smith Survey, Pantego, Tarrant County, Texas.
<b>PROPERTY OWNER:</b>	Brad Stroup (The Prayer Room)
<b>APPLICANT:</b>	Brad Stroup
<b>CURRENT ZONING:</b>	C-2 Commercial District
<b>SURROUNDING ZONING/LAND USE:</b>	North – City of Arlington - Church East – C-2 Commercial Zoning District South- R-1 Residential Zoning District West – C-2 Commercial Zoning District C-1 Commercial Zoning District R-1 Residential Zoning District
<b>REQUESTED VARIANCES:</b>	No variances are requested.
<b>ANALYSIS:</b>	Brad Stroup with the Prayer Room has requested permission to establish a church at 1503 Nora Drive. Mr. Stroup has purchased the existing two-story building from Trinity United Methodist Church. There are twenty available parking spaces on the property which would allow for a 100 seat meeting area. The building will be remodeled to better suit the use. This building has been a church use in the past and staff is unaware of any major issues that the use has caused for surrounding neighborhood regarding noise or traffic.
<b>FURTHER ANALYSIS:</b>	Mr. Stroup and two others spoke in favor of the application. During his presentation Mr. Stroup explained the mission of his organization not to be a church in the regular sense, but a parachurch organization that focuses on prayer solely. There are not members like a typical church, but people from churches across the area come there to pray. There will be a prayer service on Saturday nights that will have a larger group. He described the hours of operation to be 5:00 a.m. to 11:00 p.m. with a goal of 24 hour prayer at the facility. Most of that time would see two to six people attending the prayer time. He also offered that the area for “services” would be lined with additional soundproofing to ensure that there would not be a nuisance to surrounding neighbors.  A couple that own a home adjacent to the property actually spoke for the use, but had concerns about noise and movement at night that could cause their dogs to bark. There was also discussion of the enclosing of the upstairs balcony so that there was no way to view into the residential rear yards. The initial remodel plans call for the balcony to be partially enclosed, but would leave an area adjacent to the employee break room open.

Mr. Stroup was open to consider enclosing this area as well, but this may not be necessary.

**SPECIAL USE PERMIT  
CONSIDERATIONS:**

The Town of Pantego Zoning Ordinance states the following considerations that the Planning and Zoning Commission and Town Council should consider prior to approval of a special use permit:

- (1) The proposed use complies with all the requirements of the zoning district in which the special use permit is located;
- (2) The proposed use as located and configured will contribute to or promote the general welfare and convenience of the Town;
- (3) The benefits that the town gains from the proposed use outweigh the loss of or damage to any homes, businesses, natural resources, agricultural lands, historical or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historical features of significance, and outweigh the personal and economic cost of any disruption to the lives, business and property of individuals affected by the proposed use;
- (4) Adequate utilities, road access, drainage and other necessary supporting facilities have been or shall be provided;
- (5) The design, location and arrangement of all public and private streets, driveways, parking spaces, entrances and exits shall provide for a safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;
- (6) The issuance of the special use permit does not impede the normal and orderly development and improvement of neighboring vacant property;
- (7) The location, nature and height of buildings, structures, walls and fences are not out of scale with the neighborhood;
- (8) The proposed use will be compatible with and not injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values within the vicinity;
- (9) Adequate nuisance prevention measures have been or shall be taken to prevent or control offensive odors, fumes, dust, noise, vibration and visual blight;
- (10) Sufficient on-site lighting is provided for adequate safety of patrons, employees and property and such lighting is adequately shielded or directed so as not to disturb or adversely affect neighboring properties;
- (11) There is sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties;
- (12) The proposed operation is consistent with the applicant's submitted plans, master plans, projections, or where inconsistencies exist, the benefits to the community outweigh the costs;
- (13) The proposed use is in accordance with the Town's comprehensive plan.

**RECOMMENDED**

- ACTIONS:** The Town Council has the following options when considering a Special Use Permit application:
- Approval as submitted;
  - Approval with conditions;
  - Table to specific date with clarification of intent and purpose; or
  - Denial of application.

**PLANNING AND ZONING**

**RECOMMENDATION:** The Planning and Zoning Commission recommended approval of this Special Use Permit with a time limit of change of ownership.

**STAFF**

**RECOMMENDATION:** Staff recommends that the Town Council approve this Special Use Permit with a time limit of change of ownership.



### APPLICATION FOR A SPECIAL USE PERMIT

**APPLICANT** If applicant is NOT owner of property, Agent Authorization Form must be completed.

Name: Brad Stroup (The Prayer Room) Date: April 13th, 2015

Address: 5315 Livermore Dr.

Street Address

Arlington TX 76017

City State Zip

Phone: 682-553-0221 Email: brad@theprayerroomdfw.com

Applicant Status:  Owner  Tenant  Purchaser  Other

**PROPERTY DEVELOPMENT INFORMATION**

Address: 1503 Nora Dr. Pantego, TX 76013

Legal Description:

Property is subdivided: Addition: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Property is not subdivided: Survey: Nathan Smith

Abstract#: 1432 Tract: II Vol. 10786, Pg 174

Existing Classification: Church Use (C-2)

Developer: _____	Agent: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Phone/Fax: _____	Phone/Fax: _____
Surveyor: _____	Engineer: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Phone/Fax: _____	Phone/Fax: _____

Present use of the property: Youth Ministry Center: weekly worship services, Bible instruction and offices

Proposed use of the property: Ministry Base: offices, prayer room, Bible instruction, worship services

Status of development plans:  None  Site Plans Complete  Building Plans Complete



**ACKNOWLEDGMENTS**

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now or will be fully prepared to present the above proposal at the Planning and Zoning Commission hearing thereon. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the Town. I further acknowledge that attesting to inaccurate or false information on this zoning application can result in conviction of a misdemeanor and fine not to exceed \$2,000.

I understand that in the event the undersigned is not present or represented at the public hearing the Planning and Zoning Commission shall have the power to dismiss this proposal either at the call of the case or after hearing, and such dismissal shall constitute a denial by both the Planning and Zoning Commission and the Town Council.

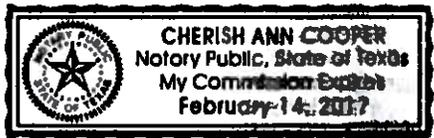
I reserve the right to withdraw this proposal at any time, except during notice periods, upon written request filed with the Town Secretary, and such withdrawal shall immediately stop all proceedings thereon; provided, however, withdrawal filed at any time after the giving of notice of the Planning and Zoning Commission hearing shall constitute a denial by the Commission and the Town Council. I understand that the filing fee is not refundable upon withdrawal of the proposal.

Applicant: Brad Stroup Date: 04-13-15

State of Texas )  
County of Tarrant

Sworn and subscribed before me the undersigned notary public this the 14<sup>th</sup> day of April 2015.

Cherish Ann Cooper  
Cherish Ann Cooper  
Notary Public



Commission Expires: 2.14.17  
Seal:

**OFFICE USE ONLY**

Application Checklist:

- Complete application form
- Agent Authorization Form (if necessary)
- Application Fee
- Site Plan
- Additional Submittals Information

Application accepted by: Chelsea Nelson Date: 4-14-15

Checked for completeness: ✓ Fee Paid: \$500 Receipt No.: 63892

Remarks: \_\_\_\_\_

Set for P&Z: June 1 Set for Council: June 8



## ADDITIONAL SUBMITTAL INFORMATION

- N/A ▪ Any final environmental assessment and/or final environmental impact statement that may be required pursuant to state or federal statutes
- N/A ▪ Copies of studies or analyses upon which have been based projections for need or demand for the proposed facility
- N/A ▪ Copies of studies or analysis upon which alternatives have been considered and evaluated
- N/A ▪ Description of present use, assessed value & actual value of the land affected by the proposed facility
- See Below \* ▪ Description of the proposed use, anticipated assessed value and supporting documentation
- N/A ▪ Description of any long term plans or master plan for the future use or development of the property
- N/A ▪ Description of the applicant's ability to obtain needed easements to serve the proposed use
- N/A ▪ Description of the type, feasibility and cost of any proposed mitigation necessary to make the proposed use compatible with current and future land use patterns
- N/A ▪ Description of any special construction requirements that may be necessary for any construction or development on the subject property
- N/A ▪ If the proposed use will result in a significant increase in traffic, a traffic impact analysis prepared by a certified professional engineer qualified in the field of traffic engineering and forecasting
- See Below \*\* ▪ A noise management plan detailing the projected noise produced by the proposed use, including, but not limited to, the projected noise volume and duration, and the noise mitigation measures proposed to be implemented

### \*PROPOSED USE:

We are a prayer ministry and part time Bible training center. We have operated in Arlington for nearly a decade and we hope for this to become our new base of operations; our primary age bracket is 20 year olds. We pray for the city, our nation and hurting people. Our prayer room is open to all and is a peaceful environment for people to come in and read their Bibles, study or pray with music going to make the room more inviting.

### \*\*NOISE MANAGEMENT:

We do not anticipate to have a noise issue as we have been doing our prayer meetings at multiple locations for the past 9 1/2 years and have never had a problem before. We will however be removing the windows in our prayer room area and will replace with double sheet rock with 1/2 inch gap and apply exterior paneling in their place.

# SURVEY PLAT

COPYRIGHT © DATE 01-12-15

BEING SITUATED IN THE NATHAN SMITH SURVEY, ABSTRACT NO. 1432 IN THE TOWN OF PANTEGO, TARRANT COUNTY, TEXAS AND BEING THE SAME PROPERTY CONVEYED TO TRINITY UNITED METHODIST CHURCH AS TRACT II IN DEED RECORDED IN VOLUME 10786, PAGE 174, DEED RECORDS, TARRANT COUNTY, TEXAS AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

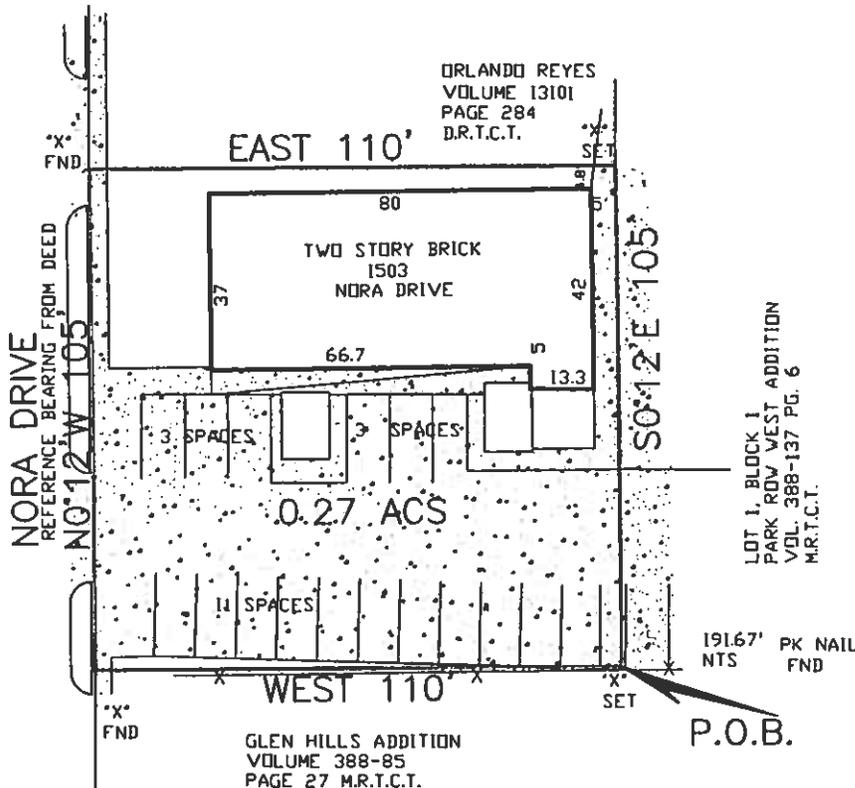
BEGINNING AT THE SOUTHWEST CORNER OF LOT I, BLOCK I, OF PARK ROW WEST ADDITION, AN ADDITION TO THE TOWN OF PANTEGO, TARRANT COUNTY, TEXAS ACCORDING TO THE MAP RECORDED IN VOLUME 388-137, PAGE 6, MAP RECORDS, TARRANT COUNTY, TEXAS AND ALSO BEING ON THE NORTH LINE OF GLEN HILLS ADDITION, AN ADDITION TO THE TOWN OF PANTEGO, TARRANT COUNTY, TEXAS ACCORDING TO THE MAP RECORDED IN VOLUME 388-85, PAGE 27, MAP RECORDS, TARRANT COUNTY, TEXAS;

THENCE WEST WITH THE NORTH LINE OF SAID GLEN HILLS ADDITION, 110' TO AN "X" FOUND ON THE EAST LINE OF NORA DRIVE AND AT THE NORTHWEST CORNER OF SAID GLEN HILLS ADDITION;

THENCE N0°12'W WITH THE EAST LINE OF SAID NORA DRIVE, 105' TO AN "X" FOUND FOR CORNER;

THENCE EAST, 110' TO AN "X" SET FOR CORNER ON THE WEST LINE OF SAID LOT I;

THENCE S0°12'E WITH SAID LOT I, 105' TO AN "X" SET FOR CORNER AT THE PLACE OF BEGINNING AND CONTAINING 0.27 ACRES OF LAND, MORE OR LESS.

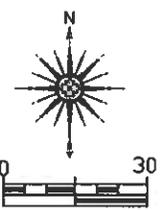


ACCEPTED BY: \_\_\_\_\_

**NOTES**

THIS PROPERTY IS SUBJECT TO AN AGREEMENT AND EASEMENT FOR UNDERGROUND SERVICE AS RECORDER IN VOL.5755, PG.584, D. R. T. C. T.

LEGEND			
	POWER POLE		FENCE
	WOOD DECK		B.L. BUILDING LINE
	CONCRETE		ESMY. EASEMENT LINE
	GRAVEL		IRF IRON ROD FOUND
	BRICK		IRS IRON ROD SET
	ASPHALT		POWER LINE
	STONE		P.B. POWER BOX
	AIR CONDITIONER		R.O.W. RIGHT OF WAY
	COLUMN		HANDICAP PARKING
	COVERED AREA		U.E. UTILITY EASEMENT
	FIRE HYDRANT		G.M. GAS METER
	CABLE BOX		W.M. WATER METER
	PROPERTY LINE		BUILDINGS



**JIMMY W. POGUE, INC.**  
 "Registered Professional Land Surveyors"

3510 Marvin D. Love Freeway (214) 371-0666 Voice  
 Dallas, Texas 75224 (214) 371-9900 Fax

JIMMILYN D. WOODARD RPLS 5398  
 Website: www.jimmypogue.com  
 Email: kstuart@jimmypogue.com

Job Number: 117859	Date: 01-12-15
G.F. Number: 143544-RU	Title Company: REUNION
Certified to: TRINITY UNITED METHODIST CHURCH	Drawn by: KLS

I, Jimlyn D. Woodard, Registered Professional Land Surveyor of the State of Texas, do certify that this Survey Plat is a representation of the property shown hereon as determined by survey on the ground under my supervision. The plat hereon is a representation of the property, as determined by on the ground survey, the lines and improvements are as shown, all improvements being within the boundaries of the property, set back from shown on said plat, all corner monuments are as shown EXCEPT AS SHOWN ON SURVEY. THERE ARE NO ABOVE GROUND ENCROACHMENTS OR ABOVE GROUND PROTRUSIONS.

This Survey was performed exclusively for the parties shown hereon and is licensed for a single use. This Survey remains the property of the Surveyor. Unauthorized reuse is not permitted without the expressed written permission of the Surveyor. This survey is an original work protected by United States Copyright Law and International Treaties. All rights reserved. Do not make illegal copies.

*Jimlyn D. Woodard*  
 Jimlyn D. Woodard RPLS #5398  
**THIS SURVEY VALID ONLY WITH EMBOSSED SEAL**

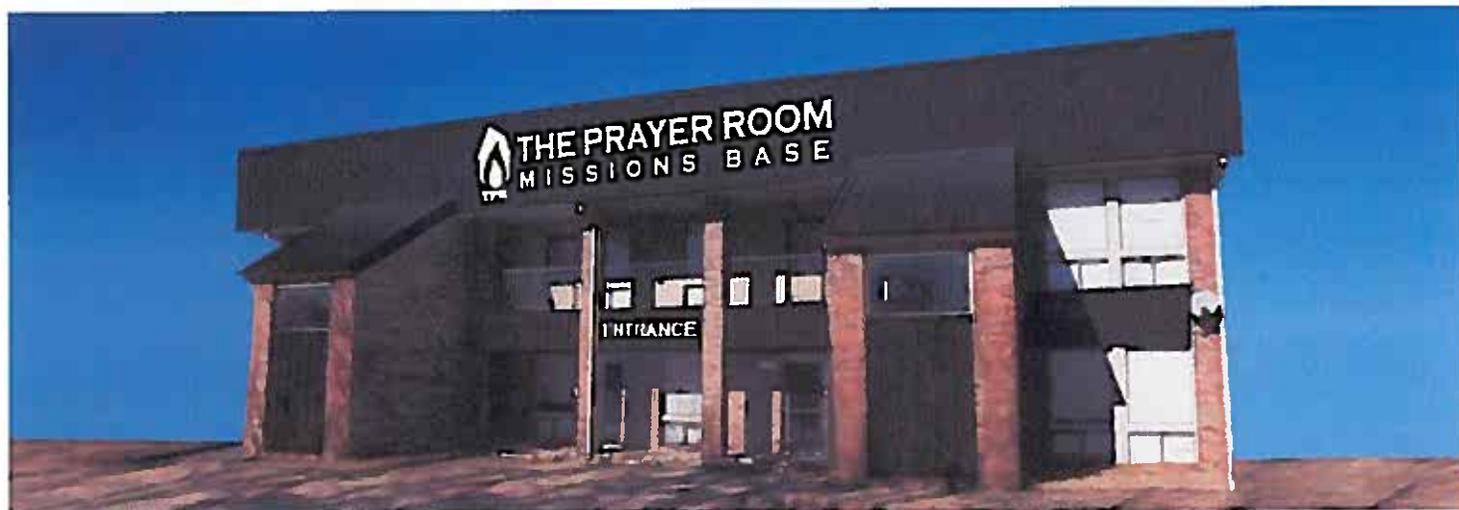


# TPR

# MISSIONS BASE

HOME | ABOUT US | SCHEDULE / DIRECTIONS | EQUIPPING CENTER | MINISTRIES | COMMUNITY / EVENTS | RESOURCES | DONATE

## New Missions Base



The above picture is an artistic rendition of the exterior of the building.

It is intended to depict one possible way the exterior could look after remodel. It does not represent the current appearance or surroundings.

The Prayer Room has some exciting news; after 9 1/2 years of being in spaces that aren't our own, we're finally done renting! We recently purchased a 6500 sq. ft. building in Pantego that we are beginning to remodel. It's a great size, the location is awesome, and the deal we got on this place is too good to be true! We've designed a floor plan that will fit our community perfectly and will provide us with everything that we've been wanting and needing. We encourage you to drive by and pray for our future there (move in date TBD). Consider partnering with us financially to help make this dream a reality as we still need a considerable amount of money for remodel expenses and the increased monthly costs of owning our own facility. Details below.

**PROJECTED REMODEL COSTS: \$65,000**

**INCREASED MONTHLY EXPENSES: \$3,000**

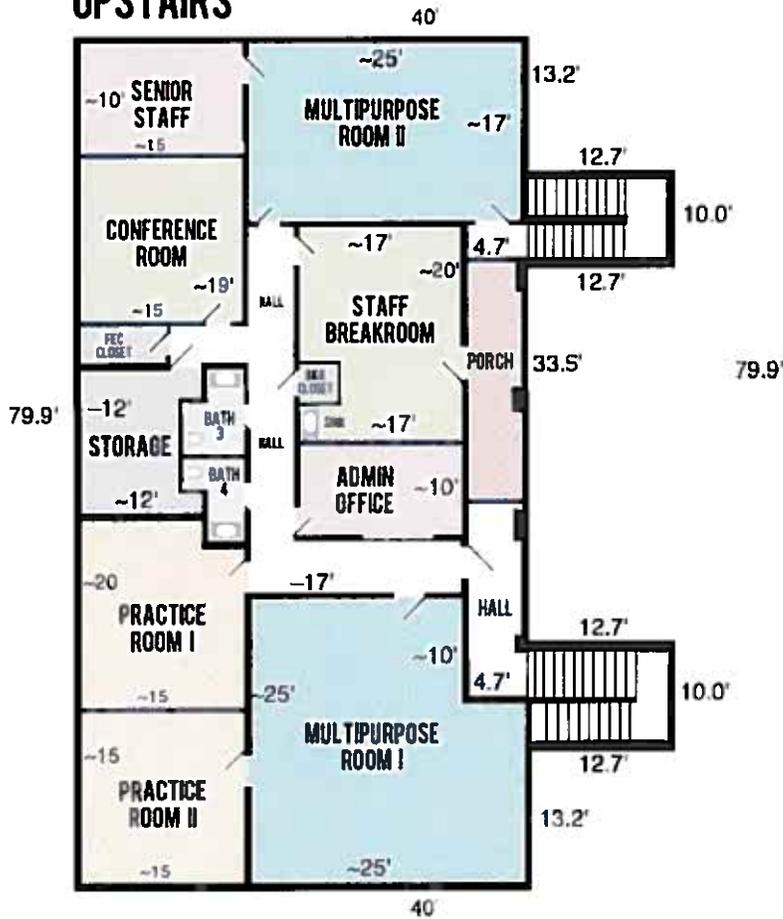
We got an incredible deal on this building, but it's a long way from being move-in ready. The building was originally designed to be 8 office suites, and then later was remodeled as Sunday school space for a church. We need to raise approximately \$65,000 in order for it to fit our needs. Please consider giving toward this exciting new phase of life for our ministry.

TPR is taking a huge step forward, but as with all upgrades, progress costs money. Altogether we need to increase our financial pledges by about \$3,000 a month. This includes the loan repayment, monthly upkeep costs, expected increase in utilities, as well as insurance. Please become a monthly partner in any amount.

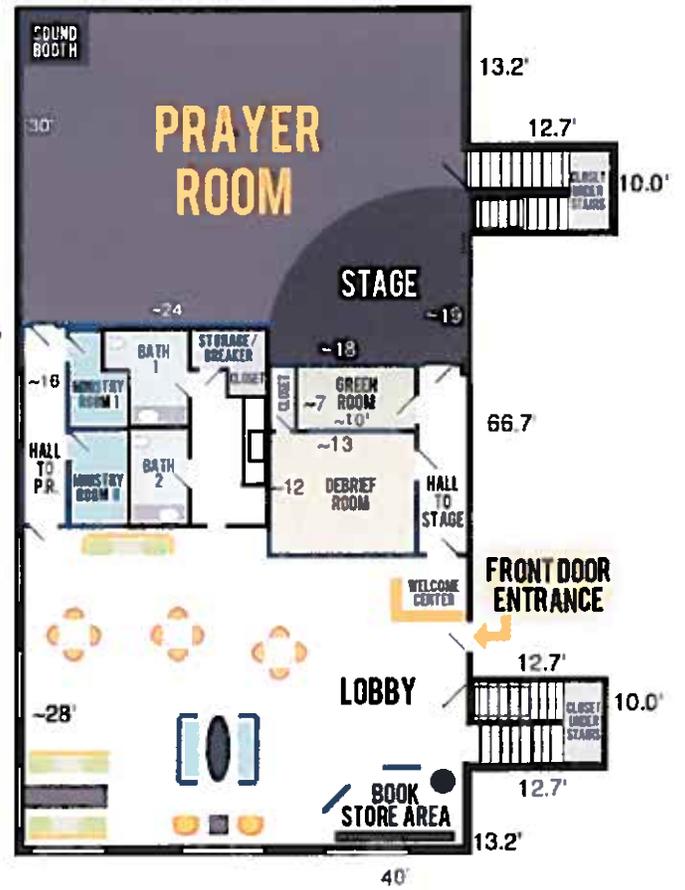
**PARTNER WITH US**

The below floor plan is an artistic rendition of the interior of the building. It is intended to depict one possible layout after a remodel is completed. It does not represent the current appearance of the interior of the space.

# UPSTAIRS



# DOWNSTAIRS



Property ADDRESS: 1503 NORA Dr. Pantego TX, 76013

**PARTNER WITH US**

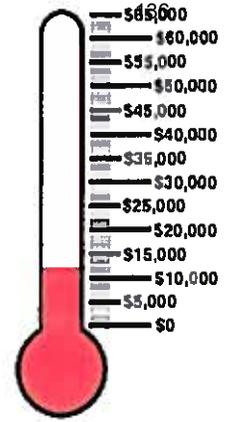
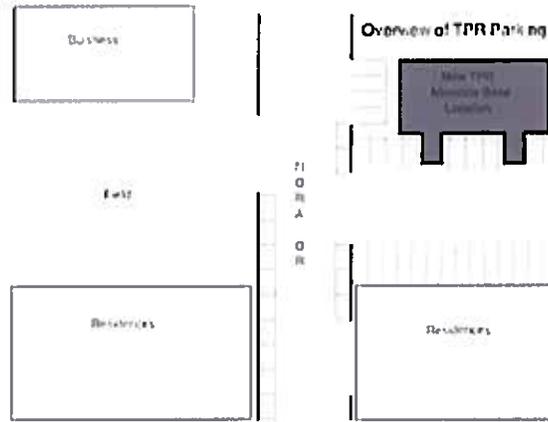
Move In DETAILS: GET Excited DATE: TBD



Hear How We Got 1503 Nora

Parking Overview

Current Progress on Our Remodel Goal



## PARTNER WITH US



1701 Martin Luther Dr., Arlington, TX 76010 | [info@thepayerroomdfw.com](mailto:info@thepayerroomdfw.com) | 817-299-8305



UA-15040294-1

## Town of Pantego-Parcels



DigitalGlobe, Microsoft | Esri, HERE

Notification List Z-212					
Name	Address	City	State	Zip Code	Adtl. Address
Trinity United Methodist Church	1200 W Green Oaks Blvd	Arlington	TX	76013-8301	3216 W Park Row Drive
Longtechsfa Holdings Ltd Etal	4306 Enchanted Oaks Drive	Arlington	TX	76016	3214 W Park Row Drive
James W Brown Sr.	2735 Whispering Trail	Arlington	TX	76013-3129	
M Ovetta C Hitchcock	2733 Whispering Trail	Pantego	TX	76013-3129	
Frank M Gault	2731 Whispering Trail	Arlington	TX	76013-3129	
Jason and Margaret Williams	2729 Whispering Trail	Pantego	TX	76013-3129	
Noah and Rechelle C Smith	2727 Whispering Trail	Pantego	TX	76013-3129	
Louis and Susan R McLain	2722 Whispering Trail	Arlington	TX	76013-3128	
Lannie Barger Forbes	2724 Whispering Trail	Pantego	TX	76013-3128	
Benjamin and Cynthia Rhodes	2726 Whispering Trail	Pantego	TX	76013-3128	
Virginia D Brooks	1 Nora Court	Arlington	TX	76013-3169	
Jack Legett	10 Nora Court	Arlington	TX	76013-3169	
Renato and Ana Lucia Sampaio	2 Nora Court	Arlington	TX	76013	
Karron Sue R Koenig	3 Nora Court	Arlington	TX	76013-3169	
Edward A and Sherrie Holder	9 Nora Court	Pantego	TX	76013-3169	
Orlando Reyes	3220 W Park Row Drive	Arlington	TX	76013-3136	
3300 Park Row LLC	5300 Camp Bowie Blvd	Fort Worth	TX	76107-4840	3300 W Park Row Drive
Lowe Childrens Attn: Christopher R Lowe	2112 Cross Creek Court	Arlington	TX	76017-2740	3304 W Park Row Drive
Trinity United Methodist Church	3321 W Park Row Drive	Arlington	TX	76013-3195	
Woodland West Church of Christ	3101 W Park Row Drive	Arlington	TX	76013-3135	



# AGENDA BACKGROUND

**AGENDA ITEM:** Public Hearing, discuss, direct, and consider action on Ordinance 15-765 an ordinance of the Town Council of the Town of Pantego, Texas, authorizing Zoning Case Z-213, a proposed Special Use Permit as requested by Philip E. Parker (Church of Hope, Inc.) to establish a church at 2401 W Pioneer Pkwy, Suite 151, Lot 1R of the Pecan Park Shopping Center, Pantego, Tarrant County, Texas; and declaring an effective date. The property is generally located on the north side of West Pioneer Pkwy between S Bowen Road and Duluth Drive.

**Date:** June 8, 2015

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**PRESENTER:** Chad Joyce, Community Development Director

**BACKGROUND:**

See Community Development Staff Report.

The Notice of Public Hearing was published on Friday May 22, 2015 in the Fort Worth Commercial Recorder, the Town's official newspaper. This Notice was also posted on the Town's bulletin board and the Town's website. Owners of property within two hundred (200) feet of the applicant property were given notice via U.S. Mail.

**RECOMMENDATION:**

Staff recommends approval of this Special Use Permit with a time limit of two years.

**ATTACHMENTS:**

Ordinance 15-765  
 Community Development Staff Report  
 Application, Zoning Case Z-213  
 Notification Map  
 Notification List

Director's Review: CJ  
 City Manager's Review: MDF

**ORDINANCE NO. 15-765**

**AN ORDINANCE OF THE TOWN OF PANTEGO AUTHORIZING A SPECIAL USE PERMIT ISSUED TO PHILIP E. PARKER (CHURCH OF HOPE, INC.) TO ESTABLISH A CHURCH LOCATED AT 2401 WEST PIONEER PARKWAY, SUITE 151, LOT 1R OF THE PECAN PARK SHOPPING CENTER, PANTEGO, TARRANT COUNTY, TEXAS; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Pantego, Texas is a Type A General Law Municipality located in Tarrant County, Texas, created in accordance with provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Chapter 14, Section 14.02.513(5) of the Town of Pantego Municipal Code allows for an exception for any public or government building or use not elsewhere permitted in a particular district; and

**WHEREAS**, the Planning & Zoning Commission as required by Chapter 211 of the Texas Local Government Code has duly published a Notice of Public Hearing in the Fort Worth Commercial Recorder, the official newspaper for the Town of Pantego, on May 22, 2015; and

**WHEREAS**, the Planning and Zoning Commission has received and reviewed the application from Philip E. Parker and has determined that it complies with all requirements for the Special Use Permit; and

**WHEREAS**, the Commissioners recommended approval of this application at their regularly scheduled meeting on June 1, 2015; and

**WHEREAS**, the Town Council by affirmative vote of four of its members may by ordinance authorize special use permits; and

**WHEREAS**, presentation of this ordinance at a meeting preceding the meeting at which the ordinance is enacted places an undue burden in administrative time and expense to the Town, and as reflected by the vote of two-thirds of the Councilmember's present, the requirements of Section 1.03.035(b) are hereby waived.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS THAT:**

**SECTION 1:**

The Town Council authorizes a Special Use Permit for the use of a church located at:

Lot 1R of the Pecan Park Shopping Center in Pantego, Tarrant County, Texas  
2401 W Pioneer Pkwy, Suite 151, Pantego, Texas

as requested by Philip E. Parker (Church of Hope, Inc.).

**SECTION 2:**

This Special Use Permit shall expire in two years.

**SECTION 3:  
PROVISIONS CUMULATIVE**

This ordinance shall be cumulative of all provisions of the ordinances of the Town of Pantego, Texas, as amended, 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 4:  
EFFECTIVE DATE**

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

**PASSED AND APPROVED AFTER WAIVER OF THE REQUIREMENTS OF TOWN CODE SECTION 1.03.035(b) THIS THE 8<sup>th</sup> DAY OF JUNE 2015 BY A VOTE OF \_\_\_ AYES, \_\_\_ NAYS, AND \_\_\_ ABSTENTIONS, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS.**

\_\_\_\_\_  
**Melody Paradise, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Julie Arrington, City Secretary**

**APPROVE AS TO FORM:**

\_\_\_\_\_  
**Jim Jeffrey, City Attorney**



## COMMUNITY DEVELOPMENT STAFF REPORT

<b>MEETING DATE:</b>	June 8, 2015
<b>ACTION REQUESTED:</b>	Consider action for a Special Use Permit to establish a church at 2401 W. Pioneer Parkway, Suite 151.
<b>PROPERTY DESCRIPTION:</b>	Lot 1R of the Pecan Park Shopping Center, Pantego, Tarrant County, Texas.
<b>PROPERTY OWNER:</b>	Sync Holdings Limited
<b>APPLICANT:</b>	Church of Hope, Inc. / Philip E. Parker
<b>CURRENT ZONING:</b>	C-4 Commercial District
<b>SURROUNDING ZONING/LAND USE:</b>	North – C-4 Commercial Zoning District East – C-4 Commercial Zoning District South- C-4 Commercial Zoning District West – C-4 Commercial Zoning District
<b>REQUESTED VARIANCES:</b>	No variances are requested.
<b>ANALYSIS:</b>	Philip E. Parker with Church of Hope, Inc. has requested permission to establish a church at 2401 W. Pioneer Parkway, Suite 151. The suite is 1,250 square feet and will contain a sanctuary and office space. The expected seating will be 60 to 70 seats at full capacity, which would require 12 to 14 parking spaces. The shopping center has sufficient available parking to sustain that load. The initial lease for the suite is for a two year duration.
<b>FURTHER ANALYSIS:</b>	Mr. Parker was in attendance at the Planning and Zoning Commission meeting to represent the application. The pastor of another church in the shopping center, Vision Open Bible Church, was also in attendance to raise concerns about parking and lack of communication from his landlord. The shopping center has approximately 156 parking spaces available. The building has approximately 32,000 total square feet, over half of which is vacant. Required parking spaces for existing businesses in the complex are about 69 spaces. If the new church was approved and rest of the available space were filled with retail/personal service uses, the required parking would be 166 spaces.
<b>SPECIAL USE PERMIT CONSIDERATIONS:</b>	The Town of Pantego Zoning Ordinance states the following considerations that the Planning and Zoning Commission and Town Council should consider prior to approval of a special use permit: <ul style="list-style-type: none"> <li>(1) The proposed use complies with all the requirements of the zoning district in which the special use permit is located;</li> <li>(2) The proposed use as located and configured will contribute to or promote the general welfare and convenience of the Town;</li> </ul>

- (3) The benefits that the town gains from the proposed use outweigh the loss of or damage to any homes, businesses, natural resources, agricultural lands, historical or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historical features of significance, and outweigh the personal and economic cost of any disruption to the lives, business and property of individuals affected by the proposed use;
- (4) Adequate utilities, road access, drainage and other necessary supporting facilities have been or shall be provided;
- (5) The design, location and arrangement of all public and private streets, driveways, parking spaces, entrances and exits shall provide for a safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;
- (6) The issuance of the special use permit does not impede the normal and orderly development and improvement of neighboring vacant property;
- (7) The location, nature and height of buildings, structures, walls and fences are not out of scale with the neighborhood;
- (8) The proposed use will be compatible with and not injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values within the vicinity;
- (9) Adequate nuisance prevention measures have been or shall be taken to prevent or control offensive odors, fumes, dust, noise, vibration and visual blight;
- (10) Sufficient on-site lighting is provided for adequate safety of patrons, employees and property and such lighting is adequately shielded or directed so as not to disturb or adversely affect neighboring properties;
- (11) There is sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties;
- (12) The proposed operation is consistent with the applicant's submitted plans, master plans, projections, or where inconsistencies exist, the benefits to the community outweigh the costs;
- (13) The proposed use is in accordance with the Town's comprehensive plan.

**RECOMMENDED  
ACTIONS:**

The Town Council has the following options when considering a Special Use Permit application:

- Approval as submitted;
- Approval with conditions;
- Table to specific date with clarification of intent and purpose; or
- Denial of application.

**PLANNING AND ZONING**

**RECOMMENDATION:** The Planning and Zoning Commission recommended approval of this Special Use Permit with a time limit of two years.

**STAFF**

**RECOMMENDATION:** Staff recommends Town Council approval of this Special Use Permit with a time limit of two years.



Town of Pantego  
1614 S. Bowen Rd., Pantego, TX 76013  
(817)274-1381 or (817)265-1375 Fax

### APPLICATION FOR A SPECIAL USE PERMIT

**APPLICANT** If applicant is NOT owner of property, Agent Authorization Form must be completed.

Name: Church of Hope, Inc / Philip E. Parker Date: 04/27/2015

Address: 2401 W. Pioneer Pkwy # 151  
Street Address

Pantego TX 76013  
City State Zip

Phone: 469 765 2331 Email: peparker2008@att.net

Applicant Status:  Owner  Tenant  Purchaser  Other

**PROPERTY DEVELOPMENT INFORMATION**

Address: 2401 W. Pioneer Parkway

Legal Description:  Property is subdivided: Addition: Pecan Park Shopping Center

Lot: 1-R Block: S.E corner lot 2

Property is not subdivided: Survey: \_\_\_\_\_  
Abstract#: \_\_\_\_\_ Tract: \_\_\_\_\_

Existing Classification: Strip Mall/Shopping Center

Developer: _____	Agent: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Phone/Fax: _____	Phone/Fax: _____
Surveyor: _____	Engineer: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Phone/Fax: _____	Phone/Fax: _____

Present use of the property: Strip Mall/Vacant Unit/Shopping Center

Proposed use of the property: Church Purposes

Status of development plans:  None  Site Plans Complete  Building Plans Complete



ACKNOWLEDGMENTS

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now or will be fully prepared to present the above proposal at the Planning and Zoning Commission hearing thereon. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the Town. I further acknowledge that attesting to inaccurate or false information on this zoning application can result in conviction of a misdemeanor and fine not to exceed \$2,000.

I understand that in the event the undersigned is not present or represented at the public hearing the Planning and Zoning Commission shall have the power to dismiss this proposal either at the call of the case or after hearing, and such dismissal shall constitute a denial by both the Planning and Zoning Commission and the Town Council.

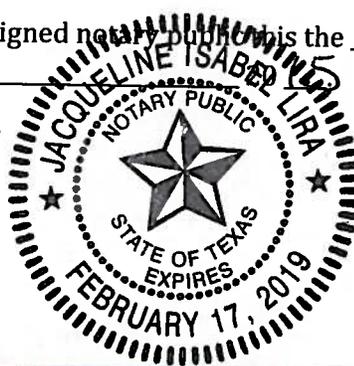
I reserve the right to withdraw this proposal at any time, except during notice periods, upon written request filed with the Town Secretary, and such withdrawal shall immediately stop all proceedings thereon; provided, however, withdrawal filed at any time after the giving of notice of the Planning and Zoning Commission hearing shall constitute a denial by the Commission and the Town Council. I understand that the filing fee is not refundable upon withdrawal of the proposal.

Applicant: Philip E. Parker Date: 04/28/2015

State of Texas )  
County of ) Tarrant

Sworn and subscribed before me the undersigned notary public on this the 28<sup>th</sup> day of April

Jacqueline Isabel Lira  
Notary Public



Commission Expires: 2/17/19  
Seal:

OFFICE USE ONLY

Application Checklist:

- Complete application form
- Agent Authorization Form (if necessary)
- Application Fee
- Site Plan
- Additional Submittals Information

Application accepted by: Chelsea Nelson Date: 4-28-15

Checked for completeness: ✓ Fee Paid: ✓ Receipt No.: 64176

Remarks: \_\_\_\_\_

Set for P&Z: June 1 Set for Council: June 11



## ADDITIONAL SUBMITTAL INFORMATION

- Any final environmental assessment and/or final environmental impact statement that may be required pursuant to state or federal statutes
- Copies of studies or analyses upon which have been based projections for need or demand for the proposed facility
- Copies of studies or analysis upon which alternatives have been considered and evaluated
- Description of present use, assessed value & actual value of the land affected by the proposed facility
- ✓ Description of the proposed use, anticipated assessed value and supporting documentation
- ✓ Description of any long term plans or master plan for the future use or development of the property
- Description of the applicant's ability to obtain needed easements to serve the proposed use
- Description of the type, feasibility and cost of any proposed mitigation necessary to make the proposed use compatible with current and future land use patterns
- Description of any special construction requirements that may be necessary for any construction or development on the subject property
- If the proposed use will result in a significant increase in traffic, a traffic impact analysis prepared by a certified professional engineer qualified in the field of traffic engineering and forecasting
- A noise management plan detailing the projected noise produced by the proposed use, including, but not limited to, the projected noise volume and duration, and the noise mitigation measures proposed to be implemented



April 27, 2015

Town of Pantego  
1614 S. Bowen Rd  
Pantego, Texas 76013

***Re: Special Use Permit/Additional Submittal Information***

**Dear Sir/Madam:**

**This proposed use for the space will be for church services. We presently have a membership of approximately 25 people and have been worshipping together for approximately four years.**

**It is our long-term goal to continue to develop a ministry in the Town of Pantego. It is unknown at this time if the Shopping Center will continue to be utilized as a permanent place of worship. It is our purpose and goal to increase membership, buy land, or an existing place of worship and relocate. However, if membership increase and we have to add additional space at the current location, that option will be considered also.**

**Philip E. Parker**

### Town of Pantego-Parcels



DigitalGlobe, GeoEye, Microsoft, USDA FSA | Esri, HERE

Notification List Z-213					
Name	Address	City	State	Zip Code	Adtl. Address
K & HT Corporation	PO Box 61182	Honolulu	HI	96839-1182	2401 W Pioneer Pkwy
Four Seasons Pantego I Ltd	11551 Forest Cntl Drive, Ste. 110	Dallas	TX	75243-3984	2400 W Pioneer Pkwy
McDonald's Corp	2304 W Pioneer Pkwy, Ste 10	Pantego	TX	76013-6051	2422 W Pioneer Pkwy
Charissa Rhodes	6768 C F Hawn Fwy	Dallas	TX	75217-4851	2340 W Pioneer Pkwy
Joseph E Briggs & Associates Inc	2909 Harder Drive	Arlington	TX	76016-4016	2320 W Pioneer Pkwy
Tony Rick Asset Mgmt Co	PO Box 170726	Arlington	TX	76003-0726	2425 W Pioneer Pkwy
Tony Rick Asset Mgmt Co JV	PO Box 170726	Arlington	TX	76003-0726	2421 W Pioneer Pkwy
El Moussawi Ali Hussein Etal	30833 Beechwood Street	Garden City	MI	48135-1907	2349 W Pioneer Pkwy
Tabu Property III LLC	1370 Avenue of the Americas 21st Flr	New York	NY	10019	2353 W Pioneer Pkwy
Oncor Electric Delivery Co LLC	PO Box 219071	Dallas	TX	75221-9071	2305 W Pioneer Pkwy
Sana A Touma	2412 W Lavender Ln	Arlington	TX	76013	
Brian J and Therese Ciccone	2410 W Lavendar Ln	Arlington	TX	76013-4837	
Shirley L Alford	2408 W Lavender Ln	Arlington	TX	76013-4837	
George and Lois Wisbrock	2406 W Lavender Ln	Arlington	TX	76013-4837	
David Alan Blackberry	2404 W Lavender Ln	Arlington	TX	76013-4837	
Vincent Jose Merle	2402 W Lavender Ln	Arlington	TX	76013-4837	
Samantha and Jason T Tandy	2400 W Lavender Ln	Arlington	TX	76013-4837	
Michael and Sharon Hair	2316 W Lavender Ln	Arlington	TX	76013-4805	
Dale and Laura Fitzwater	2314 W Lavender Ln	Arlington	TX	76013-4805	
Gary T and Diane N Johnson	2312 W Lavender Ln	Arlington	TX	76013-4805	
Kara C and Scott L Ellis	2308 W Lavender Ln	Arlington	TX	76013-4805	
Nicolette M Fontaine	2302 W Lavender Ln	Arlington	TX	76013-4805	



# AGENDA BACKGROUND

**Agenda Item:** Public Hearing, discuss, direct and consider action on Ordinance 15-766 an ordinance of the Town Council of the Town of Pantego, Texas, amending the Municipal Code Chapter 13 “Utilities” by adopting a new Article 13.07 “Storm Water Pollution Control”; containing findings and other provisions relating to foregoing subject; containing a savings clause; repealing all ordinances in conflict herewith; and declaring an effective date.

**Date:** June 8, 2015

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**PRESENTER:** Chad Joyce, Community Development Director

## **BACKGROUND:**

All municipalities in the state of Texas are required to obtain a Municipal Separate Storm Sewer System (MS4) Permit from the Texas Commission on Environmental Quality (TCEQ). This permit outlines requirements for Storm Water Pollution Protection and Best Management Practices that the municipality will implement to ensure that pollution will be reduced. The MS4 Permit is renewed every five years, and the latest update for the Town is included in this agenda item.

One of the Best Management Practices that must be completed is that the requirements for pollution control are included in an ordinance, and that ordinance be updated as needed. Staff has reviewed the limited requirements included in the Town Code of Ordinances and determined that the ordinance included is needed to remain compliant with our MS4 Permit.

## **RECOMMENDATION:**

Staff recommends approval of this Ordinance.

## **ATTACHMENTS:**

Proposed Ordinance No. 15-766  
 Storm Water Management Plan (MS4 Permit)  
 Existing Code Reference – Section 13.03.255  
 Erosion and Sediment Control Manual

Director’s Review: \_\_\_\_\_  
 City Manager’s Review: MDF

**ORDINANCE NO. 15-766**

**AN ORDINANCE OF THE TOWN OF PANTEGO AMENDING THE TOWN OF PANTEGO CODE OF ORDINANCES CHAPTER 13 UTILITIES BY ADOPTING A NEW ARTICLE 13.07 STORM WATER POLLUTION CONTROL; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO FOREGOING SUBJECT; CONTAINING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Pantego, Texas has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Pantego, Texas to adopt an ordinance establishing regulations to protect the property, prevent damage to the environment of the Town, and promote public health, safety and general welfare by implementing regulations for stormwater discharge within the Town; and

**WHEREAS**, additionally, the Town's state issued stormwater permit requires the Town to implement an ordinance which prohibits illicit discharges into the storm sewer; and

**WHEREAS**, the Town Council has further investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Pantego to amend Chapter 13 (Utilities) by adding Article 13.07 (Storm Water Pollution Control) to the Town of Pantego Code of Ordinances; and

**WHEREAS**, the Town Council has investigated and determined that the above-referenced regulations are necessary to protect the health, life and property of the citizens of the Town and comply with state regulations as set forth below.

**WHEREAS**, presentation of this ordinance at a meeting preceding the meeting at which the ordinance is enacted places an undue burden in administrative time and expense to the Town, and as reflected by the vote of two-thirds of the Councilmembers present, the requirements of Section 1.03.035(b) are hereby waived.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS:**

**SECTION 1:**

**Town of Pantego Code of Ordinances Chapter 13 - Utilities is hereby amended by adding a new Article 13.07 - Storm Water Pollution Control as set forth below in this Section 1 of this Ordinance, which shall now provide as follows:**

**ARTICLE 13.07 – STORM WATER POLLUTION CONTROL**

**DIVISION I - GENERAL PROVISIONS**

**Section 13.07.001 Purpose**

The purpose of this Chapter is to:

(a) maintain and improve the quality of surface water and groundwater within the Town of Pantego, the North Central Texas Region, and the State of Texas;

(b) prevent the discharge of contaminated storm water runoff from industrial, commercial, residential, and construction sites into the municipal separate storm sewer system (MS4) and natural waters within the Town of Pantego;

(c) promote public awareness of the hazards involved in the improper discharge of hazardous substances, household hazardous waste, industrial waste, sediment from construction sites, and other contaminants into the storm sewers and natural waters of the Town;

(d) facilitate compliance with state and federal water quality standards, limitations, and permits by owners and operators of commercial and industrial activities and construction sites within the Town; and

(e) enable the Town to comply with all federal and state laws and regulations applicable to storm water discharges.

### **Section 13.07.002 Administration**

It shall be the joint duty and responsibility of the Public Works Director and Community Development Director or their authorized representatives to administer, implement and enforce the provisions of this article. However, each department director shall also implement and enforce the provisions of this chapter for all municipal operations under his/her direction.

### **Section 13.07.003 Abbreviations**

The following abbreviations when used in this article shall have the designated meanings:

BMP - Best Management Practices

CFR - Code of Federal Regulations

EPA - U.S. Environmental Protection Agency

HHW - Household Hazardous Waste

LPE - Licensed Professional Engineer

MS4 - Municipal Separate Storm Sewer System

MSGP - Multi-Sector General Permit

NOC - Notice of Change

NOI - Notice of Intent

NOT - Notice of Termination

NPDES - National Pollutant Discharge Elimination System

SWPPP - Storm Water Pollution Prevention Plan

TCEQ - Texas Commission on Environmental Quality

TPDES - Texas Pollutant Discharge Elimination System

USC - United States Code

### **Section 13.07.004 Definitions**

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

Best Management Practices (BMPs) shall mean schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Commencement of Construction shall mean the initial disturbance of soils associated with clearing, grading, excavating, landfilling, and other construction activities.

Commercial shall mean pertaining to any business, trade, industry, or other activity engaged in for profit.

Common Plan of Development shall mean a construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities.

Construction shall mean any human activity that involves clearing, grading, excavation, landfilling, or other placement, movement, removal, or disposal of soil, rock, or other earth materials.

Construction general permit (CGP) means the Texas Construction General Permit TXR150000, its successor or any other state regulation to control runoff from construction sites issued by the Texas Commission on Environmental Quality (TCEQ) or the state regulatory authority.

Construction site(s) means any clearing, grading, and excavating that results in land disturbance. A construction site also includes but is not limited to any stockpiling or other activity that results in exposed soils. This includes the construction of pools and the installation and maintenance of public utilities such as telephone, gas, electric, telecommunications, etc. This excludes the disturbance of soils for emergency activities that are immediately necessary for the protection of life, property, or natural resources.

Contaminated shall mean containing a harmful quantity of any substance.

Director shall mean the Public Works Director and/or the Community Development Director for the Town of Pantego, or their authorized representative.

Discharge shall mean any addition or introduction of any pollutant, storm water, or any other substance whatsoever into the municipal separate storm sewer system (MS4).

Discharger shall mean any person who causes, allows, permits, or is otherwise responsible for, a discharge, including, without limitation, any operator of a construction site or industrial facility.

Domestic Sewage shall mean human excrement, gray water (from home clothes washing, bathing, showers, dishwashing, and food preparation), other wastewater from household drains, and waterborne waste normally discharged from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, and institutions, that is free from industrial waste.

Environmental Protection Agency (EPA) shall mean the United States Environmental Protection Agency, the regional office thereof, any federal department, agency, or commission that may succeed to the authority of the EPA, and any duly authorized official of EPA or such successor agency.

Erosion control means a measure that minimizes erosion to the maximum extent practicable.

Erosion and sediment control submittal packet means documents, including a set of plans prepared by or under the direction of the owner or operator of the construction site that indicate the specific measures and sequencing to be used to control erosion and sediment on a construction site during and after construction and supporting documents as specified by the Town of Pantego Erosion and Sediment Control Manual.

Facility shall mean any building, structure, installation, process, or activity from which there is or may be a discharge of a pollutant.

Final Stabilization shall mean the status when all soil disturbing activities at a site have been completed, and a uniform perennial vegetative cover with a density of seventy percent (70%) of the cover for unpaved areas and areas not covered by permanent structures have been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. (Note: The pervious area shall be uniformly vegetated such that randomly chosen areas, as would be enclosed by a hula hoop, each have a vegetation density at least seventy percent (70%).)

Garbage shall mean putrescible animal and vegetable waste materials from the handling, preparation, cooking, or consumption of food, including waste materials from markets, storage facilities, and the handling and sale of produce and other food products.

Grading means changing the elevation of a parcel of land by means of moving earthen material including excavation or fill of material, including the resulting conditions thereof.

Harmful Quantity shall mean the amount of any substance that will cause pollution of water in the State.

Hazardous Material shall mean any substance or materials determined to be hazardous by the Secretary of Transportation according to 49 CFR Part 171.8.

Hazardous Substance shall mean any substance listed in Table 302.4 of 40 CFR Part 302.

Hazardous Waste shall mean any substance identified or listed as a hazardous waste by the EPA pursuant to 40 CFR Part 261.

Household Hazardous Waste (HHW) shall mean any material generated in a household (including single and multiple residences, hotels and motels, and day use recreational areas) by a consumer which, except for the exclusion provided in 40 CFR § 261.4(b)(1), would be classified as a hazardous waste under 40 CFR Part 261.

Industrial Waste shall mean any byproduct that results from any process of industry, manufacturing, mining, production, trade, business, or facility identified as engaging in an industrial activity under 40 CFR Part 122.26.

Landfilling shall mean the deposition of soil and other inert materials on the land to raise its grade and/or smooth its features.

Licensed Professional Engineer (LPE) shall mean a person who has been duly licensed (and registered if practicing as an individual) by the Texas Board of Professional Engineers to engage in the practice of engineering in the State of Texas.

Motor Vehicle Fluid shall mean any vehicle crankcase oil, antifreeze, transmission fluid, hydraulic fluid, brake fluid, differential lubricant, gasoline, diesel fuel, gasoline/alcohol blend, and any other fluid used in a motor vehicle.

Multi-sector general permit (MSGP) means the Texas Multi-Sector General Permit, TXR050000, its successor, or any other state regulation to control runoff from industrial sites issued by the Texas Commission on Environmental Quality (TCEQ) or the state regulatory authority.

Municipal Operations shall mean the day to day operation and maintenance activities that have the potential for contributing pollutant runoff to the MS4.

Municipal Separate Storm Sewer System (MS4) shall mean the system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the Town and designed or used for collecting or conveying storm water.

Municipal Solid Waste shall mean solid waste resulting from or incidental to municipal, community, commercial, institutional, or recreational activities, and includes garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and other solid waste other than industrial waste.

NPDES Permit shall mean a permit issued by the EPA (or by the State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Notice of Change (NOC) shall mean the notice of change that is required by the TPDES General Permit related to storm water discharges associated with industrial activity.

Notice of Intent (NOI) shall mean the Notice of Intent that is required by the Construction General Permit, the Multi-Sector General Permit, or other General Permit for the discharge of storm water.

Notice of Termination (NOT) shall mean the Notice of Termination that is required by either the Construction General Permit, the TPDES General Permit for industrial activity, or other General Permit for the discharge of storm water.

Oil shall mean any kind of oil in any form, including, but not limited to, petroleum, fuel oil, crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure, sludge, oil refuse, and oil mixed with waste.

Operator shall mean the person or persons who, either individually or taken together, meet either of the following two criteria: (1) they have operational control over the facility specifications (including the ability to make modifications in specifications); or (2) they have the day-to-day operational control over those activities at the facility necessary to ensure compliance with pollution prevention requirements and any permit conditions.

Owner shall mean the person who owns a facility or part of a facility.

Person shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint-stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state, and local governmental entities.

Pollutant shall mean dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.

Pollution shall mean the alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to

humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

Release shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing, directly or indirectly, into the municipal separate storm sewer system (MS4).

Rubbish shall mean non-putrescible solid wastes that consist of (a) combustible waste materials, including paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, and similar materials; and (b) noncombustible waste materials, including glass, crockery, tin cans, aluminum cans, metal furniture, and similar materials that do not burn at ordinary incinerator temperatures (1600 to 1800 degrees Fahrenheit).

Sanitary Sewer shall mean the system of pipes, conduits, and other conveyances which carry industrial waste and domestic sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, to the sewage treatment plant utilized by the Town.

Sediment control means measures that minimize eroded sediment from leaving the site to the maximum extent practicable.

Septic Tank Waste shall mean any domestic sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Site shall mean the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

Solid Waste shall mean any garbage, rubbish, refuse, and other discarded material, including, solid, liquid, semi-solid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations, and from community and institutional activities.

State shall mean the State of Texas.

Storm Water shall mean storm water runoff, snowmelt runoff, and surface runoff and drainage.

Storm Water Discharge Associated with Industrial Activity shall mean the release of storm water runoff from any conveyance which is used for collecting and conveying storm water that drains from manufacturing, processing, maintenance, materials storage, or waste storage areas at a facility that meets the criteria listed in 40 CFR § 122.26(b)(14).

Storm Water Pollution Prevention Plan (SWPPP) shall mean a plan required by either the Construction General Permit, the Baseline Industrial General Permit, or the Multi-Sector General Permit and which describes and ensures the implementation of practices that are to be used to reduce the pollutants in storm water discharges associated with construction or other industrial activity at the facility.

Texas Commission on Environmental Quality (TCEQ) shall mean the State of Texas agency by that name, the regional offices thereof, any state department, agency, or commission that may succeed to the authority of the TCEQ, and any duly authorized official of TCEQ or such successor agency.

Texas Surface Water Quality Standards means the standards set forth in Title 30, Chapter 307 of the Texas Administrative Code.

Temporary stabilization means a condition where exposed soils or disturbed areas are provided a protective cover or other structural control to prevent the migration of pollutants. Temporary stabilization may include BMPs listed in the Integrated Storm Water Management (iSWM) Manual produced by the

North Central Texas Council of Governments or subsequent similar documents (i.e. temporary seeding, geotextiles, mulches, perimeter controls, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place).

Town shall mean the Town of Pantego, Texas, or the Town Council of Pantego.

Uncontaminated shall mean not containing a harmful quantity of any substance.

Wastewater shall mean any water or other liquid, other than uncontaminated storm water, discharged from a facility.

Yard Waste shall mean leaves, grass clippings, yard and garden debris, and brush that results from landscaping maintenance and land-clearing operations.

## **DIVISION II - PROHIBITIONS AND REQUIREMENTS**

### **Section 13.07.005 General Prohibition**

- (a) No person shall introduce or cause to be introduced into the municipal separate storm sewer system (MS4) any discharge that is not composed entirely of storm water.
- (b) It is an affirmative defense to any enforcement action for violation of Subsection A of this section, upon presentation of evidence by the discharger, that the discharge was composed entirely of one or more of the following categories of discharges and is not damaging the environment:
  - (1) Water line flushing (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
  - (2) Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;
  - (3) Discharges from potable water sources that do not violate Texas Surface Water Quality Standards;
  - (4) Diverted stream flows;
  - (5) Rising ground waters and springs;
  - (6) Uncontaminated ground water infiltration;
  - (7) Uncontaminated pumped ground water;
  - (8) Foundation and footing drains;
  - (9) Air conditioning condensation;
  - (10) Water from crawl space pumps;
  - (11) Individual residential vehicle washing;
  - (12) Flows from wetlands and riparian habitats;

- (13) Dechlorinated swimming pool discharges that do not violate Texas Surface Water Quality Standards;
  - (14) Street wash water excluding street sweeper waste water;
  - (15) Discharges or flows from emergency fire fighting activities (fire fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);
  - (16) Other allowable non-stormwater discharges listed in 40 CFR § 122.26(d)(2)(iv)(B)(1);
  - (17) Non-stormwater discharges that are specifically listed in the TPDES Multi Sector General Permit (MSGP) TXR050000 or the TPDES Construction General Permit (CGP) TXR150000;
  - (18) Discharges that are authorized by a TPDES or NPDES permit or that are not required to be permitted; and
  - (19) Other similar occasional incidental non-stormwater discharges such as spray park water, unless the TCEQ develops permits or regulations addressing these discharges.
- (c) No affirmative defense shall be available under Subsection (b) of this section if the discharge or flow in question has been determined by a director to be a source of a pollutant or pollutants to the MS4, written notice of such determination has been provided to the discharger, and the discharge has occurred more than fifteen (15) calendar days beyond such notice. The correctness of the director's determination that a discharge is a source of a pollutant or pollutants may be reviewed in any administrative or judicial enforcement proceeding.
- (d) The burden of proof that a discharge was composed entirely of one or more of the categories in Subsection (b) and that it was not a source of a pollutant or pollutants to the MS4 is upon the person or entity responsible for the discharge.

#### **Section 13.07.006 Specific Prohibitions**

- (a) The specific prohibitions in this section are not inclusive of all the discharges prohibited by the general prohibition in Section 13.07.005.
- (b) No person shall dump, spill, leak, pump, pour, emit, empty, discharge, leach, dispose, or otherwise introduce or cause, allow, or permit to be introduced any of the following substances into the MS4:
  - (1) Any used motor oil, antifreeze, hydraulic fluid, or other motor vehicle fluid;
  - (2) Any industrial waste;
  - (3) Any hazardous waste, including household hazardous waste;
  - (4) Any garbage, domestic sewage or septic tank waste, cooking oil, grease trap waste, or grit trap waste;
  - (5) Any trash, rubbish, yard waste or other floatable material;
  - (6) Any wastewater from a commercial car wash facility; from any vehicle washing, cleaning, or maintenance at any new or used automobile or other vehicle dealership, rental agency, body

- shop, repair shop, or maintenance facility; or from any washing, cleaning, or maintenance of any business or commercial or public service vehicle, including a truck, bus, or heavy equipment;
- (7) Any wastewater from a commercial mobile power washer or from the washing or other cleaning of a building exterior or exterior mechanical equipment that contains any soap, detergent, degreaser, solvent, other cleaning substance, or a pollutant from the item that is being cleaned, or that has been produced by wash water applied at pressures elevated above the distribution system pressure, or that is at a temperature that has been elevated by induced heating;
  - (8) Any wastewater from commercial floor, rug, or carpet cleaning;
  - (9) Any wastewater from the washdown or cleaning of parking lots, streets, or other pavement that contains soap, detergent, solvent, degreaser, emulsifier, dispersant, or any other cleaning substance, or that has been produced by wash water applied at pressures elevated above the distribution system pressure, or that is at a temperature that has been elevated by induced heating; or any wastewater from the washing or cleaning of parking lots, streets, or other pavement where any spill, leak, or other release of hazardous material, hazardous substance, hazardous waste or other pollutant has occurred;
  - (10) Any effluent, overflow or blowdown, from a cooling tower, condenser, compressor, emissions scrubber, emissions filter, or boiler;
  - (11) Any ready-mixed concrete, mortar, ceramic, or asphalt base material or hydromulch material, or any wastewater or substance from the cleaning of any vehicle or equipment containing, or used in transporting or applying, such material;
  - (12) Any runoff or washdown water from an animal pen, kennel, or containment area;
  - (13) Any filter backwash from a swimming pool;
  - (14) Any swimming pool or hot tub water that has not been dechlorinated;
  - (15) Any discharge from water line disinfection by superchlorination or other means unless the disinfecting chemical has been removed or attenuated to the point where it is not a pollutant;
  - (16) Any contaminated or unpermitted storm water discharge associated with an industrial activity;
  - (17) Any substance or material that will damage, block, or clog the MS4;
  - (18) Any rubble, debris, rubbish, tile, concrete, brick, asphalt, or other building material resulting from demolition.
- (c) No person shall introduce or cause to be introduced into the MS4 any harmful quantity of sediment, silt, earth, soil, or other material associated with clearing, grading, excavation, landfilling, or other construction activities (including any placement, movement, removal, or disposal of soil, rock, or other earth materials) in excess of what could be retained on site or captured by employing sediment and erosion control measures to the maximum extent practicable.
- (d) No person shall connect an interior drain or any other source of wastewater, domestic or industrial, to the MS4 or allow such a connection to continue.
- (e) Any person that causes a spill, release, or other discharge of a prohibited substance or other pollutant to the MS4 is solely responsible for the cleanup and removal of the substance from the MS4 or any area adjacent to the MS4 that is exposed to storm water runoff. Where the person that caused the spill, release, or discharge to the MS4 is unknown, the owner of the property on which the spill,

release, or discharge occurred is responsible for the cleanup or removal of the substance from the MS4 or any area adjacent to the MS4.

### **Section 13.07.007 Requirements**

- (a) Sanitary sewer overflows shall be prevented. All sanitary sewer overflows shall be reported to the Town of Pantego as soon as the owner, occupant, or person otherwise having control of the sanitary sewer becomes aware of the overflow and to the appropriate federal and state agencies within twenty-four (24) hours. If a sanitary sewer overflow enters the MS4, the owner, occupant, or person otherwise having control of the sanitary sewer shall remove all sewage and sewage contaminated water from the MS4.
- (b) Items that are segregated for separate collection, disposal, recycling or reuse shall be stored in a manner that prevents pollutants from entering the MS4. Drums shall be closed, not leaking, and in good condition.
- (c) Spills and leaks of hazardous materials, hazardous substances, and hazardous wastes or harmful quantity of a pollutant, including motor vehicle fluids, shall be cleaned up immediately after the spill occurs or the leak is detected. Any absorbent used must be picked up before the next rainfall. If wash water is used to clean the spill or leak, the wash water must be collected for appropriate disposal and not allowed to flow into the MS4. Surface soil contaminated by the spill or leak must be removed or otherwise protected from contact with storm water.
- (d) Drip pans, absorbent mats, or equivalent controls shall be used to collect and properly dispose of leaking fluids from motor vehicles that are parked outside during maintenance and repairs or while awaiting repairs at commercial repair facilities. Used engines, transmissions, radiators, and other vehicle components that have automotive fluids in or on them shall be stored in a manner that prevents pollutants from entering the MS4.
- (e) Wash water, detergents, and solvents used for washing parts and equipment shall be collected for disposal in accordance with the appropriate federal and state regulations. Vats of solvents or wash bins used outside shall be covered when not in use to prevent rainfall from filling the vat or bin and causing an overflow.
- (f) Parking lot storm drain inlets shall be maintained free of trash, litter, garbage, rubbish, grass clippings, leaves, and other debris. Such material removed from the inlets shall be disposed of in a trash receptacle and shall not be allowed to enter the MS4.
- (g) Trash and litter on any parcel of land shall be collected for appropriate disposal prior to mowing.

### **DIVISION III - STORM WATER POLLUTION PROTECTION FOR CONSTRUCTION ACTIVITIES**

#### **Section 13.07.008 Applicability and Compliance Requirements.**

- (a) This article shall apply to all construction sites within the town limits of the Town of Pantego.
- (b) Requirements for sites disturbing less than one (1) acre or within a common plan of development that is disturbing less than one (1) acre:
  - (1) All construction sites disturbing less than one (1) acre of land or within a common plan of development that is disturbing less than one (1) acre of land shall comply with all sections of this article except sections 13.07.010 and 13.07.011.

(2) Any construction site disturbing less than one (1) acre may be required, if directed by a director, to comply with sections 13.07.010 and 13.07.011.

(c) Requirements for sites disturbing more than one (1) acre or within a common plan of development that is disturbing more than one (1) acre:

(1) All construction sites disturbing more than one (1) acre of land or within a common plan of development that is disturbing more than one (1) acre of land shall comply with all sections of this article.

(2) The owner or operator shall ensure that copies of the notice of intent (NOI), notice of change (NOC), notice of termination (NOT), and construction site notice (CSN) are provided to the Town of Pantego when appropriate.

(d) *Requirements for all construction sites.*

(1) All sites shall comply with the requirements of the current construction general permit (CGP), when appropriate based upon the acreage of the construction site.

(2) *Inspections.*

(A) All construction sites shall be inspected or cause to be inspected by the owner or operator of the site for evidence of or potential for violations of this article. Construction sites subject to a CGP shall be inspected at the frequency required by the CGP or more frequently if directed by a director.

(B) All construction sites shall be inspected or caused to be inspected by the owner or operator within twenty-four (24) hours after all rain events exceeding one half inch (1/2") in addition to inspection requirements in this section. Rain events are determined by the measurement documented by the Town of Pantego.

(C) All owners or operators of a construction site disturbing more than one (1) acre of land or within a common plan of development that is disturbing more than one (1) acre of land shall document inspections.

(3) *Erosion and sediment control measures.* Erosion and sediment control measures shall be designed and established at the construction site in a manner that minimizes erosion and retains sediment on-site to the maximum extent practicable with consideration of the topography, soil type, and rainfall. BMPs and control measures described in the Integrated Storm Water Management (iSWM) Manual produced by the North Central Texas Council of Governments or subsequent versions are minimum control measures where appropriate; however, BMPs not listed in the iSWM Manual may be considered.

(4) *Preserve existing vegetation.* The owner or operator of the site shall ensure that existing vegetation is preserved to the maximum extent practicable. Should the existing vegetation not be preserved, the owner or operator shall take steps necessary to stabilize the site in order to prevent erosion.

(5) *Stabilization.* Erosion control and stabilization measures must be initiated as soon as practicable in portions of the construction site where construction activities have temporarily ceased. These measures must be initiated no more than fourteen (14) days after the construction activity in that portion of the construction site where activity has temporarily or permanently ceased.

(6) *Minimize off-site tracking.* Off-site tracking of sediment, in the form of mud, rocks, dirt, etc. is not permitted. Where required to prevent off-site tracking of sediment, a construction entrance shall be established and maintained.

(7) *Maintenance.*

(A) All temporary stabilization measures shall be maintained until final stabilization is established and a notice of termination (NOT) is filed with the TCEQ, when required by the CGP, and the final inspection has been conducted by the Town, as described in section 13.07.012 of this article, or transfer of operational control has been completed, as required by the CGP, when appropriate based on the acreage of the construction site.

(B) The owner or operator of any site shall perform maintenance as necessary to maintain the continued effectiveness of storm water controls within forty-eight (48) hours of discovery, from owner, operator or Town, of failure, damage, or compromise and prior to the next rain event.

(C) Failure to maintain BMPs in proper working order shall be a violation of this article.

(8) *Sediment or silt accumulation.* Should the control measures at a site fail, in part or in total, the owner or the operator shall remove all sediment and siltation accumulation caused by BMP failure from the Town's MS4, including streets and rights-of-way, within forty-eight (48) hours of discovery or prior to the next rain event. Removal includes sweeping streets, sidewalks, and other infrastructure and removing sediment from the MS4.

(9) *Good housekeeping measures for chemicals and wastes.* Good housekeeping measures shall be provided on-site to prevent and contain spills of paints, solvents, fuels, septic waste, and other chemicals hazardous to the public or environment or might cause polluted runoff. Proper cleanup and disposal of any such spills shall be in accordance with state, federal, and local requirements.

(10) *Waste.*

(A) A location shall be established on-site, or near the site, for personal and construction waste so as to prevent waste from involuntarily leaving the site.

(B) Proper waste disposal and waste management techniques shall be implemented, including covering waste materials, minimizing ground contact with regulated or hazardous chemicals and trash, and keeping trash receptacles off of paved surfaces or other locations that drain directly to a storm drain system or local waterway.

(11) *Sanitary waste.* Sanitary waste facilities shall be maintained so that the waste does not create a hazard to the public or the environment. Sanitary waste facilities should not be placed over any paved surfaces.

(12) *Dust suppression.* Techniques shall be employed to prevent air-borne dust from leaving the site.

(13) *Street sweeping to remove sediments and siltation.*

(A) Sediments and other materials that enter the streets shall be limited to the greatest extent practicable.

(B) Street sweeping shall be conducted in a manner that minimizes dust, including sweeping during periods of minimal wind or using a vacuum sweeper.

(C) All property owners or operators within a common plan of development are expected to coordinate efforts to prevent sedimentation from entering the MS4. All owners or operators of contributing construction sites, as determined at the discretion of the Town, shall be held responsible jointly and severally to remove sediments from the street.

(D) In absence of a coordinated effort amongst all property owners or operators, the Town reserves the right to abate the problem and charge all the property owners contributing to the violation.

(14) *Temporary concrete batch plants.* Temporary concrete batch plants shall comply with zoning requirements.

(15) *Concrete wash-out.* An operator shall specify a containment area and/or a concrete wash-out device that will be established and maintained for all sites. Failure of concrete delivery trucks to utilize specified concrete wash-out areas shall be a violation of this article.

**Section 13.07.009 Responsibility of all on-site personnel.**

It is a violation of this article for any person to damage or allow to be damaged any temporary or permanent storm water control measures through their actions or inactions without promptly restoring the control measure to an effective and efficient state.

**Section 13.07.010 Erosion and sediment control submittal required.**

An erosion and sediment control submittal packet shall be submitted to the Town and reviewed and released by the Town prior to the commencement of any activity on a construction site. Commencement of activity before the submittal, review and release of an erosion and sediment control submittal packet shall be a violation of this article.

(a) The erosion and sediment control submittal packet shall include all documentation required by the Town's erosion control submittal process as defined in the Town of Pantego Erosion and Sediment Control Manual.

(b) The erosion and sediment control submittal packet shall be submitted to the Town no later than ten (10) days prior to commencement of any construction activities.

**Section 13.07.011 Review and release**

- (a) The Town shall review each erosion and sediment control submittal packet submitted for any construction site to determine its conformance with the provisions of this article.
- (b) *Temporary approval.* With approval from the Public Works Director, a construction site may be temporarily approved for clearing or commencement of construction before approval of the erosion and sediment control submittal packet. This temporary approval may be revoked at any time for any reason a director sees fit for revocation.
- (c) *Responsibility.* The owner or operator shall not be relieved of responsibility for damage to persons or property otherwise imposed by law, and the Town or its officers or agents will not be made liable for such damage, by:
  - (1) The release for implementation of an erosion and sediment control submittal packet under this article;
  - (2) The compliance with provisions of the erosion and sediment control submittal packet or with conditions attached to it by the Town;
  - (3) Failure of Town officials to observe or recognize hazardous or unsightly conditions;
  - (4) Failure of Town officials to recommend denial of release for implementation of an erosion and sediment control submittal packet or to deny an erosion and sediment control submittal packet;
  - (5) Granting exemptions from the requirements of this article.
- (d) Materials used for temporary erosion control or sediment control (e.g., silt fences, inlet protection) and established in support of the construction site, shall be removed by the owner or operator of the site once final stabilization has been established.

#### **Section 13.07.012 Termination of Operational Control.**

- (a) A final acceptance of a public improvement associated with land development, issuance of a certificate of occupancy for a building or the issuance of a final "Green Tag" for other construction covered by this article shall be contingent upon an inspection for termination.
- (b) Submit a notice of termination (NOT).
  - (1) Where an NOI has been submitted to the TCEQ, a letter of final acceptance of public improvement, a certificate of occupancy, or final "Green Tag" shall not be issued until final stabilization is established and maintained as specified in the released erosion control submittal packet. The developer for a subdivision or other large plat shall continue to maintain all temporary erosion and sediment control until final stabilization has been established on all those lots within the subdivision or large plat for which a building permit has not been issued or transfer of operational control has been established in compliance with the CGP.
  - (2) A NOT should not be submitted to the TCEQ or other regulatory agency unless all requirements for submittal have been completed, when required by the CGP.

- (3) The Town reserves the right to refuse issuance of the final acceptance or certificate of occupancy when in disagreement with the submittal of an NOT.

#### **DIVISION IV - COMPLIANCE MONITORING**

##### **Section 13.07.013 Right of Entry: Inspection and Sampling**

A director, or his/her authorized representative, shall have the right to enter the premises of any person discharging storm water to the municipal separate storm sewer system (MS4) to determine if the discharger is complying with all requirements of this article, and with any state or federal discharge permit, limitation, or requirement. Dischargers shall allow a director ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and for the performance of any additional duties. Dischargers shall make available to a director, upon request, any SWPPP's, modifications thereto, self-inspection reports, monitoring records, compliance evaluations, Notices of Intent, and any other records, reports, and other documents related to compliance with this article and with any state or federal discharge permit.

- (a) Where a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, a director or his/her authorized representative(s) will be permitted to enter without delay for the purposes of performing his/her responsibilities.
- (b) A director shall have the right to set up on the discharger's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the discharger's operations.
- (c) A director may require any discharger to the MS4 to conduct specified sampling, testing, analysis, and other monitoring of its storm water discharges, and may specify the frequency and parameters of any such required monitoring.
- (d) A director may require the discharger to install monitoring equipment as necessary at the discharger's expense. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure storm water flow and quality shall be calibrated to ensure their accuracy.
- (e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the discharger at the written or verbal request of a director and shall not be replaced. The costs of clearing such access shall be borne by the discharger.
- (f) Unreasonable delays in allowing a director access to the discharger's premises shall be a violation of this article.

##### **Section 13.07.014 Search Warrants**

If a director, or his/her authorized representative, has been refused access to any part of the premises from which storm water is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this article or any state or federal discharge permit, limitation, or requirement, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the Town designed to verify compliance with this article or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then a director may seek issuance of a search warrant from any court of competent jurisdiction. For purposes of this Section, the Public Works Director, the Community Development Director, the City Engineer, and the duly authorized representatives of these Town departmental directors are declared to be "health officers," as that term is used in the Texas Code of Criminal Procedure, Article 18.05.

#### **DIVISION V - ADMINISTRATIVE ENFORCEMENT REMEDIES**

### **Section 13.07.015 Courtesy Notice**

When a director finds that any person has violated, or continues to violate, any provision of this article, or any order issued hereunder, a director may serve upon that person a written Courtesy Notice, specifying the particular violation believed to have occurred and requesting the discharger to immediately investigate the matter and to seek a resolution whereby any offending discharge will cease. Investigation and/or resolution of the matter in response to the Courtesy Notice in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the Courtesy Notice. Nothing in this subsection shall require a director to issue a Courtesy Notice prior to taking any action, including emergency action or any other enforcement action.

### **Section 13.07.016 Notice of Violation**

When a director finds that any person has violated, or continues to violate, any provision of this article, or any order issued hereunder, a director may serve upon that person a written Notice of Violation. Within ten (10) calendar days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention of reoccurrence thereof, to include specific required actions, shall be submitted by the alleged violator to the issuing director. If the alleged violator denies that any violation occurred and/or contends that no corrective action is necessary, an explanation of the basis of any such denial or contention shall be submitted to the issuing director within ten (10) calendar days of receipt of the notice. Submission of an explanation and/or plan in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this subsection shall require a director to issue a Notice of Violation prior to taking any action, including emergency action or any other enforcement action.

### **Section 13.07.017 Consent Orders**

Directors may enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any person responsible for noncompliance with any provision in this article or any order issued hereunder. Such documents may include specific action to be taken by the person to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 13.07.019, 13.07.020 and 13.07.021 of this article and shall be judicially enforceable.

### **Section 13.07.018 Show Cause Hearing**

A director may order any person who has violated, or continues to violate, any provision of this article, or any order issued hereunder, to appear before the director and show cause why a proposed enforcement action should not be taken. Notice shall be served on the alleged violator specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the alleged violator show cause why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) calendar days prior to the hearing. Such notice may be served on any authorized representative of the alleged violator. The hearing shall be conducted pursuant to the rights and procedures specified in Subsection 13.07.026(a) of this article. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the alleged violator.

### **Section 13.07.019 Compliance Orders**

When a director finds that any person has violated, continues to violate, or threatens to violate, any provision of this article, or any order issued hereunder, the director may issue an order to the violator directing that the violator come into compliance within a specified time limit, prior to commencement or continuance of operation, or immediately. Compliance Orders also may contain other requirements to address the noncompliance, including additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged to the MS4. A Compliance Order may not extend the deadline for compliance established by a state or federal standard or requirement, nor does a compliance order relieve the person of liability for any violation, including any continuing violation. Issuance of a

Compliance Order shall not be a bar against, or a prerequisite for, taking any other action against the violator.

### **Section 13.07.020 Remediation, Abatement, and Restoration Orders**

When a director finds that a person has violated, or continues to violate, any provision of this article, or any order issued hereunder, and that such violation has adversely affected the MS4, the director may issue an order to the violator directing him/her to undertake and implement any appropriate action to remediate and/or abate any adverse effects of the violation upon the MS4 and/or to restore any part of the MS4. Such remedial, abatement, and restoration action may include, but not be limited to: monitoring, assessment, and evaluation of the adverse effects and determination of the appropriate remedial, abatement, and/or restoration action; confinement, removal, cleanup, treatment, and disposal of any discharged or released pollution or contamination; prevention, minimization, and/or mitigation of any damage to the public health, welfare, or the environment that may result from the violation; restoration or replacement of Town property or natural resources damaged by the violation. The order may direct that the remediation, abatement, and/or restoration be accomplished on a specified compliance schedule and/or be completed within a specified period of time. An order issued under this section does not relieve the violator of liability for any violation, including any continuing violation. Issuance of an order under this section shall not be a bar against, or a prerequisite for, taking any other action against any responsible party.

### **Section 13.07.021 Emergency Cease and Desist Orders**

When a director finds that any person has violated, continues to violate, or threatens to violate, any provision of this article, or any order issued hereunder, or that the person's past violations are likely to recur, and that the person's violation(s), or threatened violation(s), have caused or contributed to an actual or threatened discharge to the MS4 which reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or to the environment, the director may issue an order to the violator directing it immediately to cease and desist all such violations and directing the violator to:

- (a) Immediately comply with all requirements of this article; and
- (b) Take such appropriate preventive action as may be needed to properly address a continuing or threatened violation, including immediately halting operations and/or terminating the discharge.

Any person notified of an emergency order directed to it under this section shall immediately comply and stop or eliminate its endangering discharge. In the event of a discharger's failure to immediately comply voluntarily with the emergency order, the director may take such steps as deemed necessary to prevent or minimize harm to the MS4, including immediate termination of a facility's water supply, sewer connection, or other municipal utility services. The director may allow the person to commence or recommence its discharge when it has demonstrated to the satisfaction of the director that the period of endangerment has passed, unless further termination proceedings are initiated against the discharger under this article. A person that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful discharge and the measures taken to prevent any future occurrence to the director within ten (10) calendar days of receipt of the emergency order. Issuance of an emergency cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the violator.

### **Section 13.07.022 Stop Work Orders**

Whenever a director finds that any operator of a construction site has violated, threatens to violate, or continues to violate, any provision of Division III of this article, or any order issued hereunder, the director may issue a Stop Work Order to the operator, and require that a copy of the Stop Work Order be posted at the construction site. Unless express written exception is made by the issuing director, the Stop Work Order shall prohibit any further construction activity, or any commencement of construction activity, at the site and shall bar any further inspection or approval by the Town associated with a building permit, early

grading release, or any other Town approval necessary to commence or continue construction or to assume occupancy at the site. Issuance of a Stop Work Order shall not be a bar against, or a prerequisite for, taking any other action against the violator.

#### **Section 13.07.023 Performance and Maintenance Bonds**

A director may, by written notice, order any owner or operator of a source of storm water discharge associated with construction or industrial activity to file a satisfactory bond, payable to the Town, in a sum not to exceed a value determined by the director to be necessary to achieve consistent compliance with this article, any order issued hereunder, any required best management practice, and/or any SWPPP provision, and/or to achieve final stabilization of the site. The Town may deny approval of any building permit, early grading release, subdivision plat, site development plan, or any other Town permit or approval necessary to commence or continue construction or any industrial activity at the site, or to assume occupancy, until such a performance or maintenance bond has been filed.

#### **Section 13.07.024 Liability Insurance**

A director may, by written notice, order any owner or operator of a source of storm water discharge associated with construction or industrial activity to submit proof that it has obtained liability insurance, or other financial assurance, in an amount not to exceed a value determined by the director, that is sufficient to remediate, restore, and abate any damage to the MS4 or any other aspect of the environment that is caused by the discharge.

#### **Section 13.07.025 Public Nuisances**

A. A violation of any provision of this article, or any order issued hereunder, is hereby declared a public nuisance and shall be corrected or abated.

B. Any person(s) creating a public nuisance shall institute and complete all actions necessary to remedy the effects of such nuisance. If the person(s) responsible for creating the public nuisance fails to correct or abate the nuisance, the Town may correct or abate the nuisance and the person(s) creating the nuisance shall be jointly and severally liable for the cost of such correction or abatement in accordance with state and local law.

C. It shall be the duty of the owner(s), occupant(s) or person(s) otherwise having supervision and control of any lot, tract or parcel of land to correct or abate any public nuisance existing in or on his/her property. If such nuisance is not corrected or abated, the Town may correct or abate the nuisance and the owner(s), occupant(s) or person(s) otherwise having supervision and control of any lot, tract or parcel of land shall be jointly and severally liable for the cost of such correction or abatement in accordance with state and local law.

### **DIVISION VI - RIGHT TO RECONSIDERATION, HEARING, AND APPEAL**

#### **Section 13.07.026 Reconsideration and Hearing**

- (a) Any person subject to a Compliance Order under section 13.07.019, a Remediation, Abatement, or Restoration Order under section 13.07.020, an Emergency Cease and Desist Order under section 13.07.021, or a Stop Work Order under section 13.07.022 of this article may petition the issuing director to reconsider the basis for his/her order within fifteen (15) calendar days of the affected person's notice of issuance of such an order.
- (b) Failure to submit a timely written petition for reconsideration shall be deemed to be a waiver of any further right to administrative reconsideration or review of the order.
- (c) In its petition, the petitioning party must indicate the provisions of the order objected to, the reasons for the objection(s), any facts that are contested, the evidence that supports the petitioner's view of the facts, any alternative terms of an order that the petitioner would accept, and whether the petitioning party requests a hearing on its petition.

- (d) The effect of any Compliance Order under section 13.07.019, Remediation, Abatement, or Restoration Order under section 13.07.020, and any Stop Work Order under section 13.07.022 shall be stayed pending the issuing director's reconsideration of the petition, and any hearing thereon, unless the issuing director expressly makes a written determination to the contrary. The effectiveness of any Emergency Cease and Desist Order under section 13.07.021 shall not be stayed pending the issuing director's reconsideration, or any hearing thereon, unless the issuing director expressly and in writing stays his/her emergency order.
- (e) Within thirty (30) calendar days of the submittal of a petition for reconsideration, the issuing director shall either (1) grant the petition and withdraw or modify the order accordingly; (2) deny the petition, without hearing if no material issue of fact is raised; or (3) if a hearing has been requested and a material issue of fact has been raised, set a hearing on the petition.
- (f) Written notice of any hearing set by the issuing director pursuant to subsection 13.07.026(e) above shall be served on the petitioning party personally or by registered or certified mail (return receipt requested) at least ten (10) calendar days prior to the hearing. Such notice may be served on any authorized representative of the petitioning party.
- (g) The issuing director may himself/herself conduct the hearing and take evidence, or he/she may designate any employee of the Town or any specially-designated attorney or engineer to:
- (1) issue in the name of the Town notices of hearing requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in the hearing;
  - (2) take evidence;
  - (3) transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the director for action thereon.
- At any hearing held pursuant to this subsection, testimony taken shall be under oath and recorded. Any party is entitled to present his/her case or defense by oral or documentary evidence and to conduct such cross-examination as may be required for a full and true disclosure of the facts. A transcript will be made available to any party to the hearing upon payment of the usual charges thereof.
- (h) After the issuing director has reviewed the evidence, he/she shall either (1) grant the petition; (2) deny the petition; or (3) grant the petition in part and deny it in part. The issuing director may modify his/her order as is appropriate based upon the evidence and arguments presented at the hearing and his/her action on the petition. Further orders and directives as are necessary and appropriate may be issued.

### **Section 13.07.027 Appeal**

Any person whose petition for reconsideration by the issuing director has not been granted in its entirety and who remains adversely affected by the issuing director's order, or who is subject to an order of the director issued following a Show Cause Hearing under section 13.07.018, may challenge the final action of the director in an appropriate court of competent jurisdiction.

## **DIVISION VII - JUDICIAL ENFORCEMENT REMEDIES**

### **Section 13.07.028 Civil Remedies**

- (a) Whenever it appears that a person has violated, or continues to violate, any provision of this article that relates to:
- (1) the preservation of public safety, relating to the materials or methods used in construction of any structure or improvement of real property;

- (2) the preservation of public health or to the fire safety of a building or other structure or improvement;
- (3) the establishment of criteria for land subdivision or construction of buildings, including street design;
- (4) dangerously damaged or deteriorated structures or improvements;
- (5) conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents; or
- (6) the discharge of a pollutant into the MS4,

the Town may invoke sections 54.011 - 54.017 of the Texas Local Government Code and petition the state district court or the county court at law of Tarrant County, through the Town Attorney, for either the injunctive relief specified in subsection 13.07.028(b) or the civil penalties specified in subsection 13.07.028(c) below, or both the specified injunctive relief and civil penalties.

- (b) Pursuant to Section 54.016 of the Texas Local Government Code, the Town may obtain against the owner or the operator of a facility a temporary or permanent injunction, as appropriate, that:
  - (1) prohibits any conduct that violates any provision of this article that relates to any matter specified in subsections 13.07.028(a)(1)-(6) above; or
  - (2) compels the specific performance of any action that is necessary for compliance with any provision of this article that relates to any matter specified in subsections 13.07.028(a)(1)-(6) above.
- (c) Pursuant to section 54.017 of the Texas Local Government Code, the Town may recover a civil penalty of not more than \$1,000 per day for each violation of any provision of this article that relates to any matter specified in subsections 13.07.028(a)(1)-(5) above, and a civil penalty of not more than \$5,000 per day for each violation of any provision of this article that relates to any matter specified in subsection 13.07.028(a)(6) above, if the Town proves that:
  - (1) the defendant was actually notified of the provisions of the article; and
  - (2) after the defendant received notice of the article provisions, the defendant committed acts in violation of the article or failed to take action necessary for compliance with the article.

### **Section 13.07.029 Criminal Penalties**

- (a) A person who violates any provision of this article by performing an act prohibited or by failing to perform an act required is guilty of a misdemeanor; each day the violation continues shall be a separate offense.
  - (1) If the definition of an offense under this article does not prescribe a culpable mental state, then a culpable mental state is not required. Such offense shall be punishable by a fine not to exceed Five Hundred Dollars and No Cents (\$500.00). Although not required, if a culpable mental state is in fact alleged in the charge of the offense and the offense governs fire safety, zoning, or public health and sanitation, including dumping of refuse, such offense shall be punishable by a fine not to exceed Two Thousand Dollars and No Cents (\$2,000.00).
  - (2) If the definition of an offense under this article prescribes a culpable mental state and the offense governs fire safety, zoning, or public health and sanitation, including dumping of refuse, then a culpable mental state is required and the offense shall be punishable by a fine not to exceed Two Thousand Dollars and No Cents (\$2,000.00).

(b) A person commits an offense by knowingly making any false statement, representation, or certification in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this article, or any order issued hereunder, or by falsifying, tampering with, or knowingly rendering inaccurate any monitoring device or method required under this article.

C. In determining the amount of any fine imposed hereunder, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the violation, corrective actions by the violator, the compliance history of the violator, the knowledge, intent, negligence, or other state of mind of the violator, and any other factor as justice requires.

#### **Section 13.07.030 Remedies Nonexclusive**

The remedies provided for in this article are not exclusive of any other remedies that the Town may have under state or federal law or other Town ordinances. The Town may take any, all, or any combination of these actions against a violator. The Town is empowered to take more than one enforcement action against any violator. These actions may be taken concurrently.

### **DIVISION VIII - MISCELLANEOUS PROVISIONS**

#### **Section 13.07.031 Charges and Fees**

The Town may adopt reasonable fees for reimbursement of costs of constructing, operating, and maintaining the Town's MS4, and for reimbursement of costs of implementing its storm water management program as required by the EPA and TCEQ, and the cost of implementing this article, which costs may include, but not be limited to, the following:

- (a) Fees for monitoring, inspection, and surveillance procedures including the cost of collecting and analyzing discharges and reviewing monitoring reports submitted by dischargers;
- (b) Fees for spill and release reports and responding to spills and releases of oil, hazardous and extremely hazardous substances, and other pollutants; and
- (c) Other fees as the Town may deem necessary to carry out the requirements contained in this article. These fees relate solely to the matters covered by this article and are separate from all other fees, fines, and penalties chargeable by the Town.

#### **Section 13.07.032 Severability**

If any provision of this article is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall remain in full force and effect.

#### **Section 13.07.033 Effective Date**

This article shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

### **SECTION 2: PROVISIONS CUMULATIVE**

This ordinance shall be cumulative of all provisions of the ordinances of the Town of Pantego, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

**SECTION 3:  
PROVISIONS SEVERABLE**

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

**SECTION 4:  
SAVINGS CLAUSE**

That all rights or remedies of the Town of Pantego, Texas, are expressly saved as to any and all violations that have accrued at the time of the effective date of this ordinance, involving the provisions of any earlier or previous ordinances concerning the subjects of this ordinance, that have already accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 5:  
EFFECTIVE DATE**

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

**PASSED AND APPROVED AFTER WAIVER OF THE REQUIREMENTS OF TOWN CODE SECTION 1.03.035(b) THIS THE 8<sup>th</sup> DAY OF June 2015 BY A VOTE OF \_ AYES, \_ NAYS, AND \_ ABSTENTIONS, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS.**

\_\_\_\_\_  
**Melody Paradise, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Julie Arrington, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Jim Jeffrey, City Attorney**

# TOWN OF PANTEGO

## PHASE II STORM WATER MANAGEMENT PLAN



December 2013

Texas Commission on Environmental Quality  
Permit Application for Permit # TXR040000



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## **SECTION 1: OVERVIEW**

### **1.1 PURPOSE AND SCOPE**

The Town of Pantego is required to develop a Storm Water Management Plan (SWMP) in accordance with Texas Pollutant Discharge Elimination System (TPDES) requirements for obtaining authorization for storm water discharges and certain non-storm water discharges. The Town has developed this SWMP in accordance with the guidelines published by the Texas Commission on Environmental Quality (TCEQ) for coverage under TPDES General Permit TXR040000. The SWMP has been developed to facilitate the Town's efforts in reducing storm water pollutants from the Town's Municipal Separate Storm Sewer System (MS4) to the maximum extent practicable to also satisfy the requirements of the Clean Water Act (CWA) in accordance with the TCEQ and the EPA Phase II (Small MS4) Program.

### **1.2 TOWN OF PANTEGO**

The Town of Pantego is centrally located on the western edge of the City of Arlington. The majority of Town's approximately one square mile of area is residential with some commercial development and a very small amount of light industrial area. The Town is land-locked and virtually built out, but there is a small amount of new development and re-development throughout the municipality. According to the 2010 census, the population of the Town is 2,394. The Town receives and discharges to two adjoining MS4s: the City of Arlington and the City of Dalworthington Gardens.



## **SECTION 2: REGULATORY AUTHORITIES**

### **2.1 FEDERAL REGULATION**

The Federal Government addressed water pollution through the Federal Water Pollution Control Act (FWPCA) in 1948. The original statute has seen extensive revision since it was introduced. Section 402 of the 1972 Amendments to the FWCPA established the National Pollutant Discharge Elimination System (NPDES) authorizing the U.S. Environmental Protection Agency (EPA) to issue discharge permits to certain types of activities. The 1972 Amendments later became known as the Clean Water Act (CWA). Further Amendments to the FWCPA occurred in 1977. The 1977 Amendments established procedures for states to assume regulating authority of the NPDES program.

Citing the CWA as the legislative authority, Congress published Phase I of the U.S. EPA's municipal stormwater program in 1990. Phase I relied on the NPDES permit coverage to address stormwater runoff from medium and large municipal separate storm sewer systems (MS4s) serving populations of 100,000 or greater. The Phase I requirements marked an attempt to address pollution from non-point sources.

The Stormwater Phase II Final Rule (published December 8, 1999) was the next step in the EPA's efforts to preserve, protect and improve the nation's water resources from polluted stormwater runoff, through the NPDES permit program. The program requires Phase II municipalities to develop a Stormwater Management Program (SWMP) to outline actions taken to address stormwater pollution reduction.

Phase II of the NPDES program requires regulated MS4s to address stormwater pollution reduction using six minimum control measures (MCMs). The six MCMs are: Public Education and Awareness, Public Involvement, Illicit Discharge Detection Elimination, Construction Site Control Runoff and Pollution Prevention/Good Housekeeping. A best management practice (BMP) is a specific action, such as employee training or outfall inventory, within a MCM meant to reduce the potential for stormwater pollution.

### **2.2 STATE REGULATION**

On September 14, 1998 the U.S. EPA and the Texas Commission on Environmental Quality (TCEQ) signed a memorandum agreement for the TCEQ to assume the regulatory authority for the NPDES as it applies to the State of Texas. This program has been named the Texas Pollution Discharge Elimination Program (TPDES). The TCEQ has already released permits applying to Industrial, Construction and Phase I of the Municipal stormwater programs. Each of these has a separate, applicable permit in which to comply with.

On August 13, 2007, the TCEQ issued TPDES General Permit No. TXR040000 for stormwater discharges from Phase II cities in Texas. Small Phase II communities were required to obtain permit coverage within 180 days of the permit issuance and develop a five year Stormwater Management Program (SWMP) and summarize all stormwater activities in permit required annual report submittals to the TCEQ. The permit expired on August 13, 2012.

The TCEQ reissued TPDES General Permit No. TXR040000 on December 11, 2013. The new permit was based off the 2010 U.S. Census updates to the Urbanized Area (UA) maps. The new permit requires permittees to seek coverage on a tiered basis according to the population of residents served under the UA. The four levels, based on population in the UA, are as follows:

- Level 1: Up to 10,000;
- Level 2: 10,000 to 40,000 (including non-traditional MS4s);
- Level 3: 40,000 to 100,000;
- Level 4: More than 100,000.

Under the new permit, the Town of Pantego is considered a Level 1 entity. In accordance with the permit requirements, Phase II cities are required to seek permit coverage within 180 days of the permit issuance date (therefore June 11, 2014) and will be given five years to fully implement a SWMP. The Town will also be required to submit annual reports to the TCEQ during this permit period. This report describes recommended BMPs that will be incorporated into the SWMP and implemented by the Town within the TPDES permit period.

## **SECTION 3: PERMIT REGULATION**

### **3.1 ALLOWABLE NON-STORM WATER DISCHARGES**

The following non-stormwater sources may be discharged from the small MS4 and are not required to be addressed in the small MS4's Illicit Discharge and Detection or other minimum control measures, unless they are determined by the permittee or the TCEQ to be significant contributors of pollutants to the small MS4, or they are otherwise prohibited by the MS4 operator:

1. Water line flushing (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
2. Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;
3. Discharges from potable water sources that do not violate Texas Surface Water Quality Standards;
4. Diverted stream flows;
5. Rising ground waters and springs;
6. Uncontaminated ground water infiltration;
7. Uncontaminated pumped ground water;
8. Foundation and footing drains;
9. Air conditioning condensation;
10. Water from crawl space pumps;
11. Individual residential vehicle washing;
12. Flows from wetlands and riparian habitats;
13. Dechlorinated swimming pool discharges that do not violate Texas Surface Water Quality Standards;
14. Street wash water excluding street sweeper waste water;
15. Discharges or flows from emergency fire fighting activities (fire fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);
16. Other allowable non-stormwater discharges listed in 40 CFR § 122.26(d)(2)(iv)(B)(1);
17. Non-stormwater discharges that are specifically listed in the TPDES Multi Sector General Permit (MSGP) TXR050000 or the TPDES Construction General Permit (CGP) TXR150000;

18. Discharges that are authorized by a TPDES or NPDES permit or that are not required to be permitted; and
19. Other similar occasional incidental non-stormwater discharges such as spray park water, unless the TCEQ develops permits or regulations addressing these discharges.

### **3.2 IMPAIRED WATER BODIES AND TMDL**

The new TPDES General Permit TXR040000 requires that permittees shall control the discharges of pollutant(s) of concern to impaired waters with approved Total Maximum Daily Loads (TMDLs) and shall assess the progress in controlling those pollutants. If discharging to impaired water bodies with an approved TMDL, the permittee shall include in its SWMP controls targeting the pollutant of concern. The SWMP and annual reports must include the following information:

- (a) Targeted controls;
- (b) Measureable goals;
- (c) Identification of benchmarks;
- (d) Annual reporting of selected BMPs; and
- (e) Monitoring/assessment of progress.

Total Maximum Daily Load (TMDL) and an Implementation Plan (I-Plan) address water quality impairment for *Escherichia coli* (*E. coli*) within the Rush Creek Segment (0841R) of the Lower West Fork Trinity River Watershed.

A TMDL is an estimate of the allowable pollutant load that a water body can accept and still be in compliance with the water quality standards for the designated use. While Rush Creek is not within the Town's limits, the Town's MS4 does contribute to the Rush Creek Segment of the I-Plan. The Thirteen TMDLs for Indicator Bacteria in the Lower West Fork Trinity River Watershed were adopted by TCEQ on September 24, 2013. The I-Plan for the Seventeen Total Maximum Daily Loads for the Bacteria in the Greater Trinity River Region was approved by TCEQ on December 11, 2013.

Waste loading allocations outlined within the I-Plan have been used to satisfy benchmarking requirements of the General Permit. A summary of allocations adopted by the I-Plan are referenced below:

**TMDL Allocation Lower West Fork Trinity River Watershed – Rush Creek Segment**

<b>AU</b>	<b>TMDL</b>	<b>WLA<sub>WWTF</sub><sup>a</sup></b>	<b>WLA<sub>SW</sub></b>	<b>LA<sup>b</sup></b>	<b>MOS</b>
0841R	933.2	0.8626	678.7	216.7	36.95

<sup>a</sup> WLA<sub>WWTF</sub> includes the future potential allocation to wastewater treatment facilities

<sup>b</sup> LA includes tributary and upstream bacteria loadings (LA<sub>USL</sub>) and loadings arising from within each segment from non-regulated sources (LA<sub>AU</sub>)

The Final TMDL Allocation table will serve as the ultimate measure of program success. Measureable milestones and implementation schedules from the I-Plan will be used to steer monitoring efforts and measure program success. MCMs addressing *E. coli* that coincide with control of *E. coli* are highlighted in each element.

Indicators of success regarding measures relating to E. coli will include: (1) number of sources identified or eliminated, (2) decrease in number of illegal dumping cases, (3) increase in reporting of illegal dumping, (4) number of educational opportunities conducted, (5) reduction in sanitary sewer overflows, and (6) increase in illegal discharge detection through dry screening.



## **SECTION 4: MINIMUM CONTROL MEASURES**

### **4.1 OVERVIEW**

The Storm Water Management Plan (SWMP) describes specific actions that will be taken over the five year period to reduce pollutants and protect storm water quality. The specific activities to be implemented are referred to as Best Management Practices (BMPs). Various BMPs have been developed for each of the Minimum Control Measures (MCMs) required by the General Permit. The SWMP also sets measurable goals and provides a schedule for the implementation of the BMPs. Implementation of the selected BMPs is expected to result in a reduction of pollutants discharged into streams, ponds and creeks within the Town.

### **4.2 PUBLIC EDUCATION, OUTREACH AND INVOLVEMENT**

#### (a) Permit Requirements

##### (1) Public Education and Outreach

- (A) The Town shall assess the storm water program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue to educate employees, businesses, and the general public of hazards associated with the illegal discharges and improper disposal of waste and about the impact that stormwater discharges can have on local waterways, as well as the steps that the public can take to reduce pollutants in stormwater. The program must, at a minimum:
  - (i) Define the goals and objectives of the program based on high priority community-wide issues (for example, reduction of nitrogen in discharges from the small MS4 or promoting previous techniques used in the small MS4);
  - (ii) Identify the target audience(s);
  - (iii) Develop or utilize appropriate educational materials, such as printed materials, signage at select locations, and websites;
  - (iv) Determine cost effective and practical methods and procedures for distribution of materials.
- (B) Throughout the permit term, the Town shall make the educational materials available to convey the program's message to the target audience(s) at least annually.
- (C) The Town shall review and update as necessary, the SWMP and MCM implementation procedures. Any changes must be reflected in the annual report. Such written procedures must be maintained, either on site or in the SWMP and made available for inspection by the TCEQ.
- (D) MS4 operators may partner with other MS4 operators to maximize the program and cost effectiveness of the required outreach.

##### (2) Public Involvement

The Town shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue to involve the public. At a minimum, the Town shall:

- (A) If feasible, create opportunities for citizens to participate in the implementation of control measures, such as stream clean-ups, storm drain stenciling, volunteer monitoring, and educational activities;
- (B) Ensure the public can easily find information about the SWMP.

(b) Public Education, Outreach and Involvement BMPs

- (1) General Community Education (TMDL Targeted) - Education and outreach efforts will be used to reach the general public through newsletters, increased presence on the Town website, representation at Town events and marking storm drain inlets.

- (A) Newsletter – Information will be included in the Town newsletter

**Year 1:** brainstorm topics and ideas for impactful items and begin including information in newsletter

**Year 2-5:** include stormwater related information in the newsletter twice per year

**Measureable Indicators:** number of items included in the newsletters

- (B) Town Website (TMDL Targeted) – Create a page devoted to storm water awareness

**Year 1:** establish plan for layout and information to be included on page(s) and begin to build page

**Year 2-5:** complete page and update when necessary

**Measureable Indicators:** number of times the page is updated

- (C) Town Events (TMDL Targeted) – Staff will establish a plan for disseminating information at Town events

**Year 1:** Establish printed material to hand out at events

**Year 2:** Begin coordinating with Town events, such as Pantego Clean Up Day, Movies in the Park, PantegoFEST, etc., to hand out printed material and use other means to inform the attendees. Attempt to take part in at least three events.

**Years 3-5:** Increase events by one per year. Evaluate printed material on annual basis to ensure effectiveness.

**Measureable Indicators:** number of events attended and number of printed materials provided

- (D) Marking of Storm Inlets with decals

**Year 1:** Complete any inlets that were not marked during initial permit

**Years 2-5:** Check inlets annually to ensure that decals are still in place and readable.

**Measureable Indicators:** number of inlets decaled and inspected

- (2) Significant User Education (TMDL Targeted) - Education and outreach efforts will be used to reach specific users, such as restaurants, mechanic shops, etc., through mailings, information sheets distributed to new businesses and periodic updates.

**Year 1:** Establish a listing of significant users. Brainstorm information to include on materials distributed to these users.

**Year 2:** Mail information sheets to significant users. Ensure that code and environmental compliance staff have access to additional information sheets for reminders as needed.

**Year 3:** Continue to hand out information sheets to new or possibly non-conforming significant users.

**Year 4:** Mail information sheets to significant users. Continue to hand out information sheets to new or possibly non-conforming significant users.

**Year 5:** Continue to hand out information sheets to new or possibly non-conforming significant users.

**Measureable Indicators:** number of information sheets distributed

- (3) Contractor Education (TMDL Targeted) - Contractors that will be involved within projects that could affect surface water quality will be given information at the time of permitting to ensure their knowledge of prevention requirements during construction, and the expectations of the Town codes.

**Year 1:** Brainstorm information to include on materials distributed to contractors.

**Year 2:** Create information material to distribute to contractors upon permit approval.

**Years 3-5:** Continue information distribution.

**Measureable Indicators:** number of information materials distributed

- (4) Staff Education (TMDL Targeted) - Public Works and Community Development Staff will continue to attend courses to increase knowledge of storm water protection, illicit discharge identification and prevention, etc. All Town staff will be educated on the importance of pollution prevention within their areas of responsibility.

**Year 1:** Send two staff members to Storm Water Pollution Prevention During Construction course at the North Central Texas Council of Governments. Investigate other training courses and providers.

**Year 2:** Send staff to training, such as Stormwater Management: Permitting and Regulatory Overview (TEEX), Stormwater Construction Activities Qualified Personnel Training (TEEX) and Storm Water Pollution Prevention During Construction (NCTCOG).

**Year 3:** Develop in house training to educate peripheral employees to watch for possible violations. Continue training from third party providers for relevant staff.

**Year 4&5:** Continue in house and third party training program.

**Measureable Indicators:** Document number of hours of training both in house and third party.

#### **4.3 ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)**

##### (a) Permit Requirements

##### (1) Program Development

The Town shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue to detect, investigate, and eliminate illicit discharges into the small MS4. The program shall include the requirements described below:

##### (A) MS4 mapping

The Town shall maintain an up-to-date MS4 map, which must be located on site and available for review by the TCEQ. The MS4 map must show at a minimum the following information:

- (i) The location of all outfalls that are operated by the Town and that discharge into waters of the U.S;
- (ii) The location and name of all surface waters receiving discharges from the outfalls;

##### (B) Education and Training

The Town shall implement a method for informing or training all field staff that may come into contact with or otherwise observe an illicit discharge or illicit connection to the small MS4 as part of their normal job responsibilities. Training program materials and attendance lists must be maintained on site and made available for review by the TCEQ.

##### (C) Public Reporting of Illicit Discharges and Spills

To the extent feasible, the Town shall publicize and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from the small MS4. The Town shall provide a central contact point to receive reports; for example by including a phone number for complaints and spill reporting.

(D) The Town shall develop and maintain on site procedures for responding to illicit discharges and spills.

(E) Source Investigation and Elimination

(i) Minimum Investigation Requirements

Upon becoming aware of an illicit discharge, the Town shall conduct an investigation to identify and locate the source of such illicit discharge as soon as practicable. The Town shall:

1. prioritize the investigation of discharges based on their relative risk of pollution. For example, sanitary sewage may be considered a high priority discharge;
2. report to the TCEQ immediately upon becoming aware of the occurrence of any illicit flows believed to be an immediate threat to human health or the environment; and
3. track all investigations and document, at a minimum, the date(s) the illicit discharge was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed.

(ii) Identification and Investigation of the Source of the Illicit Discharge

The Town shall investigate and document the source of illicit discharges where it has jurisdiction to complete such an investigation. If the source of illicit discharge extends outside the Town's boundary, it shall notify the adjacent permitted MS4 operator or TCEQ's Field Operation Support Division.

(iii) Corrective Action to Eliminate Illicit Discharge

If and when the source of the illicit discharge has been determined, the Town shall immediately notify the responsible party of the problem, and shall require the responsible party to perform all necessary corrective actions to eliminate the illicit discharge.

(F) Inspections

The Town shall conduct inspections, as determined appropriate, in response to complaints, and shall conduct follow-up inspections as needed to ensure that corrective measures have been implemented by the responsible party.

(b) Illicit Discharge Detection and Elimination BMPs

- (1) Update and improve Storm Sewer and MS4 map (TMDL Targeted) - Staff will evaluate the current maps to ensure that they are up to date and clearly represent the Town infrastructure.

**Year 1:** Staff will evaluate the existing GIS map for deficiencies.

**Year 2:** Staff will locate deficiencies, if necessary. Any needed changes and/or additions will be included in the existing GIS map by a third party.

**Year 3-5:** Staff will continue to evaluate needed upgrades to the GIS map and ensure that any new infrastructure is included in a timely manner.

**Measureable Indicators:** Document the number of changes, if any, made annually.

- (2) Evaluate the Illicit Discharge Detection Program and Update (TMDL Targeted) - Staff will evaluate the current inspection, investigation and enforcement policies and procedures to ensure efficiency and compliance with the new permit.

**Year 1:** Staff will evaluate the current process for inspection, investigation and enforcement of illicit discharges.

**Year 2:** Staff will implement any needed improvements to better identify and respond to illicit discharges.

**Year 3-5:** Staff will continue to identify and respond to illicit discharges through reporting and proactive investigation.

**Measureable Indicators:** Document the number of investigations made through both staff inspection and public reporting. Document number of discharges identified.

- (3) Household Hazardous Waste Program - The Town has taken steps in the last permit to improve this program and looks to continue to improve in the coming permit cycle.

**Year 1:** Staff will initiate a new solid waste contract that includes one HHW event included per year. The Town will continue to contract with Fort Worth to take HHW for a fee.

**Year 2:** Town will continue to offer one HHW event per year. Staff will also consider the feasibility of a second HHW event per year. The Town will continue to contract with Fort Worth to take HHW for a fee.

**Year 3-5:** Town will continue to offer one HHW event per year, and a second event per year if feasible. The Town will continue to contract with Fort Worth to take HHW for a fee.

**Measureable Indicators:** Document the amount of HHW collected at event(s). Document number of customers using Fort Worth for HHW disposal.

- (4) Sanitary Sewer Overflow and Inflow and Infiltration (TMDL Targeted) - The Town plans increased maintenance, especially in problem areas, and beginning a sanitary sewer main evaluation program.

**Year 1:** Staff will evaluate the present sanitary sewer main maintenance program and update if necessary.

**Year 2:** Staff will continue sanitary sewer maintenance program. Staff will evaluate the cost and implementation schedule for a sanitary sewer evaluation plan.

**Year 3:** Staff will continue sanitary sewer maintenance program. Staff will initiate a sanitary sewer evaluation plan.

**Year 4:** Staff will continue sanitary sewer maintenance program. Staff will continue the sanitary sewer evaluation plan.

**Year 5:** Staff will continue sanitary sewer maintenance program. Staff will complete the sanitary sewer evaluation plan.

**Measureable Indicators:** Document number of Sanitary Sewer Overflows. Document number of feet of sanitary sewer main cleaned. Document number of manholes, cleanouts and feet of sanitary sewer evaluated.

- (5) Evaluate and Update Ordinances (TMDL Targeted) - Enforcement can only be achieved by clear and relevant legislation being enacted. Staff will evaluate existing ordinances to ensure that all areas are effective and enforceable.

**Year 1:** Staff will evaluate the present ordinance for deficiencies.

**Year 2:** Staff will propose any needed updates to the current ordinance.

**Year 3-5:** Staff will implement the updates to the existing ordinances and review ordinance annually

**Measureable Indicators:** Document ordinance updates.

#### **4.4 CONSTRUCTION SITE STORM WATER RUNOFF CONTROL**

##### (a) Permit Requirements

- (1) The Town will assess the current program elements and implement new elements, as necessary, to continue to reduce pollutants in any storm water runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre or if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more of land. The program must include the development and implementation of an ordinance or other regulatory mechanism, as well as sanctions, to ensure compliance to the extent allowable under state, federal, and local law, to require erosion and sediment control.
- (2) The Town shall require that construction site contractors and operators implement the following at a minimum:
  - (A) Erosion and Sediment Controls;
  - (B) Soil Stabilization;
  - (C) Design, install, implement and maintain effective BMPs to minimize the discharge of pollutants which include the following:

- (i) minimize exposure to stormwater of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials; and
    - (ii) Minimize the discharge of pollutants from spills and leaks.
  - (D) Develop a stormwater pollution prevention plan in accordance with, and when required by, the TPDES Construction General Permit TXR150000
  - (3) The following discharges are prohibited: washout from concrete, stucco, paint, and similar pollutants; vehicle and equipment related pollutants; and other wastewater discharges.
  - (4) The Town must develop procedures for site plan reviews and construction site inspections.
  - (5) The Town shall ensure that all staff whose primary job duties are related to implementing the construction stormwater program (including permitting, plan review, construction site inspections, and enforcement) are informed or trained to conduct these activities.
- (b) Construction Site Storm Water Runoff Control BMPs
- (1) Construction Site Stormwater Runoff Control Ordinance (TMDL Targeted)
    - Year 1:** Staff will evaluate the present ordinance for deficiencies.
    - Year 2:** Staff will propose any needed updates to the current ordinance.
    - Year 3-5:** Staff will implement any updates to the existing ordinances and review ordinance annually
    - Measureable Indicators:** Document ordinance updates.
  - (2) Construction Site Inspection Program (TMDL Targeted)
    - Year 1:** Staff will continue site inspections and evaluate the existing inspection program for any needed revisions.
    - Year 2-5:** Staff will continue site inspection program.
    - Measureable Indicators:** Document number of inspections completed. Document number of corrections or enforcement actions taken.
  - (3) Construction Plan Review Program (TMDL Targeted)
    - Year 1:** Staff will continue plan review program and evaluate the existing program for any needed revisions.
    - Year 2-5:** Staff will continue plan review program.
    - Measureable Indicators:** Document number of plan reviews completed.

#### **4.5 POST-CONSTRUCTION STORMWATER MANAGEMENT**

##### (a) Permit Requirements

##### (1) Post-Construction Stormwater Management Program

- (A) The Town shall assess program elements that were described in the previous permit and modify as necessary, to continue to control stormwater discharges from new development and redeveloped sites that discharge into the small MS4 that disturb one acre or more, including projects that disturb less than one acre that are part of a larger common plan of development or sale. The program must be established for private and public development sites. The program may utilize an offsite mitigation and payment in lieu of components to address this requirement.
- (B) The Town shall use, to the extent allowable under state and federal law, an ordinance to address post-construction runoff from new development and redevelopment projects. The Town shall establish, implement, and enforce a requirement that owners or operators of new development and redeveloped sites design, install, implement, and maintain a combination of structural and non-structural BMPs appropriate for the community and that protects water quality.

##### (2) The Town shall include the requirements described below:

- (A) Review and update, as necessary, the SWMP and MCM implementation procedures required and include any changes in the annual report. Such written procedures must be maintained either on site or in the SWMP and made available for inspection by TCEQ.
- (B) Document and maintain records of enforcement actions and make them available for review by the TCEQ.
- (C) Ensure, to the extent allowable under state, federal, and local law, the long-term operation and maintenance of structural stormwater control measures installed through one or both of the following approaches:
  - (i) Maintenance performed by the Town, and/or
  - (ii) Maintenance performed by the owner or operator of a new development or redeveloped site under a maintenance plan. The maintenance plan must be filed in the real property records of the county in which the property is located. The Town shall require the owner or operator of any new development or redeveloped site to develop and implement a maintenance plan addressing maintenance requirements for any structural control measures installed on site. The permittee shall require operation and maintenance performed is documented and retained on site, such as at the offices of the owner or operator, and made available for review by the small MS4.

##### (b) Post-Construction Stormwater Management BMPs

##### (1) Evaluate and Update Ordinances (TMDL Targeted)

**Year 1:** Staff will evaluate present code and initiate needed changes to improve design requirements.

**Year 2:** Staff will propose any needed changes for adoption.

**Year 3-5:** Staff will implement any adopted changes into the program.

**Measureable Indicators:** Document ordinance updates.

(2) Implementation and Performance of Structural/Non-structural Controls

**Year 1-5:** The Town will promote the use of Low Impact Design (LID) in development and redevelopment projects.

**Measureable Indicators:** Document the number of large projects. Document number of LID features used.

(3) Employee Training Program (TMDL Targeted)

**Year 1-5:** Continue employee training program with some emphasis on Post Construction Stormwater Management.

**Measureable Indicators:** Document number of hours of training.

#### **4.6 POLLUTION PREVENTION AND GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS**

(a) Permit Requirements

(1) Program Development and Requirements

The Town is required to assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue an operation and maintenance program, including an employee training component that has the ultimate goal of preventing or reducing pollutant runoff from municipal activities and municipally owned areas including but not limited to park and open space maintenance; street maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations. The program shall include the requirements described below:

(A) Town-owned Facilities and Control Inventory

The Town shall develop and maintain an inventory of facilities and stormwater controls that it owns and operates within the regulated area of the small MS4. The inventory must be available for review by TCEQ and must include, but is not limited to, the following: equipment storage and maintenance facilities; fuel storage facilities; materials storage yards; buildings; parking lots; public works yards; street repair and maintenance sites; vehicle storage and maintenance yards; and structural stormwater controls.

## (B) Training and Education

The Town shall inform or train appropriate employees involved in implementing pollution prevention and good housekeeping practices, and shall maintain a training attendance list for inspection by TCEQ when requested.

## (C) Disposal of Waste Material

Waste materials removed from the small MS4 must be disposed of properly.

## (D) Contractor Requirements and Oversight

- (i) Any contractors hired by the Town to perform maintenance activities on Town-owned facilities must be contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility specific stormwater management operating procedures described in this section.
- (ii) All Town shall provide oversight of contractor activities to ensure that contractors are using appropriate control measures and SOPs. Oversight procedures must be developed before the end of the permit term and maintained on site and made available for inspection by TCEQ.

## (E) Municipal Operation and Maintenance Activities

- (i) The Town shall evaluate operation and maintenance (O&M) activities for their potential to discharge pollutants in stormwater, including but not limited to road, bridge, right-of-way and parking lot maintenance.
- (ii) The Town shall identify pollutants of concern that could be discharged from the above O&M activities.
- (iii) The Town shall develop and implement a set of pollution prevention measures that will reduce the discharge of pollutants in stormwater from the above activities.
- (iv) All pollution prevention measures implemented at Town-owned facilities must be visually inspected. A log of inspections must be maintained and made available for review by the TCEQ upon request.

## (F) Structural Control Maintenance

If BMPs include structural controls, maintenance of the controls must be performed.

## (b) Pollution Prevention and Good Housekeeping BMPs

## (A) Town-owned Facilities Inventory (TMDL Targeted)

**Year 1:** Staff will identify Town-owned facilities and document potential stormwater impact.

**Year 2:** Staff will provide updates to GIS for mapping purposes.

**Year 3-5:** Staff will create SOPs as necessary to ensure that facilities are properly maintained and operated.

**Measureable Indicators:** Document facilities required and GIS updates. Document number of SOPs created.

(B) Municipal Employees Training Program (TMDL Targeted)

**Year 1:** Send two staff members to Storm Water Pollution Prevention During Construction course at the North Central Texas Council of Governments. Investigate other training courses and providers.

**Year 2:** Send staff to training, such as Stormwater Management: Permitting and Regulatory Overview (TEEX), Stormwater Construction Activities Qualified Personnel Training (TEEX) and Storm Water Pollution Prevention During Construction (NCTCOG).

**Year 3:** Develop in house training to educate peripheral employees to watch for possible violations. Continue training from third party providers for relevant staff.

**Year 4&5:** Continue in house and third party training program.

**Measureable Indicators:** Document number of hours of training both in house and third party.

(C) Contractor Training and Oversight

**Year 1:** Staff will evaluate bid and contract documents to ensure contractor performance requirements.

**Year 2:** Staff will update bid and contract documents as necessary. Staff will create a plan for documenting contractor training and compliance with SWMP.

**Year 3-5:** Staff will ensure contractor compliance through contracts, providing informational materials to contractors, documenting contractor training and inspecting for compliance.

**Measureable Indicators:** Document contract language and reference materials.

(D) Maintenance of streets, flumes, channels, etc. (TMDL Targeted)

**Year 1:** Staff will review and update plan and schedule for sweeping and general clean-up of streets, flumes and channels.

**Year 2-5:** The Town will contract with a contractor to sweep streets twice annually. Staff will continue to clean flumes and channels twice annually

**Measureable Indicators:** Document number of miles of streets swept. Document feet of flumes and channels swept.



## **SECTION 5: RECORDKEEPING AND REPORTING**

### **5.1 RECORDKEEPING**

- (a) The Town shall retain all records, a copy of this TPDES general permit, and records of all data used to complete the application (NOI) for this general permit and satisfy the public participation requirements for the remainder of the term of this general permit.
- (b) The Town shall submit the records to the executive director only when specifically asked to do so. The SWMP required by this general permit (including a copy of the general permit) must be retained at a location accessible to the TCEQ.
- (c) The Town shall make the NOI and the SWMP available to the public at reasonable times during regular business hours, if requested to do so in writing. Copies of the SWMP must be made available within ten (10) working days of receipt of a written request. Other records must be provided in accordance with the Texas Public Information Act.
- (d) The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the Town.

### **5.2 REPORTING**

- (a) Noncompliance Notification – As required in 30 TAC § 305.125(9), any noncompliance which may endanger human health or safety, or the environment, must be reported by the Town to the TCEQ. Report of such information must be provided orally or by fax to the TCEQ regional office within 24 hours of becoming aware of the noncompliance. A written report must be provided by the permittee to the appropriate TCEQ regional office and to the TCEQ Enforcement Division (MC-224) within five working days of becoming aware of the noncompliance. The written report must contain:
  - (1) A description of the noncompliance and its cause;
  - (2) The potential danger to human health or safety, or the environment;
  - (3) The period of noncompliance, including exact dates and times;
  - (4) If the noncompliance has not been corrected, the anticipated time it is expected to continue; and
  - (5) Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
- (b) Other Information - When the Town becomes aware that it either submitted incorrect information or failed to submit complete and accurate information requested in an NOI, NOT, or NOC, or any other report, the Town shall promptly submit the facts or information to the executive director.
- (c) Annual Report - The MS4 operator shall submit a concise annual report to the executive director within 90 days of the end of each permit year. The annual report must address the previous reporting year. The first reporting year for annual reporting purposes shall

begin on the permit effective date, and shall last for a period of one (1) year (the end of the "permit year"). The MS4 operator shall also make a copy of the annual report readily available for review by TCEQ personnel upon request. The report must include:

- (1) The status of the compliance with permit conditions, an assessment of the appropriateness of the identified BMPs, progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals;
- (2) A summary of the results of information collected and analyzed, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;
- (3) A summary of activities taken to address the discharge to impaired waterbodies, including any sampling results and a summary of the small MS4s BMPs used to address the pollutant of concern;
- (4) A summary of the stormwater activities the MS4 operator plans to undertake during the next reporting year;
- (5) Proposed changes to the SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;
- (6) Description and schedule for implementation of additional BMP's that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementations plans;
- (7) The number of construction activities where the small MS4 is the operator and authorized under the 7th optional MCM, including the total number of acres disturbed; and
- (8) The number of construction activities that occurred within the jurisdictional area of the small MS4 (as noticed to the permittee by the construction operator), and that were not authorized under the 7th MCM.

Each permittee shall sign and certify the annual report in accordance with 30 TAC § 305.128 (relating to Signatories to Reports). The annual report must be submitted with the appropriate TCEQ reporting forms, if available, or as otherwise approved by TCEQ, to the following address:

**Texas Commission on Environmental Quality  
Stormwater & Pretreatment Team; MC - 148  
P.O. Box 13087  
Austin, Texas 78711-3087**

A copy of the annual report must also be submitted to the TCEQ Regional Office that serves the area of the regulated small MS4.

## **SECTION 6: SUMMARY**

### **6.1 STORM WATER MANAGEMENT PLAN SUMMARY**

The Town of Pantego Storm Water Management Plan (SWMP) has been specifically designed to achieve the best possible impact for storm water protection. The Best Management Practices and measurable goals were selected, with consideration of the Town location, size, staff and available resources, to be able to effectively structure, implement, and evaluate all aspects of the plan to the maximum extent practicable. The Pantego Public Works and Community Development Departments will be responsible for maintaining, implementing, evaluating and reporting the SWMP. Original copies of the SWMP and the NOI shall be kept in the office of the City Secretary at Pantego Town Hall. All information will be made available to the public, as required.



## APPENDIX

### Part I. Definitions

**Best Management Practices (BMPs)** - Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spills or leaks, waste disposal, or drainage from raw material storage areas.

**Catch basins** - Storm drain inlets and curb inlets to the storm drain system. Catch basins typically include a grate or curb inlet that may accumulate sediment, debris, and other pollutants.

**Clean Water Act (CWA)** - The Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et. seq.

**Common Plan of Development or Sale** - A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development or sale is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities.

**Construction Activity** - Soil disturbance, including clearing, grading, and excavating; and not including routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

**Small Construction Activity** is construction activity that results in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land.

**Large Construction Activity** is construction activity that results in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land.

**Construction Site Operator** - The person or persons associated with a small or large construction project that meets either of the following two criteria:

- (a) The entity or entities that have operational control over construction plans and specifications (including approval of revisions) to the extent necessary to meet the requirements and conditions of this general permit; or

- (b) The entity or entities that have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a storm water pollution prevention plan (SWP3) for the site or other permit conditions (for example, they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

**Control Measures** – Any BMP or other method used to prevent or reduce the discharge of pollutants to water in the state.

**Conveyance** - Curbs, gutters, man-made channels and ditches, drains, pipes, and other constructed features designed or used for flood control or to otherwise transport storm water runoff.

**Discharge** - When used without a qualifier, refers to the discharge of storm water runoff or certain non-storm water discharges as allowed under the authorization of this general permit.

**Final Stabilization** - A construction site where either of the following conditions are met:

- (a) All soil disturbing activities at the site have been completed and a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.
- (b) For individual lots in a residential construction site by either:
- (1) the homebuilder completing final stabilization as specified in condition (a) above; or
  - (2) the homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization.
- (c) For construction activities on land used for agricultural purposes (e.g. pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to a surface water and areas which are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.

**General Permit** – A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by Texas Water Code (TWC) § 26.040.

**Ground Water Infiltration** - For the purposes of this permit, groundwater that enters a municipal separate storm sewer system (including sewer service connections and foundation drains) through such means as defective pipes, pipe joints, connections, or manholes.

**High Priority Facilities** – High priority facilities are facilities with a high potential to generate stormwater pollutants. These facilities must include, at a minimum, the MS4 operator's maintenance yards, hazardous waste facilities, fuel storage locations, and other facilities where chemicals or other materials have a high potential to be discharged in stormwater. Among the factors that must be considered when giving a facility a high priority ranking are: the amount of urban pollutants stored at the site, the identification of improperly stored materials, activities that must not be performed outside (for example, changing automotive fluids, vehicle washing), proximity to water bodies, proximity to sensitive aquifer recharge features, poor housekeeping practices, and discharge of pollutant(s) of concern to impaired water(s).

**Hyperchlorinated Water** – Water resulting from hyperchlorination of waterlines or vessels, with a chlorine concentration greater than 10 milligrams per liter (mg/L).

**Illicit Connection** – Any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

**Illicit Discharge** – Any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges pursuant to this general permit or a separate authorization and discharges resulting from emergency firefighting activities.

**Impaired Water** – A surface water body that is identified on the latest approved CWA § 303(d) List as not meeting applicable state water quality standards. Impaired waters include waters with approved or established total maximum daily loads (TMDLs), and those where a TMDL has been proposed by TCEQ but has not yet been approved or established.

**Indicator Pollutant** – An easily measured pollutant, that may or may not impact water quality that indicates the presence of other stormwater pollutants.

**Industrial Activity** – Any of the ten (10) categories of industrial activities included in the definition of “stormwater discharges associated with industrial activity” as defined in 40 Code of Federal Regulations (CFR) § 122.26(b)(14)(i)-(ix) and (xi).

**Maximum Extent Possible (MEP)** – The technology-based discharge standard for municipal separate storm sewer systems (MS4s) to reduce pollutants in stormwater discharges that was established by the CWA § 402(p). A discussion of MEP as it applies to small MS4s is found in 40 CFR § 122.34.

**MS4 Operator** – For the purpose of this permit, the public entity or the entity contracted by the public entity, responsible for management and operation of the small municipal separate storm sewer system that is subject to the terms of this general permit.

**Municipal Separate Storm Sewer System (MS4)** – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (a) Owned or operated by the U.S., a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized

Indian tribal organization, or a designated and approved management agency under the CWA §208 that discharges to surface water in the state;

- (b) That is designated or used for collecting or conveying stormwater;
- (c) That is not a combined sewer; and
- (d) That is not part of a publicly owned treatment works (POTW) as defined in 40 CFR § 122.2.

**Non-traditional Small MS4** – A small MS4 that often cannot pass ordinances and may not have the enforcement authority like a traditional small MS4 would have to enforce the stormwater management program. Examples of non-traditional small MS4s include counties, transportation authorities (including the Texas Department of Transportation), municipal utility districts, drainage districts, military bases, prisons and universities.

**Notice of Change (NOC)** – A written notification from the permittee to the executive director providing changes to information that was previously provided to the agency in a notice of intent.

**Notice of Intent (NOI)** – A written submission to the executive director from an applicant requesting coverage under this general permit.

**Notice of Termination (NOT)** – A written submission to the executive director from a permittee authorized under a general permit requesting termination of coverage under this general permit.

**Outfall** – A point source at the point where a small MS4 discharges to waters of the U.S. and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other waters of the U.S. and are used to convey waters of the U.S. For the purpose of this permit, sheet flow leaving a linear transportation system without channelization is not considered an outfall. Point sources such as curb cuts, traffic or right-of-way barriers with drainage slots that drain into open culverts, open swales or an adjacent property, or otherwise not actually discharging into waters of the U.S. are not considered an outfall.

**Permittee** – The MS4 operator authorized under this general permit.

**Point Source** – (from 40 CFR § 122.22) any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

**Pollutant(s) of Concern** – For the purpose of this permit, includes biochemical oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total suspended solids, turbidity or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from an MS4. (Definition from 40 CFR § 122.32(e)(3)).

**Redevelopment** – Alterations of a property that changed the “footprint” of a site or building in such a way that there is a disturbance of equal to or greater than one (1) acre of land. This term does not include such activities as exterior remodeling, routine maintenance activities, and linear utility installation.

**Small Municipal Separate Storm Sewer System (MS4)** – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- (a) Owned or operated by the United States, a state, city, town, borough, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under CWA § 208;
- (b) Designed or used for collecting or conveying storm water;
- (c) Which is not a combined sewer;
- (d) Which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR § 122.2; and
- (e) Which was not previously authorized under a National Pollutant Discharge Elimination System (NPDES) or a Texas Pollutant Discharge Elimination System (TPDES) individual permit as a medium or large municipal separate storm sewer system, as defined at 40 CFR §§ 122.26(b)(4) and (b)(7).

This term includes systems similar to separate storm sewer systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. This term does not include separate storm sewers in very discrete areas, such as individual buildings. For the purpose of this permit, a very discrete system also includes storm drains associated with certain municipal offices and education facilities serving a nonresidential population, where those storm drains do not function as a system, and where the buildings are not physically interconnected to an MS4 that is also operated by that public entity.

**Stormwater and Stormwater Runoff** – Rainfall runoff, snow melt runoff, and surface runoff and drainage.

**Stormwater Associated with Construction Activity** – Stormwater runoff from an area where there is either a large construction activity or a small construction activity.

**Storm Water Management Program (SWMP)** - A comprehensive program to manage the quality of discharges from the municipal separate storm sewer system.

**Structural Control (or Practice)** - A pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in storm water runoff. Structural controls and practices may include but are not limited to: wet ponds, bioretention, infiltration basins, storm water wetlands, silt fences, earthen dikes, drainage swales, vegetative lined ditches, vegetative filter strips, sediment traps, check dams,

subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

**Surface Water in the State** – Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHW) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

**Total Maximum Daily Load (TMDL)** – The total amount of a substance that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

**Traditional Small MS4** – A small MS4 that can pass ordinances and have the enforcement authority to enforce the stormwater management program. An example of traditional MS4s includes cities.

**Urbanized Area (UA)** – An area of high population density that may include multiple MS4s as defined and used by the U.S. Census Bureau in the 2000 and 2010 Decennial census.

**Waters of the United States** - (from 40 CFR § 122.2) Waters of the United States or waters of the U.S. means:

- (a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (b) All interstate waters, including interstate wetlands;
- (c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sand flats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
  - (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;
  - (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - (3) Which are used or could be used for industrial purposes by industries in interstate commerce;
- (d) All impoundments of waters otherwise defined as waters of the United States under this definition;
- (e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;

- (f) The territorial sea; and
- (g) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR§ 423.11(m) which also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to manmade bodies of water, which neither were originally created in waters of the U.S. (such as disposal area in wetlands) nor resulted from the impoundment of waters of the U.S. Waters of the U.S. do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

## Part II. Commonly Used Acronyms

<b>BMP</b>	Best Management Practice
<b>CFR</b>	Code of Federal Regulations
<b>CGP</b>	Construction General Permit, TXR150000
<b>CWA</b>	Clean Water Act
<b>DMR</b>	Discharge Monitoring Report
<b>EPA</b>	Environmental Protection Agency
<b>FR</b>	Federal Register
<b>IP</b>	Implementation Procedures
<b>MCM</b>	Minimum Control Measure
<b>MEP</b>	Maximum Extent Practicable
<b>MSGP</b>	Multi-Sector General Permit, TXR050000
<b>MS4</b>	Municipal Separate Storm Sewer System
<b>NOC</b>	Notice of Change
<b>NOD</b>	Notice of Deficiency
<b>NOI</b>	Notice of Intent
<b>NOT</b>	Notice of Termination (to terminate coverage under a general permit)
<b>NPDES</b>	National Pollutant Discharge Elimination System
<b>SWMP</b>	Storm Water Management Program

<b>SWP3</b>	Storm Water Pollution Prevention Plan
<b>TAC</b>	Texas Administrative Code
<b>TCEQ</b>	Texas Commission on Environmental Quality
<b>TPDES</b>	Texas Pollutant Discharge Elimination System
<b>TWC</b>	Texas Water Code

**Sec. 13.03.255 Discharges to storm sewers or watercourses**

- (a) Discharge of polluted water. No person shall discharge polluted water to, into or adjacent to storm sewers or watercourses.
- (b) Discharge of waste. No person shall discharge to, into or adjacent to watercourses or storm sewers waste which in itself or in conjunction with any other discharge or activity causes or may cause polluted water.
- (c) Discharge of unpolluted water. No person shall discharge unpolluted water to the public storm sewers or watercourses unless approval has been granted by the authority. The authority, in denying or granting such approval, will consider such factors as whether or not the waters to be discharged meet the water quality standards set forth as Water Quality Act and the availability of nearby storm sewers and/or watercourses.

TOWN OF PANTEGO

EROSION AND SEDIMENT  
CONTROL MANUAL



MAY 2015

# Erosion and Sediment Control Manual

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## **Introduction**

This Erosion and Sediment Control Manual is created to assist the construction community in complying with environmental regulations regarding pollution prevention at a construction site. Environmental regulations can be complicated, and pollution prevention requirements at construction sites are no exception. This manual is intended to assist you in complying with the regulations. You are encouraged to contact the Town of Pantego if you have any questions or concerns at any time. The Public Works Department can be contacted at 817-617-3720 and the Community Development Department can be contacted at 817-617-3722.

## **State Regulations**

Several environmental regulations have resulted from the Environmental Protection Agency's (EPA) efforts to protect waterways, as required by the Clean Water Act. Two of these regulations affecting construction sites are the Construction General Permit (CGP) and the Municipal Separate Storm Sewer System (MS4) Permit.

### **Construction General Permit**

The CGP is issued through the Texas Commission on Environmental Quality (TCEQ) and covers all construction sites in Texas. An application for coverage under the CGP is required for all construction sites that disturb more than five (5) acres of land, however, other requirements must be met by those disturbing more than one (1) acre of land. By applying for the permit, the construction site owner/operator is agreeing to meet all requirements of the permit.

For a complete understanding of the CGP, go to the TCEQ website at [www.tceq.com](http://www.tceq.com) or call the TCEQ Small Business and Local Government Assistance (SBLGA) Hotline at 1-800-447-2827. The SBLGA is separate from the Enforcement Division of TCEQ and the Division has some very knowledgeable people who can assist you with the permit. They also have a helpful website with plenty of information, including worksheets for developing a SWPPP at <http://www.tceq.state.tx.us/assistance>.

### **MS4 Permit**

The MS4 Permit is issued to all entities that own or operate a municipal separate storm sewer system, like the Town of Pantego. Like the CGP, this is a general permit issued through the TCEQ and applicants must meet all requirements of the permit. The intent of this permit is to require the municipality to prevent pollution from going through the storm sewer and entering Waters of the State.

One major component of the MS4 Permit is for the municipality to develop a program for reviewing documentation and inspecting erosion and sediment controls at construction sites. In addition, the program must be enforced through an ordinance.

**Town of Pantego Ordinance**

In response to these regulations, the Town of Pantego has adopted a Storm Water Pollution Control Ordinance, Ordinance No. 15-xxx, with the intent to receive pollution prevention and erosion and sediment control plans, review the plans, inspect construction sites for compliance, and enforce the Town's requirements.

The following outlines major components of the Town of Pantego's ordinance. It is recommended that you read the entire ordinance to become familiar with all aspects of the requirements you must meet. You may find the ordinance online at [www.townofpantego.com](http://www.townofpantego.com) or contact the City Secretary at 817-617-3706 for a copy.

## **Requirements Based on Size of the Construction Site**

All construction sites are required to meet the intent of the storm water regulations – regardless of size. This intent is to reduce the potential for pollutants to enter the MS4 to the maximum extent practicable. It is possible, despite taking action to the maximum extent practicable, to have some sediments leave a site due to erosion and other means. However, if sediments do leave the site, the owner and/or operator of that site will remove lost sediments from the MS4 to the best of their ability.

The following, from the Storm Water Pollution Control Ordinance, Ordinance No. 15-xxx, states the additional requirements for construction sites based on size. Following this are a few examples and a flow chart illustrating the text.

### ***Section 13.07.008 Applicability and Compliance Requirements.***

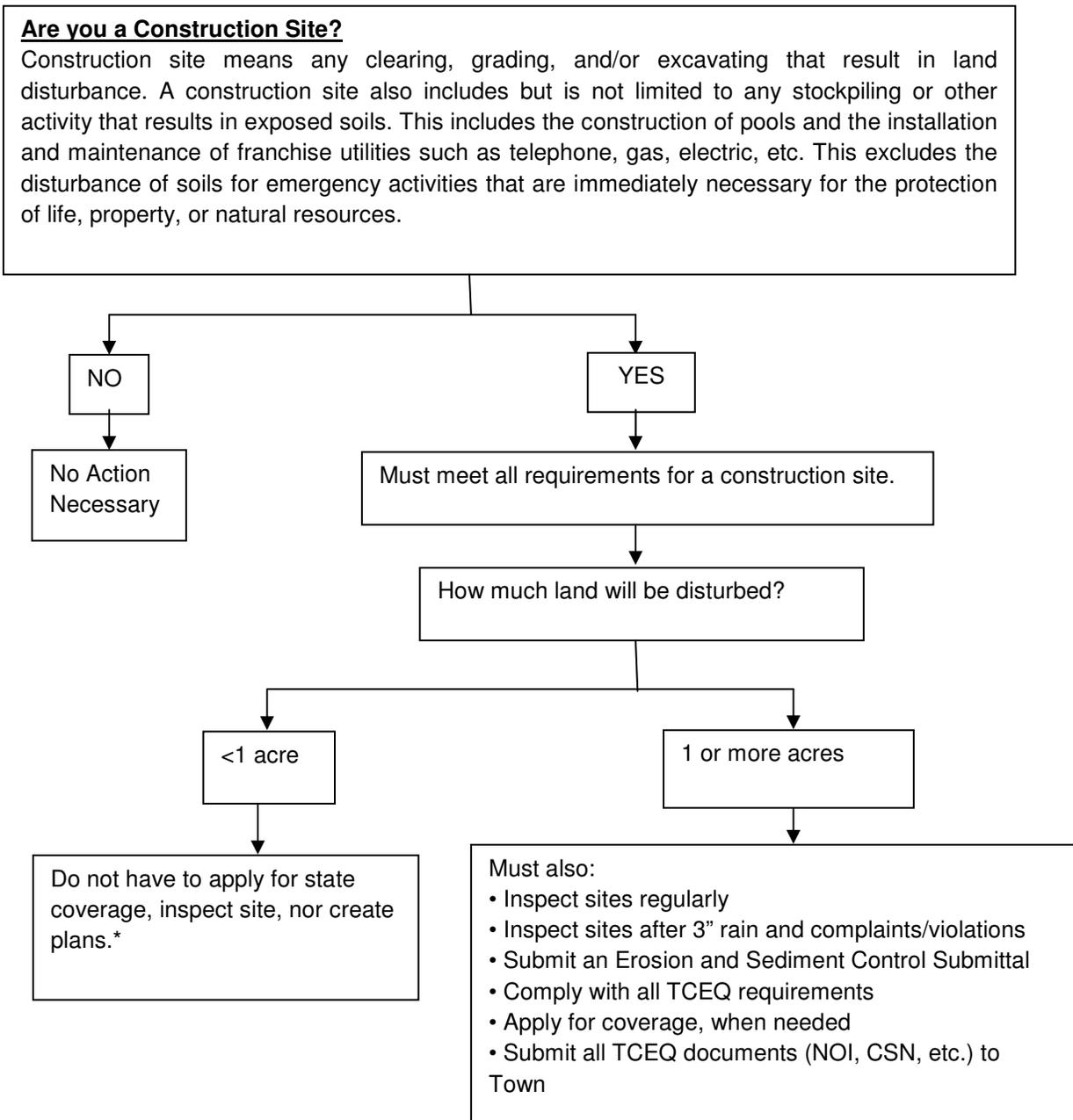
- (a) This article shall apply to all construction sites within the town limits of the Town of Pantego.*
- (b) Requirements for sites disturbing less than one (1) acre or within a common plan of development that is disturbing less than one (1) acre:*
- (1) All construction sites disturbing less than one (1) acre of land or within a common plan of development that is disturbing less than one (1) acre of land shall comply with all sections of this article except sections 13.07.010 and 13.07.011.*
- (2) Any construction site disturbing less than one (1) acre may be required, if directed by a director, to comply with sections 13.07.010 and 13.07.011.*
- (c) Requirements for sites disturbing more than one (1) acre or within a common plan of development that is disturbing more than one (1) acre:*
- (1) All construction sites disturbing more than one (1) acre of land or within a common plan of development that is disturbing more than one (1) acre of land shall comply with all sections of this article.*
- (2) The owner or operator shall ensure that copies of the notice of intent (NOI), notice of change (NOC), notice of termination (NOT), and construction site notice (CSN) are provided to the Town of Pantego when appropriate.*

Examples:

- A home builder will be building a house on a lot that is not part of a common plan of development. The construction of the home will not disturb more than 1 acre of land.
  - o The builder does not need to turn in an Erosion Control Submittal or file any notices with TCEQ or the Town.
  - o The builder is expected to follow all responsibilities, as outlined in the ordinance.
- A home builder will be building a house on a lot that is part of a common plan of development. The lot is less than an acre; however, the common plan of development is greater than one acre, but less than five.

- o The home builder does not have to file an NOI for the Construction General Permit, however, will have to post a Construction Site Notice and comply with requirements for a Small Construction Site, per the Construction General Permit.
- o The home builder must turn in an Erosion Control Submittal and a Construction Site Notice to the Town.
- o The home builder could choose to work with the developer and/or other home builders to create a common SWPPP for the development.
- A home builder will be building a house on a lot that is part of a common plan of development. The lot is less than an acre; however, the common plan of development is greater than five acres.
  - o The home builder does have to file an NOI for the Construction General Permit and comply with the requirements of a Large Construction Site, per the Construction General Permit.
  - o The home builder must turn in an Erosion Control Submittal, NOI and a Construction Site Notice with the Town.
  - o The home builder could choose to work with the developer and/or other home builders to file a common NOI and create a common SWPPP for the development.
- A utility contractor will be installing new utility. The construction activity will result in disturbing more than five acres over a course of many months. Not all disturbances will be contiguous but are related.
  - o The owner and/or the operator must file an NOI for the Construction General Permit.
  - o The owner and/or the operator must turn in an Erosion Control Submittal

## Flow Chart Illustrating the Responsibilities of a Construction Site



\*If general construction requirements are repeatedly not met, the owner/operator may be directed by the Town to comply with some or all requirements for larger sites.

## **Owner/Operator's Responsibilities**

It is the responsibility of the owner and/or operator of a construction site to prevent pollution of the environment, including preventing sediments from leaving the site. The following are highlights of the standards in the Town of Pantego for each construction site, as adopted by the Storm Water Pollution Control Ordinance, Ordinance No. 15-xxx.

You are encouraged to read the Ordinance in full for a complete understanding of the requirements.

- All construction sites that disturb one (1) acre or greater will comply with all requirements of the Construction General Permit (CGP).
- All construction sites are to be inspected for evidence of or potential for violations of the ordinance.
- Plans for Erosion and Sediment Control BMPs must be designed to minimize erosion and prevent sediment loss to the maximum extent practicable. BMPs in the iSWM manual produced by the North Central Texas Council of Governments are to be considered when designing plans. More information about the iSWM manual can be found below in the section "Acceptable BMPs".
- An important aspect of preventing erosion and sediment loss is to preserve existing vegetation as much as possible and stabilizing the site as soon as possible.
- BMPs must be maintained and repairs made within 48 hours of discovery of the failure.
- If sediments are lost from the sight, the accumulated sediments must be removed within 48 hours or before the next rain event. This includes street sweeping and other means of removing the sediments.
- Wastes (including sanitary waste) and chemicals must be contained and prevented from entering the storm drain system to the maximum extent practicable.
- Concrete wash-out water should be contained within a washout pit. A sign must be posted as to where the washout pit is located.
- Parking on vacant lots is prohibited. Signs will be posted stating such.

## **Acceptable BMPs**

The Town of Pantego has adopted the Integrated Storm Water Manual (iSWM) for Construction, produced by the North Central Texas Council of Governments. This Manual is free to the public and can be accessed online at <http://iswm.nctcog.org/Documents/Construction.asp> . BMPs in the Manual must be considered for use in the design of Erosion and Sediment Control plans.

## **Erosion and Sediment Control Submittal Packet**

The Erosion and Sediment Control Submittal Packet must be submitted for review at least ten (10) days prior to any commencement of construction at the site. Commencement of any activity prior to submitting plans and approval of those plans is a violation. Submittals should be given in paper and digital format.

The Construction General Permit requires that a Storm Water Pollution Prevention Plan be developed according to permit specifications. While many of the items listed in the Town of Pantego's Erosion and Sediment Control Submittal are the same as those required to be in an SWPPP, the Town does specify some differences. Please make note of those items required in the Submittal Packet.

At a minimum, the Submittal must contain:

1. Detailed BMP map used on Site. The map must have:
  - a. North Arrow
  - b. Location of Inlets and Outfalls
  - c. Water Bodies Near Site
  - d. Direction of Flow—Topography/Contour Lines
2. If any of these items will be located or utilized on Site, the item must be mapped:
  - a. Erosion and Sediment BMPs utilized
  - b. Phases of Development
  - c. Location of all Stock Piles
  - d. Location of all activities in support of the site (any off-site activities within Town)
  - e. Location of potential concrete contaminant areas
    - i. Washout Pit
    - ii. Temporary Batch Plant
  - f. Construction Entrances
  - g. Portable Toilets
  - h. Dumpster or Trash Receptacle
    - i. Hazardous Materials Storage Area and Types
    - j. Any other Storm Water Pollution Prevention Practices
3. A detailed map showing Final Stabilization measures planned.
4. Details of BMPs (iSWM at a minimum)
5. Maintenance Plan for all BMPs listed
6. Delegation letters
7. Inspector Qualifications (private inspector working for site)
8. NOI (when appropriate)
9. Type of Inspections being conducted (every 2 weeks and ½" rain or every 7 days)
10. Chemical storage description (type, quantity, etc.) and Spill Response Plan
13. Signed permission from land owner for off-site stockpiles
14. Email address

## **Review Process – What to Expect**

Review of the Submittal by Town staff will be completed within 10 days of submitting the documents. If the Submittal is complete and no further action is needed, you will receive an email at the email address you have provided.

If Town staff find that the submittal is not complete and more information is needed, they will contact you by the email address you have provided to notify you of the deficiencies found. You must respond to this email for the review of the Submittal to continue. Efforts will be made to review the changes to the Submittal; however, the review process may be delayed. When Town staff are satisfied you have provided all information needed for release of the Submittal, they will send the email described above.

In some cases the plans associated with the Submittal will be released with comments. It is the responsibility of the Owner and/or Operator to ensure that the plans and conditions of the plan shall be met by the Owner and/or Operator.

It is the responsibility of the Owner and/or Operator to meet the intent of the law. By approving a Submittal, the Town is approving the use of the BMPs listed in the plans. The Town is not to be held liable for failure of the BMPs, damage that may be caused, or liability of the Owner and/or Operator to mitigate damages caused.

## **Inspections are to be Documented**

The Storm Water Pollution Control Ordinance, Ordinance No. 15-xxx, states that all construction projects that meet the size requirement below will require that the Owner and/or Operator document their inspections:

*(2) Inspections.*

*(A) All construction sites shall be inspected or cause to be inspected by the owner or operator of the site for evidence of or potential for violations of this article. Construction sites subject to a CGP shall be inspected at the frequency required by the CGP or more frequently if directed by a director.*

*(B) All construction sites shall be inspected or caused to be inspected by the owner or operator within twenty-four (24) hours after all rain events exceeding one half inch (1/2") in addition to inspection requirements in this section. Rain events are determined by the measurement documented by the Town of Pantego.*

*(C) All owners or operators of a construction site disturbing more than one (1) acre of land or within a common plan of development that is disturbing more than one (1) acre of land shall document inspections.*

Copies of these inspections shall be submitted to the Town within 72 hours after inspection. A copy of all inspections must also be available to Town staff upon request.



# AGENDA BACKGROUND

**AGENDA ITEM:** Public hearing, discuss, direct, and consider action on Ordinance 15-767 an ordinance of the Town Council of the Town of Pantego, Texas, amending Municipal Code Chapter 13 Utilities, Article 13.03 Water and Sewers, Division 1 Generally, Section 13.03.002 Definitions; Section 13.03.006 Computation of Charges; Estimated Meter Readings; Section 13.03.007 Billing – Delinquency; and Section 13.03.066 Groundwater District Production Fees; and Establishing Appendix A Fee Schedule, Article A10.000, Section A10.013 Groundwater Conservation District Fees; Containing a Savings Clause; Repealing all Ordinances in Conflict Herewith; and Declaring an Effective Date.

**Date:** June 8, 2015

**PRESENTER:**

Matt Fielder, City Manager

**BACKGROUND:**

The Texas Legislature created the Northern Trinity Groundwater Conservation District in 2007, and gave them certain authorities to oversee the use of groundwater in Tarrant County. One of those authorities is to impose a fee for pumping groundwater. The District first imposed a fee in 2010. Since that time, the Town has paid or owed \$82,545.24 in fees. Ordinance 15- would authorized the Town to collect the \$0.125 per \$1,000 fee as a pass through to fund the fees payments going forward, as well as \$.0125 to reimburse the \$82,545.24 already paid. In addition, the ordinance would make administrative changes that would allow the Town to discontinue water service to those with a past due balance for a period greater than thirty days (sixty days from the billing date). Other administrative elements include providing the City Manager the authority to negotiate a payment plan for those with a hardship, and to resolve billing disputes with customers.

**FISCAL IMPACT:**

Estimated \$44,885 per year.

**RECOMMENDATION:**

Staff recommends the approval to ordinance 15-767

**ATTACHMENTS:**

Ordinance 15-767  
Rate Study

Director's Review: \_\_\_\_\_  
City Manager's Review: MDF

**ORDINANCE NO. 15-767**

**AN ORDINANCE AMENDING: THE TOWN OF PANTEGO CODE OF ORDINANCES CHAPTER 13 UTILITIES, ARTICLE 13.03 WATER AND SEWERS, DIVISION 1 GENERALLY, SECTION 13.03.002 DEFINITIONS; SECTION 13.03.006 COMPUTATION OF CHARGES; ESTIMATED METER READINGS; SECTION 13.03.007 BILLING - DELINQUENCY; AND SECTION 13.03.066 GROUNDWATER DISTRICT PRODUCTION FEES; AND ESTABLISHING APPENDIX A FEE SCHEDULE, ARTICLE A10.000, SECTION A10.013 GROUNDWATER CONSERVATION DISTRICT FEES; CONTAINING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Pantego, Texas is a Type A General Law municipality located in Tarrant County, Texas, created in accordance with provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas;

**WHEREAS**, the Town Council is empowered under the Texas Local Government Code to adopt ordinances and rules for the orderly and beneficial operation of City government and the welfare of the citizens of Pantego;

**WHEREAS**, the Texas Legislature authorized the creation of the Northern Trinity Groundwater Conservation District ("District") in 2007 and delegated the authority to impose a fee on water well pumpage in Chapter 36 of the Texas Water Code;

**WHEREAS**, the District has assessed the Town of Pantego fees retroactively to October 1, 2010;

**WHEREAS**, the Town Council wishes to adopt procedures to ensure that the full cost to provide water and sanitary sewer to customers is recovered, and to expeditiously address situations that may arise from time to time when meter readings are disputed;

**WHEREAS**, Town staff conducted a "Town of Pantego Groundwater Conservation District Fee Water Rate Study" dated April 21, 2015, which analyzed the fees assessed in prior years and contained projections for future fees, and that study is hereby adopted by the Council as support for the present ordinance; and

**WHEREAS**, presentation of this ordinance at a meeting preceding the meeting at which the ordinance is enacted places an undue burden in administrative time and expense to the Town, and as reflected by the vote of two-thirds of the Councilmembers present, the requirements of Section 1.03.035(b) are hereby waived.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS:**

**SECTION 1**

**Town of Pantego Code of Ordinances Chapter 13 Utilities, Article 13.03 Water and Sewers, Division 1 Generally, is hereby amended by revising Section 13.03.002 Definitions; by adding as follows:**

Groundwater Conservation District. A district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, that has the authority to regulate the spacing of water wells, the production from water wells, or both.

## SECTION 2

**Town of Pantego Code of Ordinances Chapter 13 Utilities, Division 1 Generally, is hereby amended by revising Section 13.03.006 Computation of Charges; Estimated Meter Readings so that Section 13.03.006 shall now provide as follows:**

- (a) Water and sewer service charges for residential, commercial and industrial users will be based on monthly water meter readings and shall be computed at rates currently in effect; provided, however, that the town may estimate alternating monthly meter readings except for the initial, final and any specifically requested meter reading. Combined meter readings shall not be used to calculate charges where a customer requires more than one meter to serve his premises except when a combination of high-flow and low-flow meters is required to provide adequate service. A minimum charge shall be made for each unit supplied through a meter and the total monthly charge shall be based on the average use per unit times the units served with an occupancy rate factor applied.
- (b) In the event that a customer believes the meter reading is inaccurate, the customer may request an adjustment to the total monthly charge in writing to the City Manager. The City Manager may approve such an adjustment, after a full and complete investigation, and will provide notice to the Town Council within thirty days.

## SECTION 3

**Town of Pantego Code of Ordinances Chapter 13 Utilities, Division 1 Generally, is hereby amended by revising Section 13.03.007 Billing; Delinquency which shall now provide as follows:**

- (a) All bills for monthly water, sewer and trash services shall be due upon receipt and shall be considered delinquent after the billing due date with a penalty of 10% of the balance due to be charged if payment in full is not received by the town. In the event of delinquency in payment of the complete monthly service charges beyond 30 days after the date of billing, service shall be disconnected after two (2) days' notice to the customer. A fee in accordance with the fee schedule in appendix A of this code will be charged and collected by the town for reconnection and restoration of service, as well as all unpaid billings plus penalties, before the service is restored.
- (b) A customer may petition in writing to the City Manager to extend the period before disconnection to 180 days, and the City Manager may grant the extension, in writing, if a demonstrable hardship is identified.

## SECTION 4

**Town of Pantego Code of Ordinances Chapter 13 Utilities, Division 1 Generally, is hereby amended by establishing Section 13.03.066 Groundwater Conservation District Fees which shall now provide as follows:**

Secs. 13.03.066 Groundwater Conservation District Production Fees

Fees established by a Groundwater Conservation District will be paid by the customer as provided for in the fee schedule in Appendix A of this code.

**SECTION 5**

**Town of Pantego Code of Ordinances Appendix A Fee Schedule, Article A10.000, is hereby amended by establishing Section A10.013 Groundwater Conservation District Fees which shall now provide as follows:**

Sec. A10.013

In addition to the fees or rates determined under Section A10.004 the following fees shall be charged:

Northern Trinity Groundwater Conservation District Fee - \$0.125 per 1,000 gallons of water used

Northern Trinity Groundwater Conservation District Recovery Fee - \$0.125 per 1,000 gallons of water used

**SECTION 6  
PROVISIONS CUMULATIVE**

This Ordinance shall be and is hereby declared to be cumulative of all other Ordinances of the Town of Pantego, and this Ordinance shall not operate to repeal or affect the Code of Ordinances of the Town of Pantego or any Ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such Code or Ordinance are hereby repealed.

**SECTION 7  
PROVISIONS SEVERABLE**

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

**SECTION 8  
SAVINGS CLAUSE**

That all rights or remedies of the Town of Pantego, Texas, are expressly saved as to any and all violations that have accrued at the time of the effective date of this ordinance, involving the provisions of any earlier or previous ordinances concerning the subjects of this ordinance, that have already accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 9  
EFFECTIVE DATE**

This ordinance shall be in full force and effect thirty days from and after its passage and publication as provided by law, and it is so ordained.

**PASSED AND APPROVED AFTER WAIVER OF THE REQUIREMENTS OF TOWN CODE SECTION 1.03.035(b) THIS THE 8<sup>th</sup> DAY OF JUNE, 2015 BY A VOTE OF \_ AYES, \_ NAYS, AND \_ ABSTENTIONS, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS.**

**APPROVED:**

\_\_\_\_\_  
**Melody Paradise, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Julie Arrington, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**James T. Jeffrey, Jr., City Attorney**



TOWN OF PANTEGO  
GROUNDWATER CONSERVATION DISTRICT FEE  
WATER RATE STUDY

APRIL 21, 2015

## **BACKGROUND**

The Texas Legislature authorized the creation of the Northern Trinity Groundwater Conservation District in 2007. The District is organized pursuant to Chapter 36 of the Texas Water Code, and is authorized to impose a fee of up to \$0.20 per 1,000 gallons of water pumped from certain wells subject to the District's rules. The District adopted temporary rules in March 2010 and imposed a fee of \$0.03 per 1,000 gallons effective October 2010, and followed with revised temporary rules in December 2011 with an increase in the fee to \$0.125 per 1,000 gallons in January 2012.

The Town of Pantego did not agree to pay the fees until December 2014. The Town Council directed Staff to prepare an ordinance imposing the fee as a "pass through" on the Town's utility customers, as well as to recover amounts paid previously.

## **FINDINGS**

The Town of Pantego finds that the most expeditious manner for paying the Groundwater Conservation District fee in the future is to impose an identical \$0.125 per 1,000 gallon fee on its customers as shown in Exhibit "A". Furthermore, the Town finds that the most equitable and expeditious way of recovering past fees is to impose an additional \$.0125 per 1,000 gallons until such time as amount paid to the Northern Trinity Groundwater Conservation District prior to the imposition of this fee is collected, as shown in Exhibit "B". This is expected to occur in approximately four (4) years, at which time it is planned that the fee will be restructured to include only future costs identified in Exhibit "A".

**EXHIBIT "A"**  
**Projected Future Groundwater Conservation District Costs**

<b>Month</b>	<b>Projected Pumpage</b>	<b>NTGCD Fee (at \$.125 per 1,000 gal.)</b>	<b>Town Collection (at \$.125 per 1,000 gal.)</b>	<b>Variance</b>
January	10,763,000	\$1,345.38	\$1,345.38	\$0.00
February	10,208,000	\$1,276.00	\$1,276.00	\$0.00
March	13,072,000	\$1,634.00	\$1,634.00	\$0.00
April	13,936,000	\$1,742.00	\$1,742.00	\$0.00
May	17,358,000	\$2,169.75	\$2,169.75	\$0.00
June	16,445,000	\$2,055.63	\$2,055.63	\$0.00
July	20,315,000	\$2,539.38	\$2,539.38	\$0.00
August	22,703,000	\$2,837.88	\$2,837.88	\$0.00
September	18,545,000	\$2,318.13	\$2,318.13	\$0.00
October	14,579,000	\$1,822.38	\$1,822.38	\$0.00
November	11,217,000	\$1,402.13	\$1,402.13	\$0.00
December	10,399,000	\$1,299.88	\$1,299.88	\$0.00
<b>Total Annual</b>	<b>179,540,000</b>	<b>\$22,442.50</b>	<b>\$22,442.50</b>	<b>\$0.00</b>

Assumptions:

1. Pumpage based on Fiscal Year 2013-14 amounts.
2. Assumes no variation from Projected Pumpage to the actual amount billed to customers.  
In reality, there is some variation due to line breaks, storage in the system, and older meters.

**EXHIBIT “B”**  
**Past NTGCD Fee Recovery**

<b>Month</b>	<b>NTGCD Fee Balance</b>	<b>Projected Pumpage</b>	<b>Fee Rate</b>	<b>Amount Collected</b>	<b>Balance</b>
May-15	\$84,623.99	17,358,000	\$0.125	\$2,169.75	\$ 82,454.24
Jun-15	\$82,454.24	16,445,000	\$0.125	\$2,055.63	\$ 80,398.62
Jul-15	\$80,398.62	20,315,000	\$0.125	\$2,539.38	\$ 77,859.24
Aug-15	\$77,859.24	22,703,000	\$0.125	\$2,837.88	\$ 75,021.37
Sep-15	\$75,021.37	18,545,000	\$0.125	\$2,318.13	\$ 72,703.24
Oct-15	\$72,703.24	14,579,000	\$0.125	\$1,822.38	\$ 70,880.87
Nov-15	\$70,880.87	11,217,000	\$0.125	\$1,402.13	\$ 69,478.74
Dec-15	\$69,478.74	10,399,000	\$0.125	\$1,299.88	\$ 68,178.87
Jan-16	\$68,178.87	10,763,000	\$0.125	\$1,345.38	\$ 66,833.49
Feb-16	\$66,833.49	10,208,000	\$0.125	\$1,276.00	\$ 65,557.49
Mar-16	\$65,557.49	13,072,000	\$0.125	\$1,634.00	\$ 63,923.49
Apr-16	\$63,923.49	13,936,000	\$0.125	\$1,742.00	\$ 62,181.49
May-16	\$62,181.49	17,358,000	\$0.125	\$2,169.75	\$ 60,011.74
Jun-16	\$60,011.74	16,445,000	\$0.125	\$2,055.63	\$ 57,956.12
Jul-16	\$57,956.12	20,315,000	\$0.125	\$2,539.38	\$ 55,416.74
Aug-16	\$55,416.74	22,703,000	\$0.125	\$2,837.88	\$ 52,578.87
Sep-16	\$52,578.87	18,545,000	\$0.125	\$2,318.13	\$ 50,260.74
Oct-16	\$50,260.74	14,579,000	\$0.125	\$1,822.38	\$ 48,438.37
Nov-16	\$48,438.37	11,217,000	\$0.125	\$1,402.13	\$ 47,036.24
Dec-16	\$47,036.24	10,399,000	\$0.125	\$1,299.88	\$ 45,736.37
Jan-17	\$45,736.37	10,763,000	\$0.125	\$1,345.38	\$ 44,390.99
Feb-17	\$44,390.99	10,208,000	\$0.125	\$1,276.00	\$ 43,114.99
Mar-17	\$43,114.99	13,072,000	\$0.125	\$1,634.00	\$ 41,480.99
Apr-17	\$41,480.99	13,936,000	\$0.125	\$1,742.00	\$ 39,738.99
May-17	\$39,738.99	17,358,000	\$0.125	\$2,169.75	\$ 37,569.24
Jun-17	\$37,569.24	16,445,000	\$0.125	\$2,055.63	\$ 35,513.62
Jul-17	\$35,513.62	20,315,000	\$0.125	\$2,539.38	\$ 32,974.24
Aug-17	\$32,974.24	22,703,000	\$0.125	\$2,837.88	\$ 30,136.37
Sep-17	\$30,136.37	18,545,000	\$0.125	\$2,318.13	\$ 27,818.24
Oct-17	\$27,818.24	14,579,000	\$0.125	\$1,822.38	\$ 25,995.87
Nov-17	\$25,995.87	11,217,000	\$0.125	\$1,402.13	\$ 24,593.74
Dec-17	\$24,593.74	10,399,000	\$0.125	\$1,299.88	\$ 23,293.87
Jan-18	\$23,293.87	10,763,000	\$0.125	\$1,345.38	\$ 21,948.49
Feb-18	\$21,948.49	10,208,000	\$0.125	\$1,276.00	\$ 20,672.49
Mar-18	\$20,672.49	13,072,000	\$0.125	\$1,634.00	\$ 19,038.49
Apr-18	\$19,038.49	13,936,000	\$0.125	\$1,742.00	\$ 17,296.49
May-18	\$17,296.49	17,358,000	\$0.125	\$2,169.75	\$ 15,126.74
Jun-18	\$15,126.74	16,445,000	\$0.125	\$2,055.63	\$ 13,071.12
Jul-18	\$13,071.12	20,315,000	\$0.125	\$2,539.38	\$ 10,531.74
Aug-18	\$10,531.74	22,703,000	\$0.125	\$2,837.88	\$ 7,693.87
Sep-18	\$7,693.87	18,545,000	\$0.125	\$2,318.13	\$ 5,375.74
Oct-18	\$5,375.74	14,579,000	\$0.125	\$1,822.38	\$ 3,553.37
Nov-18	\$3,553.37	11,217,000	\$0.125	\$1,402.13	\$ 2,151.24
Dec-18	\$2,151.24	10,399,000	\$0.125	\$1,299.88	\$ 851.37
Jan-19	\$851.37	10,763,000	\$0.125	\$1,345.38	\$ (494.01)

**Past NTGCD Fee Recovery (Continued)**

Assumptions:

1. Pumpage based on Fiscal Year 2013-14 amounts.
2. Assumes no variation from Projected Pumpage to the actual amount billed to customers. In reality, there is some variation due to line breaks, storage in the system, and older meters.
3. Assumes no conservation measures implemented beyond the current Stage 1 identified in the Town's Water Conservation Plan (no watering of lawns between 10:00 a.m. and 6:00 p.m.)



# AGENDA BACKGROUND

**AGENDA ITEM:** Discuss, direct and consider action on an Ordinance Amending the Fiscal Year 2014-2015 Adopted Budget.

**Date:** June 8, 2015

**PRESENTER:**

Matthew Fielder, City Manager  
Ariel Carmona, Finance Director

**BACKGROUND:**

After reviewing the budget at mid-year, it is necessary to amend the Town's Fiscal Year 2014-2015 Adopted Budget to ensure proper allocation of revenues and expenditures needed to maintain a balanced budget.

The funding adjustments associated with the Fiscal Year 2014-2015 Budget Amendment are summarized in the attached Ordinance 15-768 – Exhibit A

**FISCAL IMPACT:**

Fund Balance / Net Position Increase / (Decrease):

1. Appropriation of General Fund Balance—Transfers Out to Equipment Replacement Fund (\$160,008)
2. PantegoFest Fund Balance (\$17,874)
3. Water & Sewer Operating Fund (\$45,000)
4. Water & Sewer Construction Fund \$26,659
5. Water & Sewer Infrastructure Fund \$30,000
6. Park Row Project Fund \$850,000

**RECOMMENDATION:**

Staff recommends the Fiscal Year 2014-2015 Budget Amendment be approved as presented.

**ATTACHMENTS:**

Resolution 15-768

Director's Review: \_\_\_\_\_  
City Manager's Review: \_\_\_\_\_

**ORDINANCE NO. 15-768**

**AN ORDINANCE OF THE TOWN OF PANTEGO, TEXAS, AUTHORIZING AMENDMENTS TO THE ADOPTED BUDGET FOR FISCAL YEAR 2014/2015; AND DECLARING AN EFFECTIVE DATE**

**WHEREAS,** the Town Council for the Town of Pantego, Texas, has duly adopted a budget for the fiscal year 2014/2015 as provided by law and;

**WHEREAS,** The Finance Director has clarified and improved the current annual operating budget to insure proper allocation of revenues and expenditures needed to maintain a balanced budget; and

**WHEREAS,** to insure proper allocation and transparency of revenues and expenditures needed to maintain a balanced budget, it is necessary to make appropriate changes to the Town of Pantego's Annual Budget for fiscal year 2014/2015; and

**WHEREAS,** presentation of this ordinance at a meeting preceding the meeting at which the ordinance is enacted places an undue burden in administrative time and expense to the Town, and as reflected by the vote of two-thirds of the Councilmembers present, the requirements of Section 1.03.035(b) are hereby waived.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS:**

**Section 1:** The Annual Budget for Fiscal Year 2014/2015 is hereby amended to reflect the changes as shown in Exhibit A.

**Section 2:** This ordinance will become effective immediately following its final passage.

**PASSED AND APPROVED AFTER WAIVER OF THE REQUIREMENTS OF TOWN CODE SECTION 1.03.035(b) THIS THE 8<sup>TH</sup> DAY OF JUNE 2015 BY A VOTE OF \_\_\_\_\_ AYES, \_\_\_\_\_ NAYS, AND \_\_\_\_\_ ABSTENTIONS, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS.**

\_\_\_\_\_  
**Melody Paradise, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Julie Arrington, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Jim Jeffrey, City Attorney**

**GENERAL FUND**

REVENUES					
FUND NO. / NAME	ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	(INCREASE) DECREASE
100 - General Fund	111.00	Sales Tax Revenue	\$ 1,298,409	\$ 1,313,409	\$ (15,000)
100 - General Fund	215.00	Court Fines & Penalties	395,000	370,000	25,000
100 - General Fund	514.00	No Insurance Towing Fees	20,000	5,000	15,000
REVENUE DECREASE					\$ 25,000
EXPENDITURES					
FUND NO. / NAME	DEPT & ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	INCREASE (DECREASE)
100 - General Fund	140-101.00	PD - Salaries / Wages	\$ 758,648	\$ 718,648	\$ (40,000)
100 - General Fund	150-356.00	Fire - Vehicle Repairs	20,000	35,000	15,000
EXPENDITURE DECREASE					\$ (25,000)
TRANSFERS OUT					
FUND NO. / NAME	DEPT & ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	INCREASE (DECREASE)
100 - General Fund	998.00	Fire - Breathing Apparatus	\$ -	\$ 70,550	\$ 70,550
100 - General Fund	998.00	Fire - Ambulance Remount	-	89,458	89,458
TRANSFERS OUT					\$ 160,008
<b>DECREASE IN GENERAL FUND BALANCE</b>					<b>\$ (160,008)</b>

**EQUIPMENT REPLACEMENT FUND**

REVENUES					
FUND NO. / NAME	ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	(INCREASE) DECREASE
300- Equip Replc	904.00	Grant Revenue	\$ 73,870	\$ -	\$ 73,870
REVENUE DECREASE					\$ 73,870
EXPENDITURES					
FUND NO. / NAME	DEPT & ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	INCREASE (DECREASE)
300- Equip Replc	150-480.00	Fire - Breathing Apparatus	\$ 73,870	\$ 70,550	\$ (3,320)
300- Equip Replc	000-710.00	Capital Lease - Ambulance Remount	24,367	-	(24,367)
300- Equip Replc	150-480.00	Fire - Ambulance Remount	-	113,825	113,825
EXPENDITURE DECREASE					\$ 86,138
TRANSFERS IN					
FUND NO. / NAME	ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	(INCREASE) DECREASE
300- Equip Replc	997.00	Fire - Breathing Apparatus	\$ -	\$ 70,550	\$ (70,550)
300- Equip Replc	997.00	Fire - Ambulance Remount	-	89,458	(89,458)
TRANSFERS IN					\$ (160,008)
<b>CHANGE IN EQUIP REPLC FUND BALANCE</b>					<b>\$ -</b>

**PANTEGOFEST FUND**

REVENUES					
FUND NO. / NAME	ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	(INCREASE) DECREASE
850 - PantegoFest	255.55	PantegoFest Revenues	\$ -	\$ 28,500	\$ (28,500)
850 - PantegoFest	255.56	Sponsorships	-	22,000	(22,000)
850 - PantegoFest	255.57	Vendor Revenue	-	8,000	(8,000)
				REVENUE INCREASE	\$ (58,500)
EXPENDITURES					
FUND NO. / NAME	ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	INCREASE (DECREASE)
850 - PantegoFest	355.56	Event Planner	\$ -	\$ 20,343	\$ 20,343
850 - PantegoFest	355.57	Entertainment	-	20,500	20,500
850 - PantegoFest	355.58	Logistics	-	21,100	21,100
850 - PantegoFest	355.59	Marketing	-	6,400	6,400
850 - PantegoFest	355.60	Miscellaneous	-	1,600	1,600
850 - PantegoFest	355.61	Beer Concessions	-	6,431	6,431
				EXPENDITURE INCREASE	\$ 76,374
<b>CHANGE IN PANTEGOFEST FUND BALANCE</b>					<b>\$ (17,874)</b>

**WATER AND SEWER OPERATING FUND**

REVENUES					
FUND NO./ NAME	ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	(INCREASE) DECREASE
200 - WS Operating	401.00	Sale of Water	\$ 500,000	\$ 470,000	\$ 30,000
200 - WS Operating	405.00	Sewer Service Charge Fee	370,000	355,000	15,000
				REVENUE DECREASE	\$ 45,000
EXPENSES					
FUND NO./ NAME	DEPT & ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	INCREASE (DECREASE)
200 - WS Operating	201-486.10	Equipment - Truck	\$ 23,000	\$ -	\$ (23,000)
200 - WS Operating	201-365.00	Programming Maintenance	-	4,399	4,399
200 - WS Operating	202-486.10	Equipment - Sewer Camera	15,000	33,601	18,601
				CHANGE IN EXPENDITURE	\$ -
<b>DECREASE IN WATER &amp; SEWER OPERATING NET POSITION</b>					<b>\$ (45,000)</b>

**WS CONSTRUCTION FUND**

EXPENSES					
FUND NO./ NAME	ACCOUNT NUMBER	DESCRIPTION	2014/2015 ADOPTED BUDGET	2014/2015 BUDGET AMENDMENT	INCREASE (DECREASE)
750- WS Construction	480.00	SCADA Well Improvement	\$ 40,000	\$ 13,341	\$ (26,659)
				EXPENDITURE DECREASE	\$ (26,659)
<b>INCREASE IN WS CONSTRUCTION NET POSITION</b>					<b>\$ 26,659</b>

**WS INFRASTRUCTURE FUND**

<b>REVENUES</b>					
<u>FUND NO./</u> <u>NAME</u>	<u>ACCOUNT</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>2014/2015</u> <u>ADOPTED</u> <u>BUDGET</u>	<u>2014/2015</u> <u>BUDGET</u> <u>AMENDMENT</u>	<u>(INCREASE)</u> <u>DECREASE</u>
750-WS Infrastructure	104.00	Infrastructure Improvement Fee	\$ 330,000	\$ 300,000	\$ 30,000
REVENUE DECREASE					\$ 30,000
<b>EXPENSES</b>					
<u>FUND NO./</u> <u>NAME</u>	<u>ACCOUNT</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>2014/2015</u> <u>ADOPTED</u> <u>BUDGET</u>	<u>2014/2015</u> <u>BUDGET</u> <u>AMENDMENT</u>	<u>INCREASE</u> <u>(DECREASE)</u>
750-WS Infrastructure	480.00	Pioneer Pkwy Water Line Replacement	\$ 119,000	\$ -	\$ (119,000)
750-WS Infrastructure	480.00	Pioneer Pkwy Water Line Crossover	-	119,000	119,000
750-WS Infrastructure	480.00	Investigation of Lane Well #1	100,000	40,000	(60,000)
EXPENDITURE DECREASE					\$ (60,000)
<b>INCREASE IN WS INFRASTRUCTURE NET POSITION</b>					<b>\$ 30,000</b>

**PARK ROW PROJECT FUND**

<b>EXPENSES</b>					
<u>FUND NO./</u> <u>NAME</u>	<u>ACCOUNT</u> <u>NUMBER</u>	<u>DESCRIPTION</u>	<u>2014/2015</u> <u>ADOPTED</u> <u>BUDGET</u>	<u>2014/2015</u> <u>BUDGET</u> <u>AMENDMENT</u>	<u>INCREASE</u> <u>(DECREASE)</u>
550-Park Row Project	480.00	Streetscape (sidewalks/lighting/trees)	\$ 850,000	\$ -	\$ (850,000)
<b>INCREASE IN PARK ROW PROJECT FUND BALANCE</b>					<b>\$ 850,000</b>



# AGENDA BACKGROUND

**AGENDA ITEM:** Discuss, direct and consider action on the approval of the Budget Calendar for Fiscal Year 2015-2016.

**DATE:** June 8, 2015

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**PRESENTER:** Matthew Fielder, City Manager

**BACKGROUND:**

Staff would like to get input and approval from Council regarding Fiscal Year 2015-2016 Budget Calendar.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Approve budget calendar as presented.

**ATTACHMENTS:**

Fiscal Year 2015-2016 Budget Calendar

Director's Review: \_\_\_\_\_  
City Manager's Review: MDF

JUNE 2015						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY 2015						
S	M	T	W	T	F	S
			1	2	H	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST 2015						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER 2015						
S	M	T	W	T	F	S
		1	2	3	4	5
6	H	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

- REGULAR TOWN COUNCIL MEETINGS 7:30 p.m.
- BUDGET WORKSESSIONS
- ITEMS HANDLED BY STAFF OR COUNTY
- SPECIAL SESSION MEETING

- July 13** The City Manager delivers the proposed FY 2014-2015 Budget to the Town Council - City Manager's Overview Presentation  
File Proposed Budget with City Secretary and Post on Website
- July 20** 1st Budget Work Session -General Fund Discussion: Revenues/Departmental Expenditures presentation and discussion
- July 24-31** Receive Certified Tax Roll from Tarrant Appraisal District  
Calculate Effective and RollBack Tax Rates
- August 3** 2nd Budget Work Session - Special Revenue Funds / Capital Project Funds/Transfers presentation and discussion
- August 5** Publish "Notice of Effective Tax Rate"
- August 10** Present Effective Tax Rate And Roll Back Rate To Town Council  
Present Certified Appraisal Roll from Tarrant Appraisal District to Town Council  
Present Ad valorem Collection Rate from Tax Assessor Collector to Town Council  
Preliminary Determination of Tax rate  
Vote to schedule Public Hearings for August 24, 2014 and September 14, 2014 on Tax Rate Increase
- August 14** Publish "Notice of Public Hearing" August 24, 2014 and September 14, 2014 (50-197) (1st 1/4 page)  
*Includes date of vote on September 28, 2014*
- August 17** 3rd Budget Work Session - Water & Sewer Funds presentation and discussion
- August 24** 1st Public Hearing on Proposed Budget  
1st Public Hearing on Tax Increase (Decrease)
- August 31** 4th Budget Work Session - Budget Recap
- September 8** 5th Budget Work Session - If Required
- September 14** 2nd Public Hearing on Proposed Budget  
2nd Public Hearing on Tax Increase (Decrease)  
6th Budget Worksession - If Required
- September 15** Publish "Notice of Tax Revenue Increase" (50-198) (2nd 1/4 page)  
*Includes date of vote on September 28, 2014*
- September 28** 1st and Final Reading of Ordinance adopting Budget  
1st and Final Reading of Ordinance adopting Tax Rate
- September 29** File Tax rate with County
- September 30** Final budget as adopted submitted to Town Council.  
Adopted budget to be posted on the Town's website.

Note: All dates MUST meet the "Truth In Taxation" Requirements