



Melody Paradise, Mayor  
Russell Brewster, Mayor Pro Tem

# AGENDA

## TOWN COUNCIL

February 8, 2016

**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

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
  - Update on Street Projects
  - Personnel Vacancies
  - P.O. Box Discontinuation
  - Strategic Planning Report Joint Session
  - Water and Sewer Rate Study
  
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 Billing 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 \$2,000.  
*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 January 25, 2015
  
  - Acceptance of Minutes of Boards and Commissions:
    - PEDC minutes from January 13, 2016
    - P&Z minutes from December 7, 2015
    - CRB minutes from January 5, 2016

REGULAR SESSION 7:30 P. M.

CALL TO ORDER/WELCOME

INVOCATION BY: Mayor Melody Paradise

PLEDGE OF ALLEGIANCE

MAYOR/COUNCIL/STAFF COMMENTS OF COMMUNITY INTERESTS

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.

### PUBLIC HEARING

5. Public hearing, review, and consider action on Ordinance 16-776 an ordinance of the Town of Pantego, Texas approving the recommendation for zoning case Z-218, a proposed re-plat as requested by Ann Farrell for the property at 1704 Nora Drive, Lot 1, Block 1 of the Farrell Addition, an addition to the Town of Pantego, Tarrant County, Texas. The property is generally located on the West side of Nora Drive between Peachtree Lane and Rogers Court.
6. Public hearing, review, and consider action on Ordinance 16-777 an ordinance of the Town of Pantego, Texas approving the recommendation for zoning case Z-219, a proposed zoning change as requested by Oakview Capital Partners, LLC. for the property at 2214 West Park Row Drive, Lot 2A, Block A of the Southern Flair- Braum's Addition, to the Town of Pantego, Tarrant County, Texas. The property is generally located on the South side of West Park Row Drive between Lavern Street and Milby Road.
7. Public Hearing, discuss, direct, and consider action on Ordinance 16-778 to regulate Credit Access Businesses generally known as cash advance and payday lenders.

### RESOLUTION

8. Discuss, direct, and consider action on Resolution 16-02 a resolution of the Town of Pantego authorizing the City Manager to enter into a contract with Flair Events for the purpose of coordinating and working the PantegoFest 2016 Festival.
9. Discus, direct, and consider action on Resolution 16-03 a resolution of the City Council of the City of Pantego, Texas, authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity effective January 1, 2018; authorizing TCAP to act as an agent on behalf of the city to enter into a contract for electricity; authorizing the City Manager to execute an electric supply agreement for deliveries of electricity effective January 1, 2018 and committing to budget for energy purchases in 2018 through 2022 and to honor the city's commitments to purchase power for its electrical needs in 2018 through 2022 through TCAP.

Following the Scheduled Executive Session, the Council will reconvene in public session and may take any and all action necessary concerning 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 551.074 to discuss and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – Accounts Payable position.
  2. Pursuant to Government Code Section 551.087 to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations - The New JBK Corp.

### 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, February 5, 2016 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:** February 8, 2016

## **Update on Street Projects**

Work continues on the Bowen Road repairs. The contractor is working in one lane at a time in order to minimize the disruption to traffic.

## **Personnel Vacancies**

The Public Works Maintenance Worker position became vacant with the resignation of Angel Rosales. It joins the Accounts Payable/Payroll Clerk and Police Officer positions in being advertised.

## **P.O. Box Discontinuation**

The Town lists a P.O. Box in addition to our physical address as acceptable mailing addresses for paying utility bills. We have had several instances where residents who have used the P.O. Box address for years suddenly find that their mail is no longer being delivered there. In addition, it requires a staff person to check it on a daily basis. Staff is planning to discontinue listing the P.O. Box on utility bills and gradually phase it out over the next several months.

## **Strategic Planning Report Joint Session**

The Council and PEDC will be having a joint meeting to begin reviewing the Strategic Planning Report at the PEDC's February 10<sup>th</sup> meeting.

## **Water Rate Study**

Staff was unable to complete and thoroughly review the water rate study in time for inclusion on this agenda. It will be on the February 22<sup>nd</sup> agenda.



# AGENDA BACKGROUND

**AGENDA ITEM:** Monthly Staff Reports

**Date:** February 8, 2016

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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

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



**Town of Pantego  
Monthly Investment Report  
As of January 31, 2016**

Book Value of Pool Account, January 1, 2016 \$ 4,297,668

<b>Security</b>	<b>Purchase Date</b>	<b>Par</b>	<b>Maturity Date</b>	<b>Yield</b>	<b>Price</b>
TexPool	1/1/2016	\$ 3,096,759	1/31/2016	0.2674%	\$ 1.00
TexPool Prime	1/1/2016	1,200,909	1/31/2016	0.4056%	1.00
Certificate of Deposits	2/26/2015	907,309	2/23/2017	0.69%	907,309

<b>Security</b>	<b>Beginning Book Value</b>	<b>Beginning Market Value</b>	<b>Net Change in Book Value</b>	<b>Ending Book Value</b>	<b>Ending Market Value</b>
TexPool	\$ 3,096,759	\$ 3,096,759	\$ (44,081)	\$ 3,052,678	\$ 3,052,678
TexPool Prime	1,200,909	1,200,909	413	1,201,322	1,201,382
Certificate of Deposits	907,309	907,309	0.00	907,309	907,309
<b>Total</b>	<b>\$ 5,204,977</b>	<b>\$ 5,204,977</b>	<b>\$ (43,668)</b>	<b>\$ 5,161,309</b>	<b>\$ 5,161,369</b>

**Pantego Economic Development Corp.  
Monthly Investment Report  
As of January 31, 2016**

Book Value of Pool Account, January 1, 2016 \$ 657,805

<b>Security</b>	<b>Purchase Date</b>	<b>Par</b>	<b>Maturity Date</b>	<b>Yield</b>	<b>Price</b>
Texpool	1/1/2016	\$ 657,805	1/31/2016	0.2674%	\$ 1.00

<b>Security</b>	<b>Beginning Book Value</b>	<b>Beginning Market Value</b>	<b>Net Change in Book Value</b>	<b>Ending Book Value</b>	<b>Ending Market Value</b>
Texpool	\$ 657,805	\$ 657,805	\$ 34,932	\$ 692,737	\$ 692,772
<b>Total</b>	<b>\$ 657,805</b>	<b>\$ 657,805</b>	<b>\$ 34,932</b>	<b>\$ 692,737</b>	<b>\$ 692,772</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

  
Arfel Carmona  
Finance Director



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[Withdrawal Report Scheduler](#)

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# Interest Distribution Report

Interest Distribution Report

Generated: 02/01/2016  
 Settlement Date: 01/29/2016

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/TexPool	7903800001	GENERAL FUND	\$699.56	\$3,052,677.63
449/TexPool	7903800002	PANTEGO ECONOMIC DEVELOPMENT CORP	\$151.13	\$692,737.31
590/TexPool Prime	7903800001	GENERAL FUND	\$413.65	\$1,201,322.20
TexPool Totals:			\$850.69	\$3,745,414.94
TexPool Prime Totals:			\$413.65	\$1,201,322.20
Locations Totals			\$1,264.34	\$4,946,737.14

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.



Welcome to  
**TexConnect**

**TEXPOOL**

Deposit Reports	Withdrawal Report Scheduler	Transfer Report Access	Multi Transaction Statements Help / Contact Us	Vendor Payment Inquiry Update Profile	Maintenance Change Location Logout
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## Pool Information

Location: 79038  
Town Of Pantego

### TexPool

Average Monthly rate for January	0.2674%
Average Monthly Dividend Factor for January	0.000007326

<b>Information as of</b>	January 31, 2016
Daily Net Yield	0.2838%
Dividend Factor	0.000007776
7 Day Net Yield	0.28%
Daily Assets	\$16,610,883,862.88
Weighted Average Maturity	40 days
Weighted Average Life	66 days
NAV	0.99995

### TexPool Prime

Average Monthly rate for January	0.4056%
Average Monthly Dividend Factor for January	0.000011111

<b>Information as of</b>	January 31, 2016
Daily Net Yield	0.4550%
Dividend Factor	0.000012466
7 Day Net Yield	0.45%
Daily Assets	\$1,916,115,241.44
Weighted Average Maturity	44 days
Weighted Average Life	51 days
NAV	1.00005

### Contact Information

Participant Services	1-866-839-7665
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Performance quoted represents past performance which is no guarantee of future results. Investment return will vary. 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 what is stated.

TOWN OF PANTEGO  
 CASH & INVESTMENTS REPORT  
 AS OF: JANUARY 31ST, 2016

FUND-ACCT. NO.	ACCOUNT NAME	CASH	CD'S	DISC NOTES	TEXPOOL/ TEXPOOL PRIME	FUND TOTAL
GENERAL FUND						
100-0-000-102.00	CASH	464,472.71				
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 NOTES			0.00		
100-0-000-204.00	TEXPOOL				1,093,533.17	
100-0-000-204.50	TEXPOOL PRIME				551,322.20	
	TOTAL 100-GENERAL FUND	465,377.71	252,755.95	0.00	1,644,855.37	2,362,989.03
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	344,850.29				
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				198,659.34	
	TOTAL 200-WATER AND SEWER FUND	344,850.29	251,751.37	0.00	198,659.34	795,261.00
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				18,671.93	
	TOTAL 300-CAPITAL PROJECTS FUND	0.00	0.00	0.00	18,671.93	18,671.93
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				134,212.80	
	TOTAL 400-INTEREST & SINKING FUND	0.00	100,700.51	0.00	134,212.80	234,913.31
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				498,174.12	
	TOTAL 500-STREET IMPVMT CONST FUND	0.00	251,751.37	0.00	498,174.12	749,925.49

TOWN OF PANTEGO  
 CASH & INVESTMENTS REPORT  
 AS OF: JANUARY 31ST, 2016

FUND-ACCT. NO.	ACCOUNT NAME	CASH	CD'S	DISC NOTES	TEXPOOL/ TEXPOOL PRIME	FUND TOTAL
<b>PARK ROW PROJ FUND</b>						
550-0-000-204.00	TEXPOOL				408,811.48	
550-0-000-204.50	TEXPOOL PRIME				650,000.00	
TOTAL 550-PARK ROW PROJ FUND		0.00	0.00	0.00	1,058,811.48	1,058,811.48
<b>TRUST &amp; AGENCY FUND</b>						
650-0-000-102.00	CASH	82,341.74				
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				9,706.09	
TOTAL 650-TRUST & AGENCY FUND		82,341.74	0.00	0.00	9,706.09	92,047.83
<b>WATER/SEWER CONSTRUCTION</b>						
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				150,636.97	
TOTAL 700-WATER/SEWER CONSTRUCTION		0.00	0.00	0.00	150,636.97	150,636.97
<b>INFRASTRUCTURE IMPVMT</b>						
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				392,187.63	
TOTAL 750-W/S INFRASTRUCTURE FUND		0.00	0.00	0.00	392,187.63	392,187.63
<b>PAYROLL IMPREST FUND</b>						
777-0-000-102.00	CASH	( 2,964.66)				
TOTAL 777-PAYROLL IMPREST FUND		( 2,964.66)	0.00	0.00	0.00	( 2,964.66)
<b>COURT SECURITY FUND</b>						
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				30,642.20	
TOTAL 800-COURT SECURITY FUND		0.00	0.00	0.00	30,642.20	30,642.20
<b>COURT TECHNOLOGY FUND</b>						
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				69,844.49	
TOTAL 825-COURT TECHNOLOGY FUND		0.00	0.00	0.00	69,844.49	69,844.49
<b>PANTEGOFEST</b>						
850-0-000-102.00	CASH	( 5,515.83)				
850-0-000-102.20	CHANGE FUND	0.00				
850-0-000-204.00	TEXPOOL				739.06	
TOTAL 850-PANTEGOFEST		( 5,515.83)	0.00	0.00	739.06	( 4,776.77)

TOWN OF PANTEGO  
 CASH & INVESTMENTS REPORT  
 AS OF: JANUARY 31ST, 2016

FUND-ACCT. NO.	ACCOUNT NAME	CASH	CD'S	DISC NOTES	TEXPOOL/ TEXPOOL PRIME	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				29,635.66	
TOTAL 875-SHAMBURGER		0.00	50,350.24	0.00	29,635.66	79,985.90
<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				17,222.69	
TOTAL 880-CARTWRIGHT LIBRARY FUND		0.00	0.00	0.00	17,222.69	17,222.69
<u>PEDC INTEREST &amp; SINKING</u>						
901-0-000-102.00	CASH	0.00				
901-0-000-206.10	TEXPOOL				201,259.55	
TOTAL 901-PEDC INTEREST & SINKING		0.00	0.00	0.00	201,259.55	201,259.55
<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	8,895.29				
903-0-000-102.10	PETTY CASH	0.00				
903-0-000-206.10	TEXPOOL				491,477.76	
TOTAL 903-PEDC OPERATING FUND		8,895.29	0.00	0.00	491,477.76	500,373.05
<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		892,984.54	907,309.44	0.00	4,946,737.14	6,747,031.12
		=====	=====	=====	=====	=====
TOTAL CASH AND INVESTMENTS		892,984.54			5,854,046.58	
		=====			=====	

## TOWN OF PANTEGO GENERAL FUND REVENUE REPORT JANUARY 2016

## 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	\$ 306,831	\$ 298,650	\$ 8,181	\$ 753,881	\$ 728,751	\$ 25,130	\$ 1,031,701	\$ 277,820	27%
Delinquent Tax Property	-	1,158	(1,158)	-	4,632	(4,632)	13,895	13,895	100%
Sales Tax	111,952	111,679	273	507,767	446,717	61,050	1,340,151	832,384	62%
Franchise Fee-Natural Gas	-	-	-	-	-	-	25,000	25,000	100%
Franchise Fee-Communications	92	-	92	20,902	15,750	5,152	94,500	73,598	78%
Franchise Fee-Electricity	-	-	-	-	-	-	170,000	170,000	100%
Franchise Fee-Cable	-	-	-	3,170	2,083	1,087	12,500	9,330	75%
Franchise Fee-Water & Sewer	-	-	-	-	-	-	25,000	25,000	100%
Mixed Beverage Tax	3,726	3,500	226	3,726	3,500	226	14,000	10,274	73%
Warrant Charges	6,458	8,333	(1,875)	27,313	33,333	(6,020)	100,000	72,687	73%
FTA / City (Omni Base)	348	583	(235)	1,540	2,333	(793)	7,000	5,460	78%
Court Fines and Penalties	26,053	32,917	(6,863)	107,524	131,667	(24,143)	395,000	287,476	73%
Special Expense Fee	22,239	22,917	(677)	91,886	91,667	220	275,000	183,114	67%
Accident Reports	-	50	(50)	80	200	(120)	600	520	87%
Child Safety Guard Program	985	667	318	5,055	2,667	2,388	8,000	2,945	37%
Traffic Fees	345	563	(218)	1,764	2,250	(486)	6,750	4,986	74%
City Judicial Fee	191	208	(18)	801	833	(32)	2,500	1,699	68%
City Arrest Fees	1,293	1,625	(332)	5,615	6,500	(885)	19,500	13,885	71%
10% Serv. Fee from T&A	4,100	1,846	2,254	8,918	7,383	1,535	22,150	13,232	60%
Time Payment Fee	5,502	2,083	3,418	11,830	8,333	3,496	25,000	13,170	53%
Planning and Zoning Fees	1,250	750	500	2,450	3,000	(550)	9,000	6,550	73%
Plan Review Fees	238	625	(387)	1,024	2,500	(1,476)	7,500	6,476	86%
Building Permits	3,925	3,417	509	14,060	13,667	393	41,000	26,940	66%
Liquor Licenses	1,473	667	806	1,503	2,667	(1,164)	8,000	6,498	81%
Contractor Registration Fee	2,000	917	1,083	5,675	3,667	2,008	11,000	5,325	48%
Certificates of Occupancy	1,000	583	417	3,200	2,333	867	7,000	3,800	54%
Clean & Show	160	44	116	200	177	23	531	331	62%
Dog Tag Revenue	40	25	15	85	100	(15)	300	215	72%
NSF Check Fees	-	2	(2)	35	8	27	25	(10)	-40%
Ambulance Revenue	9,522	10,833	(1,312)	34,083	43,333	(9,250)	130,000	95,917	74%
Fire Inspections	-	625	(625)	3,855	2,500	1,355	7,500	3,645	49%
Park Rental Revenue	135	250	(115)	530	1,000	(470)	3,000	2,470	82%
Gas Royalty Revenue	-	833	(833)	-	3,333	(3,333)	10,000	10,000	100%
Copy Fees	-	4	(4)	-	17	(17)	50	50	100%
No Insurance Towing Fees	550	417	133	550	1,667	(1,117)	5,000	4,450	89%
Interest Revenue	1,113	333	780	2,780	1,333	1,446	4,000	1,220	31%
Other Revenue	5,277	833	4,444	5,772	3,333	2,438	10,000	4,228	42%
Revenue Before Transfers In	\$ 516,799	\$ 507,938	\$ 8,861	\$ 1,627,573	\$ 1,573,235	\$ 54,339	\$ 3,842,153	\$ 2,214,580	58%

## TOWN OF PANTEGO GENERAL FUND EXPENSE REPORT JANUARY 2016

## General Fund Variance Analysis

Expenditures:	*-----CURRENT MONTH-----			*-----YEAR TO DATE-----			BUDGET		
	Actual	Budget	Variance Favorable (Unfavorable)	Actual	Budget	Variance Favorable (Unfavorable)	Total	Remaining	%
General & Administrative	\$ 60,231	\$ 60,599	\$ 369	\$ 191,431	\$ 200,645	\$ 9,215	\$ 608,535	\$ 417,104	69%
Public Works	49,359	50,444	1,086	175,219	187,567	12,348	613,850	438,631	71%
Community Development	11,676	13,927	2,251	41,841	55,961	14,119	181,537	139,696	77%
Police	104,495	109,561	5,066	382,889	396,398	13,509	1,382,048	999,159	72%
Fire	91,344	92,278	934	326,230	337,562	11,333	1,201,853	875,623	73%
Municipal Court	35,335	36,440	1,105	111,151	121,424	10,273	363,385	252,234	69%
Community Relations Board	300	918	618	3,637	4,352	715	12,000	8,363	70%
Special Events	-	-	-	8,998	8,500	(498)	8,500	(498)	-6%
Other	1,035	1,035	-	1,753	1,920	167	2,000	247	12%
Expenditures Before Transfers Out	\$ 353,774	\$ 365,203	\$ 11,428	\$ 1,243,148	\$ 1,314,329	\$ 71,181	\$ 4,373,708	\$ 3,130,559	72%

**TOWN OF PANTEGO WATER AND SEWER REVENUE REPORT JANUARY 201**  
**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	\$ 9,105	\$ 40,000	\$ (30,895)	\$ 163,325	\$ 160,000	\$ 3,325	\$ 480,000	\$ 316,675	66%
Water Tap Fees	600	25	575	600	100	500	300	(300)	-100%
Sewer Service Charge Fee	9,514	30,000	(20,486)	121,166	120,000	1,166	360,000	238,834	66%
Sewer Tap Fees	300	21	279	300	83	217	250	(50)	-20%
Groundwater Conservation Fee	(117)	1,870	(1,987)	7,156	7,481	(325)	22,442	15,286	68%
Groundwater Conservation Fee-Recovery	(117)	1,870	(1,987)	7,156	7,481	(325)	22,443	15,287	68%
Trash Collections	7,765	7,667	99	31,054	30,667	387	92,000	60,946	66%
Sales Tax on Trash Collections	635	633	2	2,538	2,530	8	7,590	5,052	67%
Recycling	2,066	2,167	(101)	8,250	8,667	(416)	26,000	17,750	68%
Sales Tax on Recycling	159	179	(20)	634	715	(81)	2,145	1,511	70%
Penalties	1,127	1,250	(123)	5,029	5,000	29	15,000	9,971	66%
N.S.F. Check Fees	-	25	(25)	60	100	(40)	300	240	80%
Adm. Serv. Charge / Sewer Impact	760	583	177	2,476	2,333	142	7,000	4,524	65%
Interest Revenue	-	54	(54)	-	217	(217)	650	650	100%
Other Revenue	2,187	2,417	(230)	6,617	9,667	(3,050)	29,000	22,383	77%
Trash Contract Payable	(7,765)	(7,667)	(99)	(31,054)	(30,667)	(387)	(92,000)	(60,946)	66%
Sales Tax on Trash Collections Payable	(635)	(633)	(2)	(2,538)	(2,530)	(8)	(7,590)	(5,052)	67%
Recycling Contract Payable	(2,066)	(2,167)	101	(8,250)	(8,667)	416	(26,000)	(17,750)	68%
Sales Tax on Recycling Payable	(159)	(179)	20	(634)	(715)	81	(2,145)	(1,511)	70%
Total Revenue Before Transfers In	<u>\$ 23,358</u>	<u>\$ 78,115</u>	<u>\$ (54,757)</u>	<u>\$ 313,885</u>	<u>\$ 312,462</u>	<u>\$ 1,424</u>	<u>\$ 937,385</u>	<u>\$ 623,500</u>	<u>67%</u>

**TOWN OF PANTEGO INFRASTRUCTURE IMPROVEMENT FUND REPORT JANUARY 2011**  
**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	\$ 25,224	\$ 25,000	\$ 224	\$ 101,567	\$ 100,000	\$ 1,567	\$ 300,000	\$ 198,433	66%

**TOWN OF PANTEGO WATER AND SEWER EXPENDITURE REPORT JANUARY 201**  
**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	\$ 13,412	\$ 14,296	\$ 883	\$ 33,199	\$ 58,763	\$ 25,564	\$ 349,736	\$ 316,537	90.5%
Sewer Expense	36,650	39,537	2,886	74,460	84,043	9,583	346,205	271,745	78.5%
Total Expenses Before Transfers Out	<u>\$ 50,062</u>	<u>\$ 53,832</u>	<u>\$ 3,770</u>	<u>\$ 107,659</u>	<u>\$ 142,806</u>	<u>\$ 35,147</u>	<u>\$ 695,941</u>	<u>\$ 588,282</u>	<u>84.5%</u>



## PANTEGO PUBLIC SAFETY



### **PUBLIC SAFETY MONTHLY ACTIVITY SUMMARY - January 2016**

#### **Personnel**

The police department is continuing to seek applicants for the position of Officer with limited results.

The new police recruits are progressing well in their academy with an expected graduation date of mid March.

#### **Operational Issues**

##### **Fire Department**

The detailed Medicaid approval process is still ongoing and should be completed soon. The task of approval involves completion of paperwork by staff and input from Intermedix before final submission to Medicaid.

##### **Police Department**

The department received preliminary approval for the body worn camera grant administered by the TCOLE. The Town will be reimbursed for approximately 75% of the requested amount.

#### **Training**

##### **Police Department**

Sergeants Moore and Whitwell instructed a small segment of the North Central Texas Council of Governments police academy, including our recruits Springer and Guy. Both recruits performed very well. Recruit Springer was in competition for the Top Shot position in his class. Sergeants Moore and Whitwell also performed at a high standard while instructing the class and are to be congratulated on their professionalism and expertise.

##### **Fire Department**

Medical training for the month was over the topic of cancer awareness.

Lieutenant Slater has begun instructing Firefighter Ogletree on driver training.

Lieutenant Mitchell has successfully passed the school examination for his fire instructor class; he will next take the state examination for certification.

Firefighter Edmondson is continuing the training of all personnel on the new EMS protocols. All personnel are required to successfully complete an examination provided by Dr. Yamada before implementation. Testing should occur in February.

## Public Relations

In January Firefighter Michael Reynolds and Assistant Chief Coker presented to the Pantego Lions Club an idea for a residential Knox Safe program. The program would provide reimbursement to individuals who cannot afford the device and who are either partially or completely immobile due to age or medical related issues. The safes would enable the safe keeping of keys to the home and enable firefighters and police officers to quickly enter a home without damaging doors or windows. Lions Club members were receptive. The police department will also present ideas for needed equipment to the club at a future meeting.

Members of the Police Department attended the Back the Blue event held at the Arlington Museum of Art on January 22<sup>nd</sup>. The event was well attended by Arlington and Grand Prairie officers as well. The event was partially organized by our own Nancy Tice and was well appreciated by all.

Respectfully submitted,



Thomas D. Griffith  
Chief of Public Safety



# PANTEGO POLICE DEPARTMENT OFFICER ACTIVITY REPORT

January, 2016

## Citations/Traffic Stops

<b>Officer</b>	<b>Citations</b>	<b>Traffic Stops</b>	<b>Citations YTD</b>
Griffith	0	3	0
Reeves	8	4	8
Moore	72	52	72
Bruton	60	70	60
Hubbell	62	62	62
Meinke	114	89	114
Marquez	6	18	6
Open Position			
Bonner	112	169	112
Open Position			
Open Position			
Whitwell			
<b>TOTALS</b>	<b>434</b>	<b>467</b>	<b>434</b>
<b><u>Vehicle Crashes</u></b>			
<b>Crash Type</b>	<b>Quantity.</b>		<b>YTD</b>
<b>Minor</b>	7		7
<b>Major</b>	5		5
<b>Hit &amp; Run</b>	2		2
<b>TOTALS</b>	14		14
<b>Crashes reported to State</b>	7		7

## 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	21	14	7	0	0
600	Reeves	34	17	17	3	3
610	Whitwell	13	8	5	0	0
620	Moore	256	26	230	11	11
602	Bruton	325	59	266	12	12
603	Hubbell	266	55	211	7	7
604	Meinke	234	39	195	8	8

# PANTEGO POLICE DEPARTMENT OFFICER ACTIVITY REPORT

605	Marquez	192	37	155	4	4
Open Position						
607	Bonner	354	59	295	17	17
Open Position						
Open Position						
710	Watson				5	5
711	Hopkins				14	14
<hr/>						
<b>Totals</b>		<b>1,695</b>	<b>314</b>	<b>1,381</b>	<b>81</b>	<b>81</b>

**Average Response Time 2:57**

Respectfully,



Barry Reeves  
Assistant Chief of Police

# PANTEGO POLICE DEPARTMENT CRIMINAL INVESTIGATIONS REPORT



This report includes cases received in CID for the month of January, 2016 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	0	0
Assault Family Violence	2	2
Burglary/Building	2	2
Burglary/Coin-op	0	0
Burglary/Vehicle	0	0
Burglary/Residence	0	0
Manufacture and Delivery	0	0
Criminal Mischief	3	3
DWI	10	10
DWLI	0	0
Evading or Resisting Arrest/Detention	1	1
Failure to ID	0	0
Fraud	1	1
Graffiti	0	0
Poss. Controlled Subst.	3	3
Poss. Marijuana	6	6
Robbery	1	1
Theft	8	8
Theft of Motor Vehicle	2	2
Other	3	3
<b>Total Received</b>	<b>42</b>	<b>42</b>

<b>Case Dispositions of Above Totals</b>	<b>Month</b>	<b>YTD</b>
Cases Active	16	16
Cases Cleared	26	26
Cleared Cases Filed with DA	11	11
Cases Suspended-Pending Leads	0	0

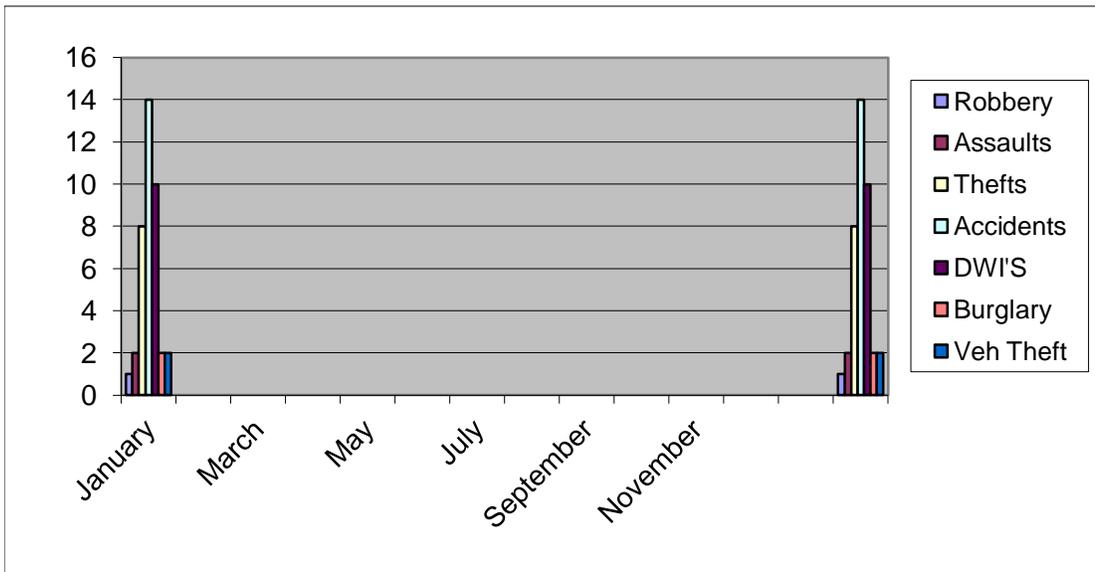
<b>Cases Filed with DA from Previous Report Periods</b>	11	11
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Respectfully submitted,

Chris Whitwell, Detective

2016 Crime Stat's

2016 Monthly	Robbery	Assaults	Thefts	Accidents	DWI'S	Burglary	Veh Theft
January	1	2	8	14	10	2	2
February							
March							
April							
May							
June							
July							
August							
September							
October							
November							
December							
Totals	1	2	8	14	10	2	2



<b>PANTEGO FIRE RESCUE</b>							
<b>MONTHLY ACTIVITY SUMMARY</b>							
31-Jan-16							
							
<b>FIRE RESPONSES</b>		<b>PANTEGO</b>			<b>AFD</b>		
		<b>MONTH</b>	<b>16 YTD</b>	<b>15 YTD</b>	<b>MONTH</b>	<b>16 YTD</b>	<b>15 YTD</b>
<b>TYPE OF INCIDENT</b>							
<b>Fire</b>							
Structure							
Outside							
Natural Vegetation Fire				1			1
Vehicle							
Trash							1
Cooking Fire, Contained to container							
Fire Other					2	2	
<b>Hazardous Condition</b>							
Arcing - Shorted Electrical Equip.		1	1				1
Equip. Malfunction							
Power Lines							
Hazmat							
Hazardous Condition, Other		1	1				
Heat From Short Circuit, Wiring							
Overheated Motor		1	1		2	2	
Gas/Fuel Spill							
Natural Gas Leak							
Chemical Spill or Leak							
Carbon Monoxide							
<b>Service Call</b>							
Water or Steam Leak		1	1	4			1
Assist Invalid		7	7	5			
Unauthorized Burning							
Rescue							
Utilities							
Smoke Removal							
Person in Distress, Other		5	5	1	1	1	
Service Call, Other		3	3	1			
Lock Out							
Animal Rescue							
Ring or jewelry removal							
Asst. PD/ EMS		6	6	2	1	1	
<b>Good Intent Call</b>							
Good Intent Call Other		10	10	7	6	6	5
Dispatched & Cancelled En Route							
Wrong Location							
No Incident Found On Arrival							
Investigation							
Cancelled On Scene		1	1		7	7	12
Smoke scare, Odor of smoke				2			
Hazmat Invest, No Hazmat							
<b>False Alarm &amp; False Call</b>							

Unintentional Transmission of Alarm				1	1	1	
Smoke Detector Activation - No Fire	1	1	1	1	1		
Bomb Scare - No Bomb							
System Malfunction	1	1					
False Alarm or False Call, Other	3	3		2	2	1	
CO Detector Activation, Malfunction							
Sprinkler Activation, no fire							
<b>Special Incident Type</b>							
Citizen Complaint							
Special Incident Type, Other							
Mutual Aid							
<b>TOTAL FIRE INCIDENTS</b>	<b>43</b>	<b>43</b>	<b>24</b>	<b>25</b>	<b>25</b>	<b>23</b>	
<b>AVERAGE FIRE RESPONSE TIME - PANTEGO</b>		2.91					



<b>PANTEGO FIRE RESCUE</b>						
<b>MONTHLY ACTIVITY SUMMARY</b>						
<b>31-Jan-16</b>						
						
<b>FIRE TRAINING</b>						
<b>CLASS SUBJECT</b>	<b>HOURS</b>	<b>YTD</b>				
cancer awareness	4	4				
		0				
<b>EMS TRAINING</b>						
<b>CLASS SUBJECT</b>	<b>HOURS</b>	<b>YTD</b>				
Neurology and altered mental status	4	4				
			<b>MONTH</b>		<b>MONTH</b>	
<b>PUBLIC EDUCATION</b>	<b>MONTH</b>	<b>YTD</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						
Special Events						
Home Inspections						
Public Safety Forums						
Fall Risk Assessment						
<b>TOTAL CONTACTS</b>						
<b>BUSINESS INSPECTIONS</b>	<b>MONTH</b>	<b>YTD</b>				
<b>Initial</b>						
<b>Re-Inspections</b>						
Plans Review Completed						
C.O Issued						



**Pantego Police Department**  
2600 Miller Lane, Pantego, Texas 76013

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Thomas D. Griffith, Jr., Chief of Public Safety

To: Chief Tom Griffith and Assistant Chief Barry Reeves

From: Sergeant Ben Moore

Date: January 19<sup>th</sup> 2016

Cc: Sergeant Chris Whitwell

Ref: Sergeant Chris Whitwell- Recognition Deserved

Chiefs –

I wanted to take a few minutes to let you both be aware that Sergeant Whitwell is deserving of some recognition for his above and beyond efforts over the course of last week. As you both know Sergeant Whitwell and I taught five of the cadets from NTCOG recruit class 234. This class was taught January 11<sup>th</sup>-15<sup>th</sup> 2016.

Sergeant Whitwell came up on his days off to ensure that all the materials for the class were ready to go and ready to be taught. Whitwell got to work between 6am and 7am all week long to ensure that CID duties were not neglected or fall behind. On at least three of the nights he stayed after class to do more CID work. These were extremely long days at the firing range. This is a perfect example of Whitwell's leadership and his leading by example.

For the five long days Whitwell provided precise and accurate instruction to the academy cadets. This did not go unnoticed by the several officers and instructors that were in and out of the training class throughout the week. The owner of the training facility Bill Carlton, who has over 25 years experience in firearms training, training both officers and private civilians. Mr. Carlton expressed that he has only seen Whitwell in short periods during qualifications, but during this week he has shown excellent instruction and he is a blessing to the cadets and to our department. I am paraphrasing all the accolades that Mr. Carlton gave Whitwell but I second that assessment.

Sergeant Whitwell should be commended for his sacrifice, his professionalism, and commitment he showed over the course of that week to the cadets and to The Pantego Police Department. It was a privilege to get to teach with him and see him work.

Respectfully Submitted,

Sergeant Ben Moore



# **PUBLIC WORKS REPORT**

## **January 2016**

### **ADMINISTRATIVE/PROJECTS/ENGINEERING**

- Wagonwheel Project – SYB to complete sealing the bridge vertical walls at the bottom (channel flows have slowed project – 60% complete).
- Began Phase II of various concrete pavement repair patches - S. Bowen Rd from Winewood to W. Pioneer Parkway

### **STREETS and DRAINAGE**

- Inspected and removed debris from creek channel and flumes
- Repaired and filled various potholes on Mistletoe and Stagecoach
- Cleaned a large amount of shattered glass at the intersection of Bowen and Park Row
- Replaced 24' of Sidewalk that had been lifted 3 inches due to tree roots and also cracked in various places

### **TOWN FACILITIES**

- Daily general policing of the Town Hall building and surrounding area
- Changed light bulbs at town hall
- Changed light bulbs around town hall building
- Removed Christmas tree in front of Town Hall building
- Adjusted camera in the courts room as requested

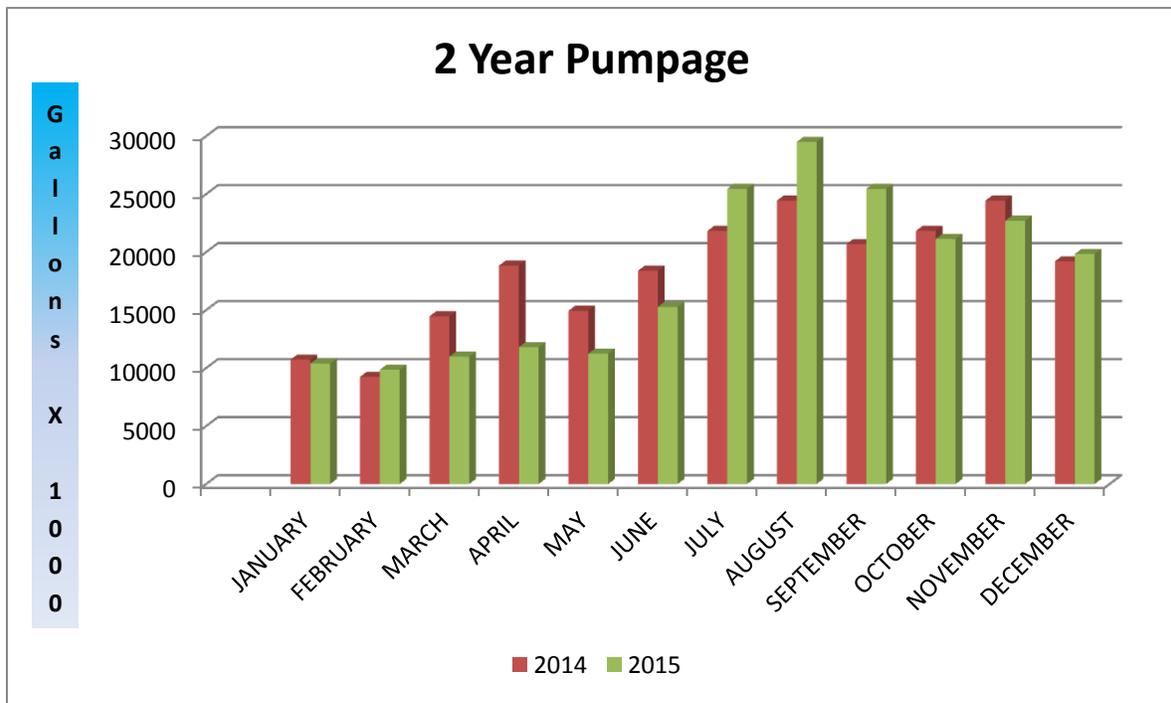


## PARK OPERATIONS

- Daily cleaning at the restrooms
- All sprinklers at park checked
- Basketball courts mowed, edged, and blown off
- Rented man-lift to remove decorations from the large tree and Arch-way
- Removed all Christmas decorations from the park

## UTILITY BILLING

November Billing for 1,206 Accounts \$95573.71	November Past Due Balances \$4063.61
November Billing for Garbage \$7,765.14	November Billing for Recycling \$2,065.94





## **WATER: WELLS AND DISTRIBUTION**

- Total water production 19,834,000
- Average daily production 639,806
- 162 residual samples taken – average chlorine residual (.50)
- 3 total coliform / ecoli samples taken – all tests negative
- 1206 - meters read
- 20 - rereads
- 27 - dead end hydrants flushed
- (10) - work orders completed relating to water turn on and turn offs, meter replacements, etc
- (4) Large areas marked and located water and wastewater lines for contractors
- (3) Cut off/non-payment notices were issued
- (2) Cut off's were performed
- (4) Hydrants painted
- Fixed a leak at Nora well on entry point of chlorine water line
- (2) Work order for break/leaks reported
- (3) Hydrants raised to proper height
- (1) Installed/replaced  $\frac{3}{4}$ " curb stop
- (2) Customer Side leaks
- (10) Exercised Hydrants
- All wells inspected by Colliers Consulting and we installed minor equipment to various wells to make their tests easier



## **WASTEWATER**

- Cleaned the Lift Station bar screen and bagged the solids (13) times for the month
- Lift Station was mowed, edged, and blown
- Responded to (3) sewer stoppages/complaints in which we cleared (2) for customer. The sewer line at the shopping center of the First Dixie Café had a large overflow that required a Plumber to fix their issue (Pictures)

## **PUBLIC WORKS MAINTENANCE**

- Checked fluids and topped off fluids on work vehicles
- Serviced power equipment
- Started equipment and oiled

## **ANIMAL SERVICES**

- (4) Dogs caught by Public Work and returned to owner.
- (10) Dead squirrels picked up and disposed of

## **EVENTS**

- Provided Christmas tree Drop off – (43) trees dropped off and chipped

## **ADDITIONAL ITEMS**

- Juan Longoria and Cody Pain have each attended and completed a Basic Wastewater class (20 hr course) and may now test for their Class II Wastewater Collections license



**PHOTOS:**

Dog caught, but shortly returned to owner a block away.



**Sewer Overflow from Dixie Café**





Glass Spill on Park Row

Sidewalk @ Wagonwheel





Skylift Used for Decoration Removal





## COMMUNITY DEVELOPMENT REPORT – JANUARY 2016

### ENVIRONMENTAL SERVICES

Mosquito Samples and traps will begin testing again in April.

### PLANNING AND ZONING

- Zoning Case Z-218, a proposed re-plat as requested by Ann Farrell for the property at 1704 Nora Drive, Lot 1, Block 1 of the Farrell Addition, an addition to the Town of Pantego, Tarrant County, Texas was approved by the Planning and Zoning Commission by a (6) to (0) vote.
- Zoning Case Z-219, a proposed zoning change as requested by Oakview Capital Partners LLC for the property at 2214 West Park Row Drive, Lot 2a, Block A of the Southern Flair- Braum's Addition, Pantego, Tarrant County, Texas was approved by the Planning and Zoning Commission by a (6) to (0) vote.

### CONSTRUCTION AND DEVELOPMENT

- **1503 Nora Drive**  
Construction is complete and Certificate of Occupancy has been issued.
- **1704 Nora Drive**  
Construction is complete and all finals have been approved.
- **2905 Mistletoe Court**  
Construction on a new residential build. The slab has been poured and framing is about to start.
- **1902 Sarah Court**  
Construction on a new residential build. All rough-ins are almost completed for inspections.
- **3201 W Pioneer Pkwy**  
Construction on a new Meineke. Demolition has been done and have started work on framing and electrical.

### CERTIFICATES OF OCCUPANCY

#### **Issued**

- Color New- 2026 W Pioneer Pkwy Suite A7 & A8- Upholstrey
- Joe Grandee Gallery- 2400 W Pioneer Pkwy Suite 123- Art Gallery
- Love for Fashion- 2401 W Pioneer Pkwy Suite 117- Retail
- Andrea Sullivan, LCSW- 3630 W Pioneer Pkwy Suite 124- Counseling
- The Prayer Room- 1503 Nora Dr- Church
- CNS Enterprises- 3615 W Pioneer Pkwy Suite E- Financial Services
- Wellshire Financial- 2401 W Pioneer Pkwy Suite 145- Financial Services

INSPECTIONS

	JAN TOTAL	YTD TOTAL
BUILDING INSPECTION	6	21
CERTIFICATE OF OCCUPANCY	8	36
CUSTOMER SERVICE INSPECTION	0	0
ELECTRICAL INSPECTION	3	20
MECHANICAL INSPECTION	2	6
PLUMBING INSPECTION	11	40
REINSPECTION	3	5
CODE ENFORCEMENT INSPECTIONS	0	0
<b>TOTAL INSPECTIONS</b>	<b>23</b>	<b>118</b>

CONSTRUCTION VALUES

	JAN	2015/2016 YTD
NEW RESIDENTIAL CONSTRUCTION	\$0.00	\$509,155.00
EXISTING RESIDENTIAL REMODEL	\$89,162.24	\$178,895.06
NEW COMMERCIAL CONSTRUCTION	\$0.00	\$ 0.00
EXISTING COMMERCIAL REMODEL	\$236,044.00	\$567,844.00
<b>TOTAL VALUE</b>	<b>\$325,206.24</b>	<b>\$1,255,894.06</b>

FEES COLLECTED

	JAN TOTAL	JAN FEES	YTD TOTAL	YTD FEES	YTD BUDGET	YTD DIFF.
CERTIFICATE OF OCCUPANCY	5	\$500.00	21	\$2,100.00	\$7,000.00	(\$4,900.00)
ZONING FEES	2	\$1,250.00	4	\$1,950.00	\$9,000.00	(\$7,050.00)
DEVELOPMENT FEE	0	\$0.00	0	\$0.00	\$0.00	\$0.00
PLAN REVIEW	3	\$483.05	13	\$1,726.77	\$7,500.00	(\$5,773.23)
BUILDING PERMIT	29	\$3,889.64	85	\$12,059.79	\$41,000.00	(\$28,940.21)
UTILITY RELEASE	2	\$80.00	2	\$80.00	\$0.00	\$80.00
CONTRACTOR REGISTRATION	23	\$2,000.00	62	\$5,600.00	\$11,000.00	(\$5,400.00)
LIQUOR PERMITS	7	\$1,195.00	7	\$1,195.00	\$8,000.00	(\$6,805.00)
<b>TOTAL FEES</b>		<b>\$9,397.69</b>		<b>\$24,711.56</b>	<b>\$83,500.00</b>	<b>(\$58,788.44)</b>




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**MUNICIPAL COURT**


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## Municipal Court Collections / January 2016

### On-Time Citations

Fines- \$28,162.11  
Fees- \$29,750.31  
 Total- \$57,912.42

### Warrants

Fines- \$13,346.10  
Fees- \$11,249.69  
 Total- \$24,595.79

Court Security Fund- \$925.00

Court Technology Fund- \$1,225.00

Accident Reports- \$50.00

Collection Fees- \$485.70

Gross Total Revenue- \$ 82,508.21  
Less State Fee's- \$ 41,000.00  
 Net Revenue- \$ 41,508.21

Presented by: Thressa Householder



## WARRANT MONTHLY TOTALS FOR JANUARY 2016

<b>TOTAL WARRANTS VALUE CLEARED</b> -----	\$63,293.50
FYTD-----	\$275,471.99
<b>TOTAL PAYMENTS COLLECTED</b> -----	\$42,381.70
FYTD-----	\$90,863.76
<b>TOTAL NON-CASH CLEARED</b> -----	\$20,911.80
FYTD-----	\$97,654.03
<b>WARRANT FEES COLLECTED</b> -----	\$6,458.07
FYTD-----	\$27,213.41
<b>BONDS/FORFEITURES</b> -----	\$0
FYTD-----	\$5,610.20
<b>TOTAL PHONE CALLS</b> -----	710 – 113 OUT 711 – 348 OUT Tot – 461 125 IN 139 IN Tot - 264
<b>TOTAL POST CARDS</b> -----	710– 54 711 – 30 Tot - 84
<b>PERSONAL STOPS/ATTEMPS</b> -----	3
<b>CONTACTS</b> -----	0
<b>DOOR HANGERS</b> -----	2
<b>ARRESTS</b> -----	710 – 6 711 – 14 Tot –20
<b>PAY PLANS</b> -----	710 – 21 711 – 17 Tot - 38
<b>BONDS/COURT DATES</b> -----	710 – 4 711 – 4 Tot - 8
<b>BOND AMOUNT</b> -----	710 - \$6,639.00 711 - \$4,469.50 --- Tot \$11,805.50
<b>LETTERS</b> -----	710 – 120 711 – 100 ---Tot 220
<b>TOTAL WARRANTS CONTACTED</b> ----	710 – 151 711 – 124

<b>TOTAL WARRANTS CLEARED-----</b>	<b>710 – 151</b>	<b>711 – 124</b>
<b>TOTAL VALUE-----</b>	<b>710 - \$45,261.00</b>	<b>711 - \$38,565.00</b>
<b>TOTAL AMOUNT COLLECTED-----</b>	<b>710 - \$8,333.50</b>	<b>711 - \$12,589.90</b>
<b>FUTURE REVENUE-----</b>	<b>710 - \$19,626.30</b>	<b>711 – \$13,559.10</b>

**EXTRA DUTIES/VACATION/OTHER FOR NOVEMBER**

Ofcr. Hopkins out 5 Days Vacation  
Both Officer's went to the Gun Range x 1.5 Hours

Arraignments - 29

Prisoner Transfers - 18

Prisoner Service calls - 2

Assist Patrol - 15

Additional warrants cleared – 260

**Respectfully submitted,**

**Warrant Officer: Chad Watson 710**

**Warrant Officer: Robert Hopkins 711**

Report for fees collected: 1/01/2016 - 1/31/2016

Street:	Fee	Citation	Violation	Amount	Posting Date	Docket
	COLAGY COLLECTIONS FEE	144844	02	155.70	1/08/2016	144844 02
	COLAGY COLLECTIONS FEE	144844F	01	66.00	1/08/2016	144844F01
	COLAGY COLLECTIONS FEE	E004625	01	60.00	1/04/2016	E004625 01
	COLAGY COLLECTIONS FEE	E004625	02	75.00	1/04/2016	E004625 02
	COLAGY COLLECTIONS FEE	E008767	01	75.00	1/27/2016	E008767 01
	COLAGY COLLECTIONS FEE	E008767	02	54.00	1/27/2016	E008767 02

6 485.70 COLAGY COLLECTIONS FEE  
 TOTAL: 485.70



## AGENDA BACKGROUND

**AGENDA ITEM:** Approval of Bills Payable and Purchase Orders over \$2,000.

**DATE:** February 8, 2016

---

**PRESENTER:** Matthew Fielder, City Manager

**BACKGROUND:**

This agenda item includes a listing of bills payable over \$2,000. Included are copies of invoices for professional services and purchase orders over \$2,000, 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 and purchase orders over \$2,000 as submitted.

**ATTACHMENTS:**

Expenditure Summary and List of Purchase Orders over \$2,000 for February 8, 2016.

<b>Summary of Bills Payable and Purchase Orders over \$2,000.00 Requiring Council Approval 2/8/2016</b>
---

<u>PROFESSIONAL SERVICES</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
C&M Concrete	\$9,361.75	Retainage Payable
Jim Jeffrey	\$3,394.22	January 2016 Attorney Services
CA Magnuson	\$1,300.00	January 2016 Prosecutor Services
Sara Jane del Carmen	\$1,250.00	January 2016 Magistration Services
<u>PURCHASE ORDERS</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
<b>\$1,000.00 - \$2,000.00:</b>		
1890 - Tarrant County College	\$1,000.00	Fire Service Training Center
1893 - Texas Workforce Commission	\$1,500.00	11/1/15 - 10/31/16 Web Access
<b>\$2,001.00 + :</b>		
1894 - Longhorn Harley Davidson	\$17,000.00	(2) 2013 Harley Davidsons currently on lease
<u>GENERAL BILLS</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
Duncan - Garbage	\$8,355.24	January 2016 Trash Removal
Duncan - Recycling	\$2,097.59	January 2016 Recycling Removal
Northern Trinity Groundwater	\$13,840.94	Groundwater Conservation JUL-DEC Usage
Voyager Fleet Systems	\$2,328.73	January 2016 Oil & Gas Expense
Gexa Energy	\$14,865.44	Electricity Billing Thru 1/17/16
Neopost	\$1,057.95	January 2016 Postage Expense
Well Fargo Financial Leasing	\$1,694.13	January 2016 Copier Lease Payment
Commerce Bank	\$2,153.87	January 2016 Credit Card Expenses
TML Multistate	\$21,569.31	February 2016 Employee Insurance



# C&M Concrete

Chris Bowen  
362 Linkview dr  
Duncanville TX 75137  
bowenchris1@aol.com

# Invoice

Number: hp4746

Date: January 13, 2016

V-11441<sup>40</sup>



**Bill To:**

Scott Williams  
City Of Pantego  
1614 S Bowen  
Pantego, TX 76013

**Ship To:**

Bowen RD

PO Number	Terms	Project
1866		haul off

Description	Quantity	Rate	Amount
15% OFF invoice 4741	1.00	5,968.57	5,968.57
15% OFF invoice 4742	1.00	3,393.18	3,393.18
Completed			
<p>Acct# 500-5-000-241.00</p> <p><i>Chris Bowen</i> 1-22-16</p>			<p><b>Total</b> \$9,361.75</p>

**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

2/1/2016  
Account No. – 09.01.06  
Invoice #22077

Legal services

January 1 – January 31, 2016

Attorney Total Hours:	19.30
Hourly Rate:	\$175.00
Paralegal Total Hours	\$ ---
Hourly Rate	\$90.00
Total for Services:	\$3,377.50
Expenses:	\$ 16.72
TOTAL BALANCE DUE:	\$ 3,394.00
Nolan County land issue	\$ 0

**PROSECUTOR SERVICE FOR THE MONTH OF JANUARY 2016**

ACCOUNT # 100-5-160-210.00

## INVOICE FOR SERVICES

SERVICES PERFORMED: PROSECUTOR FOR MUNICIPAL COURT

VENDOR # 10123	CRAIG MAGNUSON	\$1,300.00
----------------	----------------	------------

BILLING ADDRESS: CRAIG MAGNUSON  
6000 WESTERN PLACE #200  
FT WORTH, TEXAS 76103

**MAGISTRATION SERVICE FOR THE MONTH OF JANUARY 2016**

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 - \$1250.00

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



**Pantego Fire Department**

**Memo# 000**

44

**To:** City Manager Matt Fielder  
**From:** Assistant Chief Robert Coker  
**Through:** Public Safety Chief Thomas Griffith  
**Subject:** Request to expend funds  
  
**Release Date:** 02-01-2016

The attached P.O. is for approval to expend budget funds. The requested funds are to purchase the annual contract with Tarrant County College Fire Service Training Center. This is a budgeted request for the 2015, 2016 budget.

Cc: A. Carmona

Invoice Number : NW98692  
Invoice Date : 1/26/816  
Invoice Period : 10/01/15-09/30/16  
Sponsor : 746241

Pantego Fire & EMS Services  
Attn: Chief Griffith  
1614 S. Bowen Road  
Arlington, Texas 76013

Course: Contract between NW Fire Service Training Center and Pantego Fire & EMS Services      Dates: 10/01/2015-09/30/2016      Amount: \$1,000.00  
Total Amount Due: \$1,000.00

**PLEASE DISREGARD PREVIOUS INVOICE**

Make Payment to: Tarrant County College  
NW - Business Services  
Attn: Shireen Daniels  
shireen.daniels@tccd.edu  
4801 Marine Creek Parkway  
Fort Worth, Texas 76179

*PE 1005-150-724.00*

*V-11026*



Please mail payments to:  
TCC - BUS. SRVCS NW Campus  
Attn: Shireen Daniels - 817.515.7700  
4801 Marine Creek Parkway  
Fort Worth, Texas 76179  
Shireen.daniels@TCCD.EDU

# TOWN OF PANTEGO

1614 S. BOWEN  
PANTEGO, TEXAS 76013

No. 1890

46

**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 to:  
TOWN OF PANTEGO  
Attn: Accounts Payable  
1614 S. Bowen Road  
PANTEGO, TEXAS 76013
3. **TAXES.** Municipality Tax Exempt Entity I.D. #75-1291097

TO Tarrant County College, NW  
4801 Marine Crook Parkway  
Fort Worth, TX 76179

SHIP TO Fire.

DATE		ACCT #	DEPT.			
2-1-16.		100-5-150-724.00	Fire.			
QUANTITY		STOCK NUMBER / DESCRIPTION	PRICE		PER	AMOUNT
ORDERED	RECEIVED					
1	1	Contract between TCC and Pantego Fire.	1000.	00		1,000.00

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

TOTAL 1,000.00

# Texas Workforce Commission

A Member of Texas Workforce Solutions

47

Andres Alcantar, Chairman  
Commissioner Representing  
the Public

Ronald G. Cogleton  
Commissioner Representing  
Labor

Ruth R. Hughes  
Commissioner Representing  
Employers

Larry E. Temple  
Executive Director

January 15, 2016

Thressa Householder  
Court Administrator  
Pantego Municipal Court  
2600 Miller Lane  
Pantego, Texas 76013

V-10235  
11/1/15-10/31/16 web access  
100-5-160-234.00

**Re: TWC Invoice #PC2911  
Contract No. 2914PEN025**



Dear Ms. Householder:

According to the provisions of the contract between the Texas Workforce Commission (TWC) and the Pantego Municipal Court, "on-line, read-only computer access" to specific TWC mainframe computer screens is provided to authorized employees.

As per Section 3.1.1 of Attachment A of the contract, enclosed is the invoice for the period of **November 1, 2015 to October 31, 2016**. The total amount due is **\$1,500.00**. Please remit payment to the address below within 30 days of the receipt of this letter. *Please include the TWC invoice number on the payment.*

**Texas Workforce Commission  
ATTN: Revenue and Trust Management  
P.O. Box 322  
Austin, Texas 78767-0322**

If you have any questions regarding this request for payment, please contact me at (512) 463-9729.

Sincerely,

Warren Collier, CPA  
Director of Accounting Services

Enclosures



# TOWN OF PANTEGO

1614 S. BOWEN  
PANTEGO, TEXAS 76013

No. 1893

49

**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. Municipally Tax Exempt  
Entity I.D. #75-1291097

TO TEXAS Workforce Commission  
ATTN: REVENUE & TRUST MANAGEMENT  
P.O. Box 322  
Austin TX 78767-0322

SHIP TO PANTEGO MUNICIPAL COURT  
2600 MILLER LANE  
PANTEGO, TX 76013

DATE		ACCT #	DEPT			
1-27-16		100-5-160-234.00	Court			
QUANTITY		STOCK NUMBER / DESCRIPTION	PRICE	PER	AMOUNT	
ORDERED	RECEIVED					
		YEARLY Payment for ONLINE Read only Computers <del>Access</del> Access. Nov 1, 2015 - Oct 31, 2016 Contract			1500.00	
		BUDGETED ITEM				
				TOTAL	\$1500.00	

*Householder*  
*[Signature]*

APPROVED BY



**PANTEGO PUBLIC  
SAFETY**



**To: Matt Fielder, City Manager**  
**From: Barry Reeves, Assistant Chief of Police**  
**CC: Tom Griffith, Chief of Public Safety**  
**Date: January 22, 2016**  
**Re: Harley Davidson Motorcycles**

---

I am requesting the purchase of an approve capital item for our (2) Harley Davidson Motorcycles that are currently being leased every two years which expires on March 1, 2016. The approved cost for both motorcycles is \$17,000.

A handwritten signature in blue ink, appearing to read "Barry Reeves".

Barry Reeves

Assistant Chief of Police



# LONGHORN HARLEY-DAVIDSON / BUELL



Town of Pantego Police Department

1614 South Bowen Road Pantego, Texas 76013

Barry Reeves Assistant Chief of Police

Quote 012116-1

01/21/2016

Longhorn Harley-Davidson is providing the following as an estimate of value assigned to the two (2) 2013 FLHTP currently leased to the town at the end of the 36 month term.

\$8500.00 ~ 2013 FLHTP 1HD1FMM17D8647954

\$8500.00 ~ 2013 FLHTP 1HD1FMM1608647959

At the end of the current lease the town has the option to purchase both units for approximately \$17,000

**David Magers**

Police & Fleet Liaison Account Manager

Maverick & Longhorn Harley-Davidson

972-935-6904 [motorofficer@longhornhd.com](mailto:motorofficer@longhornhd.com)

***Police Motorcycles since 1908***

2830 West I-20 • Grand Prairie, Texas 75052

Metro (972) 988-1903 • Fax (972) 988-1942

[www.longhornhd.com](http://www.longhornhd.com)

# TOWN OF PANTEGO

1614 S. BOWEN  
PANTEGO, TEXAS 76013

No. 1894

52

RECEIVED  
01/22/16

- 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

Longhorn  
TO Harley Davidson  
2830 W I-20  
Grand Prairie, TX 75052

SHIP  
TO

DATE		ACCT #	DEPT.					
QUANTITY		STOCK NUMBER / DESCRIPTION	PRICE	PER	AMOUNT			
ORDERED	RECEIVED							
1-22-16		300-5-140-480,00	PD					
		2013 Harley Davidson FLHTP			8500			\$
		2013 Harley Davidson FLHTP			8500			\$
					<b>TOTAL</b>	17000		\$

APPROVED Capital Items

*[Signature]*  
APPROVED BY



# AGENDA BACKGROUND

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

**Date:** February 8, 2016

---

**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 January 25, 2016

PEDC minutes from January 13, 2016

P&Z minutes from December 7, 2015

CRB minutes from January 5, 2016

Town Council Minutes  
January 25, 2016

**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 25<sup>th</sup> day of January 2016 with the following members present:**

<p><b>Melody Paradise</b> <b>Russ Brewster</b> <b>Fred Adair</b> <b>Don Funderlic</b> <b>Don Surratt</b> <b>Jane Barrett</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>
--	--

**Members absent:**

**None.**

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

<p><b>Matt Fielder</b> <b>Julie Arrington</b> <b>Jim Jeffrey</b> <b>Ariel Carmona</b> <b>Dennis Jobe</b> <b>Scott Williams</b> <b>Tom Griffith</b> <b>Barry Reeves</b> <b>Thressa Householder</b></p>	<p><b>City Manager</b> <b>City Secretary</b> <b>Town Attorney</b> <b>Finance Director</b> <b>Community Development Director</b> <b>Public Works Director</b> <b>Chief of Public Safety</b> <b>Assistant Police Chief</b> <b>Court Administrator</b></p>
---	---

**Also in attendance:**

**None.**

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

Mayor Paradise called the work session to order at 6:36 p.m.

Mayor Paradise read the caption of the executive session and recessed for the executive session at 6:37 p.m.

Following the Scheduled Executive Session, the Council will reconvene in public session and may take any and all action necessary concerning 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 Litigation Matters, to discuss pending or contemplating litigation, settlement offers, and other legal matters that implicates the attorney-client privilege – Newport Investments, LLC and Now Faith Deliverance Temple v. Town of Pantego, Don Surratt, and Don Funderlic.
  2. Pursuant to Government Code Section 551.074, to discuss and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – Accounts Payable position.

Town Council Minutes  
January 25, 2016

3. Pursuant to Government Code Section 551.074, to discuss and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – Discussion of Board and Commissions appointments.
4. Pursuant to Government Code Section 551.074, to discuss and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – annual evaluation of the City Secretary.

Mayor Paradise reconvened the Council meeting at 7:32 p.m. and declared no action was taken during the executive session.

Mayor Paradise adjourned the work session at 7:32 p.m.

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

Mayor Paradise called the regular session to order at 7:32 p.m. and welcomed the audience.

Council Member Jane 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 and thanked the first responders and their families for coming out tonight in support of Officer Meinke and C-Shift.

Councilmember Funderlic welcomed the audience and thanked the first responders for the work that they do and gave recognition to Julie Arrington, City Secretary, for her completion and graduation as a Certified Municipal Clerk.

Councilmember Barrett agreed with the previous Councilmembers and also recognized Julie Arrington for her accomplishment and graduation. She commented that the Back the Blue event, held on Friday evening by the Arlington Museum of Art, was a great event.

Councilmember Adair agreed with the previous Councilmembers and stated the Back the Blue event was a great event.

Mayor Pro-Tem Brewster welcomed the audience commenting it was great to see a full house. He thanked Council and staff for working together; if they do not things don't get done. He thanked the Police Department and the first responders for all that they do. He congratulated Julie Arrington for her accomplishment and apologized he could not attend her graduation and the Back the Blue event due to work. He informed the audience the Lion's Club will host their annual Pancake Breakfast event this Saturday at 7:30 a.m.

Mayor Paradise stated she had nothing to add and was eager to move on to the recognitions.

**AWARDS/RECOGNITIONS**

Mayor Paradise requested Public Safety Chief Griffith to the front of the Dias to honor Officer Meinke and C-Shift of the Fire Department: Lt. Blake Slater, Firefighter Richard Wood, and Firefighter Ben Ogletree to present them with the Life Saving award and a Mayoral Proclamation.

Mayor Paradise recessed the meeting for a brief reception at 7:49 p.m.  
Mayor Paradise reconvened the meeting at 8:13 p.m.

**CONSENT AGENDA ITEMS**

Town Council Minutes  
January 25, 2016

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

**1. City Manager Report**

Mr. Fielder informed Council of the following information:

The contractor has begun cutting the concrete for the repairs to Bowen Rd. between Winewood and Smith Barry. They will work on one lane at a time instead of two lanes to minimize the disruption to traffic.

Staff has posted the positions for an accounts payable person and a police officer.

**2. Approval of Bills Payable and Purchase Orders in excess of \$1,000.**

There was discussion on the Alan Plummer invoice regarding the corrections and/or changes to the Park Row Waterline project and the number and/or type of copies given to the Town. Council inquired about the Tyler Technology invoice and if this was the final payment for that invoice since it was split between two departments. There was discussion regarding the year the Racial Profiling Report covers and the two parts being invoiced separately.

**3. Approval and Acceptance of Minutes**

Approval of Town Council Minutes:

- Town Council minutes from December 14, 2015
- Town Council minutes from January 11, 2016

No comments were given.

Acceptance of Minutes of Boards and Commissions:

- PEDC minutes from December 2015

No comments were given.

**COUNCIL LIAISON TO BOARD REPORT**

**Community Relations Board**

Councilmember Barrett stated the Board has not met since the last Council meeting and are scheduled to meet February 2<sup>nd</sup> at 7:00 p.m. in the Council Chambers.

**Pantego Youth Leadership Council**

Mayor Paradise stated the students met last week and had a discussion on distinguishing between the Local, State, and Federal governments. The next meeting the students will discuss the field trip and conduct a mock debate.

**PEDC REPORT**

Councilmember Surratt stated the Board discussed the outstanding incentive loans and setting a date for the Strategic Planning Report discussion with Council. There was discussion regarding PantegoFest 2016 being a one day or two day event, multiple small events, business participation, and parking.

**CITIZENS OPEN FORUM**

None.

**APPROVAL OF CONSENT AGENDA ITEMS**

Councilmember Funderlic made a motion to approve the consent agenda items 1 thru 3. Councilmember Barrett seconded the motion.

Town Council Minutes  
January 25, 2016

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

#### **RESOLUTIONS**

**4. Discuss, direct, and consider action on Resolution 15-36 a resolution of the Town Council of the Town of Pantego, Texas, authorizing the City Manager to enter into an agreement with Veivu Solutions for body cameras for the Police Department.**

Assistant Police Chief Reeves informed the Council he had received a preliminary approval letter for a reimbursable grant. The grant will pay for 75% of the cost; however, he had to reduce the number of cameras purchased from 10 to 9 due to the conditions of the grant. Mr. Jeffery requested additional language to be added to the contract. Assistant Police Chief Reeves stated Veivu does not offer a discount for purchasing the cameras in lieu of leasing them. Chief Griffith advised the grant will not allow for a lease.

Councilmember Funderlic made a motion to approve Resolution 15-36 authorizing the City Manager to enter into an agreement with Veivu Solutions and Straight Shooter and to include the language proposed by the Town Attorney. 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 motion passed unanimously.

Council requested a follow up with the final numbers.

#### **ORDINANCE**

**5. Discuss, direct, and consider action on Ordinance 16-775 an ordinance of the Town Council of the Town of Pantego, Texas, calling for the General Election of Town Officers to be held Saturday, May 7, 2016 for Council Members Places 1, 2, and 3; providing procedures for the conduct of the election; and declaring an effective date.**

Ms. Arrington stated this ordinance will declare the general election to be held on May 7<sup>th</sup> for the purpose of electing Council Members in Places 1, 2, and 3. This will allow for the Town to contract with Tarrant County to conduct the election. The cost of this is in the budget based on previous years expenses. Ms. Arrington announced the current councilmembers who hold these positions: Fred Adair, Don Funderlic, and Jane Barrett, respectively.

Councilmember Adair made a motion to approve Ordinance 16-775 as submitted. 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 motion passed unanimously.

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

- 6. Discuss, direct, and consider action on setting a date for a joint session with the Pantego Economic Development Corporation to discuss the Economic Development Strategic Planning Report.**

Mr. Fielder announced he discussed this with the PEDC Board at the last meeting. He recommended piggybacking the session off of one of their next two meetings, either February 10<sup>th</sup> or February 24<sup>th</sup> at 7:30 p.m. Council discussed their schedules and directed Mr. Fielder to confirm with the PEDC Board for February 10<sup>th</sup>.

- 7. Discuss, direct, and consider action on regulations for credit access businesses generally known as cash advance and payday lenders.**

Mr. Fielder presented a copy of the TML model ordinance with regulations for credit access businesses. He stated the City of Arlington has passed this ordinance, along with approximately 27 other cities, and they are considering a requirement that mandates the establishment must be in a standalone building. The City of Flower Mound has passed this ordinance with additional regulations in their zoning code that does not allow the establishments to be within 1,000 feet of each other. Council directed staff to create an ordinance using the TML model ordinance as a template and have it on the next Council meeting for approval.

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

- 8. Discussion on the status of the potential revisions and/or updates to Ordinance 11-664 referred to as the Boat and RV Ordinance.**

Mr. Fielder presented Council with two revisions. The first revision included Council's comments and inquiries. There was much discussion on regulations allowing entry to private property; a grandfather clause and what it includes, excludes, and the ability to force residents to demonstrate a reason for the exclusion; allowable time limit for on-street parking of vehicles; all weather surfaces and screening requirements; and capping the length of time a recreational vehicle or trailer can be parked on the street.

Council directed staff to provide more detail on the mechanisms the Town has for enforcement and handling of the clutter on the streets, i.e. Nuisance Ordinance. Staff will add other options for screening and clarify the definition of screening; language for the prohibition of greater than 30 feet in length; and will change the time limit from 24 hours to 48 hours.

- 9. Discuss, direct, and consider action on PantegoFest 2016.**

Mr. Fielder informed Council that there was much discussion at the last PEDC meeting on several ideas for PantegoFest and he outlined the many different scenarios. He stated Mrs. Mundo with Mundo and Associates, Inc. reported some of the businesses inside the Lakewood Shopping Center would welcome the festival in their parking lot; however, the owner of the property would not. There was discussion about Council's expectations of the event and if the event has met them, a two night event, stage costs, not allowing tents next to the buildings, and keeping or eliminating the Kids Zone. Mr. Fielder was directed to obtain a proposal from Flair Events incorporating the discussion for review at the next council meeting.

- 10. Discuss, direct, and review the water and sewer fund status and rates.**

Mr. Fielder presented financial charts and summarized the key points for Council. He informed Council that the agreement with Fort Worth will expire in 2017 and Fort Worth is already working on a proposal for several of the towns that hold agreements with Fort Worth. He outlined a comparison chart showing Pantego's water, sewer, trash, recycling, and infrastructure rates compared to other

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surrounding cities. Mr. Scott Williams presented a preliminary financial chart that is being used for the rate study.

There was discussion about the proposed list of sewer projects including the amount of money needed for the projects and/or creating an ad-hoc committee. Council requested a summation, recommendation and a comparison of what the current average utility bill is; what the recommendation will bring the average bill to; and if more brackets or a tiered system is needed. Mr. Williams stated he can have something for Council at the next Council meeting.

Mayor Paradise announced the executive session was conducted during the work session and declared no action was taken on items 1 and 2.

Executive Session Item #3:

Councilmember Adair made a motion to appoint Victoria Roemmich to the Planning & Zoning Commission, Place 7 and Alternate 2 with a term that expires in 2017. Councilmember Barrett seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

Mayor Paradise announced the Council was unable to finish their discussion for Executive Session item number 4 and recessed into executive session at 11:14 p.m.

Mayor Paradise reconvened the Council meeting at 11:59 p.m.

Councilmember Adair made a motion to increase the annual salary of the City Secretary as discussed in the executive session and to perform a mid-year evaluation. Councilmember Barrett seconded the motion.

The vote was as follows:

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

Nays: None.

Abstentions: None.

Mayor Paradise declared the motion passed unanimously.

COUNCIL INQUIRY

None.

ADJOURNMENT

Mayor Paradise adjourned the regular session at 12:00 a.m.

APPROVED:

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

ATTEST:

\_\_\_\_\_  
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 January 2016 with the following members present:

Danny Lakey	President
Don Surratt	Vice President
Fred Adair	Secretary
Stephanie Springer	Director
Robert Jordan	Director

**Members Absent:**

Arsalan Gittiban	Treasurer
Gloria Van Zandt	Director

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

Matt Fielder	Executive Director
Julie Arrington	City Secretary
Ariel Carmona	Finance Director
Dennis Jobe	Community Development Director
Scott Williams	Public Works Director

**Also in attendance:**

Pam Mundo	Mundo and Associates
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**REGULAR SESSION 7:00 P.M.**  
**CALL TO ORDER AND GENERAL COMMENTS**

President Danny Lakey called the meeting to order at 7:02 p.m.

**INVOCATION**

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

**PRESIDENT'S COMMENTS**

President Lakey welcomed the audience and informed the Board the house adjacent to the eastern boundary of Bicentennial Park is for sale and would like to discuss the possibility of purchasing to expand the park area.

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

None.

**REGULAR BUSINESS**

**1. Executive Director Report**

Mr. Fielder informed the Board on the following items:

Village Shopping Center, Southern Flair Photography, and Braum's. There seems to be possible access issues that will need to be worked out in the plans. Oh Sew Cool has closed their business. There is a pending sale on Mom's Liquor. Staff has received several inquiries on hookah lounges; however, the code requirements seem to have shut down the inquiries.

Mr. Williams presented an updated list of repairs to Bicentennial Park showing what has been completely, what are outstanding, and new items that were added by staff. The Board requested a copy of his presentation to be e-mailed to them for review and for him to obtain electrical quotes. This item will be revisited at the next meeting.

Mr. Fielder presented an article from the Federal Reserve Bank of Dallas and Business Insider regarding the economic trends and projections for the 2016 year. He explained the Town's sales tax is holding steady even though the sales tax trend shows a decline.

## 2. Approval of PEDC Minutes

- December 9, 2015

No comments.

Vice President Surratt made a motion to approve the PEDC minutes dated December 9, 2015 as submitted. Secretary Adair seconded the motion.

The Vote was as follows:

Ayes: Surratt, Adair, Jordan, Lakey, and Springer.

Nays: None.

Abstentions: None.

President Lakey declared the motion passed unanimously.

## 3. Summary of Revenues and Expenditures

- January 13, 2016

Mr. Fielder presented his findings on the Jacobs Engineering invoice showing the Board is responsible for the full payment. Mrs. Carmona assured them the phase one final payment was made last year and this payment will be the final for phase two.

Secretary Adair made a motion to approve the Vendor Payment Listing as submitted. Director Springer seconded the motion.

The vote was as follows:

Ayes: Surratt, Adair, Jordan, Lakey, and Springer.

Nays: None.

Abstentions: None.

President Lakey declared the vote passed unanimously.

## CITIZENS OPEN FORUM

None.

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

### 4. Discuss, direct, and consider action on changing the meeting times to 6:30 p.m.

There was discussion on moving the time of the meeting. Several Board members mentioned a conflict with the suggested new time. There was no motion the meeting times will remain at 7:00 p.m.

**5. Discuss, direct, and consider action on the outstanding incentive loans.**

There was discussion on the situation of the various loans. It was confirmed *It's All Good* has completed their term in full and in good standing. The City Secretary will draft a Thank You letter to be signed by the President and Vice President of the Board. The City Manager will discuss the outstanding balance for Boutique U with the PEDC Attorney and have a letter drafted. There was discussion on the sale of Mom's Liquor and the obligation of their loan. Crossfit will meet with the Finance Director to examine their payment history.

**6. Discuss, direct, and consider action on PantegoFest 2016.**

Mr. Fielder presented Council comments and suggestions from the recent Council discussion regarding PantegoFest 2016 and the main focus being incorporating Pantego businesses into PantegoFest. Mrs. Mundo informed the Board Ann Farrell, owner of the Lakewood Village Shopping Center, does not feel the festival would work in her parking lot and does not want to hold the festival there. Mrs. Mundo stated there was a suggestion from some of the businesses to change the focus to a music festival without vendors and increase the number of food trucks. There was discussion on parking and logistical issues with the festival located on Park Row, Pioneer Parkway, or at the Park. There was discussion on food trucks, how they charge, the number of trucks, and a discussion on how to engage the local businesses. Tori Roemmich, with the Community Relations Board, suggested a joint effort in soliciting donations for their events. Mrs. Mundo stated the Board will need to give at least three months notice to allow for the planning of a small event. There was discussion on bands, vendors, town personnel, and expectations for the outcome of the event.

**7. Discuss and review the Strategic Planning report.**

Mr. Fielder informed the Board the Strategic Planning report was uploaded to Dropbox for their review. The intent is for them to review the report and have a joint session with Council to discuss any implementations for programs and changes that need to be made based on the report. He asked them to send him all changes and questions they have at this time and they will meet at a later date to discuss setting a date for the joint session with Council. Mrs. Mundo handed out a packet of information discussing the economic demographics of the Town.

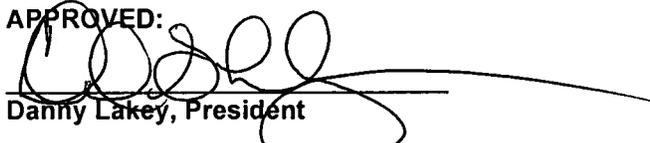
**PEDC MEMBER INQUIRY**

None.

**ADJOURNMENT**

President Lakey adjourned the regular session at 8:59 p.m.

APPROVED:

  
Danny Lakey, President

ATTEST:

  
Fred Adair, Secretary



**Planning and Zoning Commission  
Minutes December 7, 2015**

**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 7<sup>th</sup> day of December 2015 with the following members present:

<b>Stephen Smith</b>	<b>Chairman</b>
<b>John Kushma</b>	<b>Vice Chairman</b>
<b>John Richards</b>	
<b>Clifton Cassell</b>	
<b>Jesse Howell</b>	

Constituting a quorum. The following staff members were present:

<b>Matthew Fielder</b>	<b>City Manager</b>
<b>Julle Arrington</b>	<b>City Secretary</b>
<b>Dennis Jobe</b>	<b>Community Development Director</b>
<b>Jessie Hanks</b>	<b>Planning &amp; Zoning Secretary</b>
<b>Scott Williams</b>	<b>Public Works Director</b>

Also in attendance:

<b>Don Surratt</b>	<b>Council Member</b>
<b>Fred Adair</b>	<b>Council Member</b>
<b>Russell Brewster</b>	<b>Council Member</b>

(The following items were considered in accordance with the official agenda posted on the 4<sup>th</sup> day of December 2015.)

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

**CALL TO ORDER AND GENERAL COMMENTS**

Chairman Smith called the regular session to order at 7:02 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

**1. Approval of Planning and Zoning November 2, 2015 Minutes.**

Vice Chairman Kushma made a motion to approve the minutes with changes to reflect the interchanging of the ayes and naves for Zoning Case Z-215. Commissioner Howell seconded the motion.

The vote was as follows:

Ayes: Cassell, Kushma, Smith, Howell, and Richards.

Naves: None.

Abstentions: None.

Chairman Smith declared the motion passed unanimously.

**Planning and Zoning Commission  
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**NEW BUSINESS**

**2. Discuss and consider action on the appointment of Officers to the 2015-2016 P & Z Commission**

Vice Chairman Kushma made a motion to nominate Chairman Smith to remain Chairman. Commissioner Richards seconded the motion.

The vote was as follows:

Ayes: Cassell, Kushma, Howell, and Richards.

Nays: None.

Abstentions: Smith.

Chairman Smith declared the motion passed unanimously.

Vice Chairman Kushma made a motion to nominate Commissioner Bergins to be Vice Chairman. Commissioner Howell seconded the motion.

The Vote was as follows:

Ayes: Cassell, Kushma, Smith, Howell, and Richards.

Nays: None.

Abstentions: None.

Chairman Smith declared the motion passed unanimously.

**3. Public hearing, review and consider a recommendation for Zoning Case Z-216, a proposed Special Use Permit as requested by Sylvester T. Lafayette to establish a church and offices at 3216 W. Park Row Drive, Lot 1, Block 1, of Park Row West addition of the A.L.S. land survey, Pantego, Tarrant County, Texas. The property is generally located on the South side of West Park Row Drive between Nora Drive and Bowen Road.**

Chairman Smith read the agenda item caption for the record and opened the public hearing at 7:07 p.m.

The following speakers were in support of the Zoning Case Z-216.

Brian Tally, 2117 Bay Cove Ct, Arlington, Texas 76013, stated that he is with Newport Investments, which owns the building. He asked the board if there were any questions they wanted answered. Chairman Smith asked him to give a brief description of what the church is and why he is supporting this motion. Mr. Tally explained that they purchased the building in the end of the first quarter and they have performed cosmetic only remodeling. The Church approached him in July and Newport was able to accommodate them and moved them into the building in the end of July. Newport purchased the building from a church who owned it before. It is his understanding that the church next door was given an SUP, or some form of variation. He was not under the impression that there was any reason why a church could not operate in a facility such as this. As far as the church itself, they might be able to do a better job at explaining who they are, what they are, as he is not a part of that church. They have been operating there and seem to be within their rights as far as he can tell. Mr. Tally confirmed the prior church owner was Trinity. Commissioner Richards stated that it wasn't a church, it was church property. They didn't hold services in this building. Mr. Tally said it was his understanding that they held services for children, and they used it for church like purposes but he wasn't there so he can't say one way or another. Chairman Smith asked if he bought the building after they had already left. Mr. Tally said that is correct. He was not an attendant of the church and he doesn't know much about the church. He just knows he purchased the building from them and to the best of his knowledge it was used for church purposes but as far as what they used it for and specifics, he doesn't know.

Sylvester T. Lafayette, 5315 Fairst Ct, Arlington, Texas 76018, stated he is the Apostle of the Church and they lease the property. The Church went in knowing they were a church and it was commercial property because a church is commercial. He didn't see a reason why they couldn't be there. He stated he heard about a lot of complaints and he's trying to figure out what the complaints are about. The church doesn't make a lot of noise and stuff. There are churches all over Pantego.

**Planning and Zoning Commission  
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Like he said before, it's commercial property and they went in as a church because churches are commercial. He stated he is trying to find out what are the complaints and why the Town is saying they cannot be there. Chairman Smith explained the procedures of an open meeting and said he is sure Mr. Lafayette's question will be answered. Mr. Lafayette stated that he understands that but he would still like to know what the complaints are and if they are legitimate and legal. Chairman Smith asked Mr. Lafayette to describe his church, how many members he has, what his expectations are from the local community. Mr. Lafayette explained that they have about 75 members but not everyone comes at the same time. They have services on Sunday. They have Sunday school at 8:30 a.m. and regular morning service starts at 10 a.m. and out somewhere around 1 p.m. On Wednesday night, they have bible study that starts at 7 p.m. On Friday night, they have what they call Friday Night Lights. It's a worship service that starts at 7:30 p.m. There is prayer Monday through Friday from 6 a.m. to 7 a.m. in the morning. They came in and had an outreach day. They passed out 2,000 flyers to the apartment complex on the other side, in Arlington. He asked about the church across the street and was told that was Arlington. They were trying to reach people that need a church because there are a lot of people who don't go to church at all. That's what it's all about. Trying to reach lost souls.

Frank Hill, 1400 W Abram St, Arlington, Texas, stated he is a lawyer with Hill Gilstrap, P.C and he is representing the property owner. He said Mr. Tally asked him to say a few words to be certain everyone had a common understanding of what the legal considerations are. He stated he is sure the board is aware that the legal considerations are special where there is a proposed usage by a church. The strong 1<sup>st</sup> amendment rights that protect the church certainly pertain here. The Town's authority to prohibit the use by a church is severely circumscribed by the 1<sup>st</sup> amendment, that being limited to basically the safety and health of its citizens. He has lived in Pantego, off and on, for a few years and certainly in Arlington for most of his adult life. He informed the board that he is very familiar with the area and, as everyone knows, that part of the town has historically housed churches in the past, certainly a major church maybe only a couple hundred yards away. Whether the prior church actually conducted primary church services at this location really isn't the test here. He added had this building not even been used or owned by a church in the past, it wouldn't be the test. The test simply, as he has researched the law again, was if there is some compelling evidence here that the church would endanger the citizen's health or safety and he couldn't imagine that to be the case. He stated that the elephant in the room is the fact that this congregation is primarily, if not exclusively, African American. As he understood it, the Commission has had the courage in the past to deal with minority church applications and the like and they should be very proud of that and he knows that they understand that any concern based on race should be totally prohibited. He doesn't really think that is the case here and he doesn't think that there are those inappropriate considerations. He stated it leaves us then with that simple test, can the City demonstrate that this church would be a danger to the health and safety of its citizens? He would conjecture to say that it has been there for a little while, the Commission knows a little bit about it, and even if there are complaints about noise, that's not a condition to prohibit the use of a church. It may be sufficient for the Town to take some actions to eliminate the problems but it is not a basis to deny a church the utilization of the property. These are good, loyal American citizens. They come to the Commission very respectfully asking for the use of a church but they come to the Commission understanding that they are 99% protected by the 1<sup>st</sup> amendment, freedom of religion. He doesn't mean that in any threatening or condescending way but rather as a simple offer to be sure it's kept on the table and foremost on everyone's mind because in this case it is the primary governing principal. Vice Chairman Kushma asked if he could please speak to this from the legal stand point of the zoning code for the Town of Pantego in the use of special use permit. Mr. Hill stated that special use permits can be required by a town, if that is essentially what Vice Chairman Kushma was asking. He had no reason tonight to challenge the articulation of the Town's requirements. Again, he didn't mean that in any condescending way at all but whatever the word or propriety of the facial reading of the Town's ordinance, it must give way to the Constitution's 1<sup>st</sup> amendment and the law is very, very clear about that. Vice Chairman Kushma asked if a more specific reference would be the Religious Restoration Act. Mr. Hill stated he didn't understand Mr. Kushma's question. Vice Chairman Kushma stated that Mr. Hill appealed to the Constitution and he is appealing to a law passed by Congress, the Religious Restoration Act, regarding the protection of religion. Mr. Hill said to the extent that any state or federal may exist it has to give way to the 1<sup>st</sup> amendment it dictates. There is just no doubt about that and the test that both the Texas Supreme Court and the United States Supreme Court have articulated in this situation in requiring the special use permit to the proposed use, or usage, by a church that the Town's authority is limited and only if it can prove

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that the use by the church is a danger to the health and safety of its citizens can it be denied. In general, municipal zoning ordinances don't even facially apply. Commissioner Richards asked if Mr. Hill is saying the church can build where ever they want to regardless of what our (the Town's) laws are. Mr. Hill responded with no, what the law says is that a town can attempt to use a special use permit as a limitation, even on a church, but to use it successfully it is the Town's burden to prove that this church in that location would present a danger to the health or safety of its citizens. If that's not proven, you cannot limit and it's unconstitutional. It's not a matter of State or Federal statute. He sensed that maybe those aren't things the Board wants to hear.

Karen Calvin, 2125 Park Springs Circle, Arlington, Texas 76013, stated that she is for the church. She said she is new to the Town of Pantego. She used to work in Arlington, right down the street, and she just opened up a business and she decided on the location because she worked at the Arlington Ogle School up the street. She worked there for 6 years and has always enjoyed the area and Pantego is right in the same area. So when she had to decide to open a business and she saw the sign at the shop, she talked to Brian. Mr. Tally told her that a church was coming and because of the church she thought it was a good decision to open up a business right here in the Town, in spite of the negative. Everyone told her a lot of negative things. "Oh don't move to Pantego." She stated she thinks each person has to make a decision for themselves where they are going to start their business and where they feel it's going to grow and where it's going to flourish. She doesn't have that problem. Now if there was a problem in the past, she hoped there wouldn't be a problem going forward. He stated the church, since they have been there, has been nothing but a blessing. They have so much love and they bring people into the community. They stop into her salon. She said she is just saying she has never noticed anybody or a lot of noise or anything like that. They are just a bunch of loving people.

The following speakers were against the Zoning Case Z-216.

Benjamin Rhodes, 2726 Whispering Trail Circle, Pantego, Texas 76013, stated he wished to say he takes exception to the legal scholar who called us bigots. He is not a bigot. He has a lot of black friends and he doesn't consider himself a racist at all. He stated he does have concerns though about traffic patterns, security in his neighborhood, and taxes. If a church takes over a property, they're tax exempt and the City is going to have to make up the taxes somewhere and he guessed he was somewhere. He said the main problem he has is with the off hour type thing, late in the evenings or anything like that. If indeed what the Apostle said was going to be their time table, then he doesn't have too much of a problem with that. But he does have some problems with security and stuff. The legal scholar said we have to prove some sort of damage. He stated Jason is not here tonight but he believes Jason had to get somebody off his fence a time or two. If that person fell off the fence and died, Jason would be liable, whether or not he invited the guy to climb the fence or not. So there are just some things. He doesn't live right up next to the church so he doesn't know all the things that have gone on in the last 3 or 4 months that they have been operating as a church there. The fact of the matter is they're coming before the committee asking for a special use permit to put a church in an area that isn't zoned for a church and the area abutting that area is not zoned for a church. Churches are allowed in Pantego and even in residential areas just not an R-1. He said that is his stance.

Ovetta Hitchcock, 2733 Whispering Trail Circle, Pantego, Texas 76013, thanked the Board for sending a letter inviting her to come tonight. Her home is backed up to all of these properties which are not zoned for a church. As she understands it, they are zoned for a business. A church is tax exempt. If Pantego decided that taxes are going to be higher, the senior citizens are going to have to pick up the tab for these other properties who are none taxable and that is not fair to them in their senior years of life. Her husband and her choose that property when they came to Pantego. She came from Lubbock, Texas, a great place she would like to go back to, but she is unable to because her husband passed away. Since her husband has passed away, she had to become the priest of her home. She had to stand and she had to be strong and she had to speak for herself. She stated she finds it very difficult when she, as a senior citizen and a widow, has to stand and protect the taxability and the devaluation of her home. She stated it is not easy, it is not easy at all but she has to do what she has to do. Since those buildings are not zoned for a church, she just thinks it's not feasible for a church to be put there. She states from the street where The Prayer Room is and her fence there's like 20 feet. That's like a street. That's not suppose to be a street but the traffic there is just unreal and that should not be happening. If it's not zoned for that, she should not, as a senior

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citizen who lives in that area, have to come to the City of Pantego and have to fight their way through for the devaluation of their property and it's just not right. She said there is a right and a wrong to everything and she stands for right. She doesn't care who it's for or what it's for, but if it's not right then it's not right. She added she just thinks that all of us should take a second to look at this. She stated that when there is dissension between a church, which is a large group of people, against the senior citizens in this area. When a large group of people can swelch a small group of people, that church cannot be blessed because when there is dissension you cannot be blessed. She is not against churches. She is not against prayer. But she is against the location in which this place is going in because the traffic in the thoroughfare, between that building and her fence, is like 20 feet. You don't have much variation there. She said since The Prayer Room has gone in, there is so much traffic that goes in between their buildings and her fence. It is not safe. As people come in off of Nora St, in that thoroughfare, there is a big hill of cement, she doesn't know what it's for but teenagers use it as a race track. By the time she calls in on them, they are gone. There is no way to report that and that is a hazard. Safety is not an object in this. That is one of her greatest objections because between her fence and that building is 20 feet. With the traffic going through there, it's just not safe and she just doesn't think that as a senior citizen she should have to be picking up the tab for not taxable entities that are going in there. That is the way she feels and that's what she has to say.

Barbara Nunn, 2704 Whispering Trail Circle, Pantego, Texas 76013, has been a resident for 37 years. She stated she was here when they started to build those buildings and she tried to fight it then but the Town assured her that those were commercial buildings that were going to bring in a tax base for the City. She said last month it was the Muslims, and this month it's the blacks. She doesn't care what they are. She is not a racist that this gentlemen (Mr. Hill) so kindly indicated that she was. She just wants something safe. The Methodist, when they used those buildings, had a policemen there every Sunday so they could get in and out of their houses on that street. There is no policemen there anymore. The church is just going to cause a bigger traffic jam. She stated it is not going to be safe for anyone. Those buildings need to find occupants that will bring the Town in a tax base. That is what the buildings were put there for.

Lannie Forbes, 2724 Whispering Trail Circle, Pantego, Texas 76013, wasn't going to speak at all. She stated she came to, basically, just hear what everyone had to say but when Mr. Hill talked about the elephant in the room, she felt like she had to stand up because she resents anyone thinking that she is against an African American church or person or whatever. She's a Christian woman and it kind of moved her when the Reverend said that they were there to help lost souls. She knows there is a growing black community in Pantego and his church probably should be in Pantego but just not behind the homes that are on Whispering Trail Circle. She said it is disturbing to her and the properties do devalue her property and she thinks they should be in Pantego but maybe just not there on Park Row.

Chairman Smith adjourned the Public Hearing at 7:35 p.m.

Chairman Smith explained that the Commission is an advisory board and doesn't make the final decision. He continued by explaining how the open discussion part of the meeting works.

Vice Chairman Kushma asked about the parking spaces. Mr. Jobe stated there are approximately 56 spaces and they have access to parking in the surrounding buildings. Mr. Fielder added that if they park in the surrounding buildings they must have agreements with the property owners, which doesn't currently exist.

Chairman Smith asked if someone could explain why they are meeting about this if the church has already been operating as a church without an SUP. Mr. Fielder stated that the church moved into the building and the Town was not aware of it. The Town became aware when he started getting inquiries from the residents on Whispering Trail Circle. He simply didn't know they were there. The church wasn't aware they needed to come to the Town for a permit. Once the Town found out, he made them aware of that.

Chairman Smith asked if there had been issues involving the police? Mr. Fielder stated he wasn't aware of any police records but he has received several complaints from residents.

**Planning and Zoning Commission  
Minutes December 7, 2015**

Commissioner Cassell asked if someone from the church could speak on whether they were aware of the complaints. Mr. Lafayette stated that he heard about the complaints when the City Manger came down to talk to them but he hadn't heard anything from the residents. He addressed a prior comment about the cars entering from the back and said they enter and exit on Park Row, not through the back. He discussed the fence incident, and his outreach day. They have taken into consideration every complaint that has been made and have worked to fix the issues.

Mr. Tally addressed the tax complaints. He stated that because the church is leasing the property he still has to pay property taxes on the building. He went on to discuss the SUP issue and why they were unaware the church needed an SUP. He doesn't believe the building or the church have devalued any properties because they have improved the property and actually utilized the space.

Commissioner Cassell asked Mr. Lafayette what his expectations are for the growth of the church. Mr. Lafayette said that the church has grown already and wants to continue to grow.

Chairman Smith verified the times of operation again.

Vice Chairman Kushma made a motion to recommend approval for a 2 year period or change of ownership. Commissioner Howell seconded the motion.

The vote was as follows:

Ayes: Cassell, Kushma, Smith, and Howell.

Nays: Richards.

Abstentions: None.

Chairman Smith declared that motion passed 4-1.

4. **Public hearing, review, and consider a recommendation for Zoning Case Z-217, a proposed Special Use Permit as requested by DS Restaurant Ventures, LLC for the permission to sell alcohol (mixed beverage) for on-premise consumption at a restaurant located at 2233 West Park Row Drive, Lot 1, Block 10 of the G. W. Parks Subdivision, Pantego, Tarrant County, Texas. The property is generally located on the northeast corner of West Park Row Drive and Milby Road.**

Chairman Smith read the agenda item caption for the record and opened the public hearing at 7:54 p.m.

The following speakers were in support of the Zoning Case Z-217.

Steven Woods, 6301 Halifax Rd, Fort Worth, Texas 76116, stated DS Restaurant Ventures, LLC had recently acquired the restaurant Pantego Bay. He explained that with the new ownership they had to get a new SUP and liquor license. He informed the board that everything was going to stay the same, (name, menu, hours, etc.)

Barbara Brown, 2227A W Park Row Dr., Pantego, Texas 76013, stated she has known DS Restaurants for a while. They have been overseeing the restaurant and with her office being right behind there, she has overseen what is going on and nothing has changed, everything is the same. As the landlord, she is all for them getting this SUP and alcohol permit.

No one spoke against the Zoning Case Z-217.

Chairman Smith adjourned the Public Hearing at 7:57 p.m.

Commissioner Richards made a motion to approve the special use permit for Zoning Case Z-217 as requested. Commissioner Cassell seconded the motion.

The vote was as follows:

Ayes: Cassell, Kushma, Smith, Howell, and Richards.

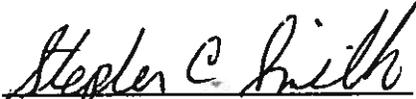
Nays: None.

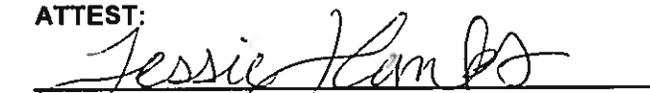
Abstentions: None.

Chairman Smith declared the motion passed unanimously.

**ADJOURNMENT**

Chairman Smith declared the meeting adjourned at 7:58 p.m.

  
Stephen Smith, Chairman

ATTEST:  
  
Jessie Hanks, Planning & Zoning Secretary



**Community Relations Board Minutes  
January 5, 2016**

**STATE OF TEXAS**

**COUNTY OF TARRANT**

**TOWN OF PANTEGO**

The Community Relations Board of the Town of Pantego, Texas, met in regular session at 7:00 p.m. in the Council Chamber of Town Hall, 1614 South Bowen Road, Pantego, on the 5<sup>th</sup> day of January, 2016 with the following members present:

<b>Chuck White</b>	<b>Chair</b>
<b>Tori Roemmich</b>	<b>Vice Chair</b>
<b>Annie Johnston</b>	<b>Secretary</b>
<b>Leanna Cartier</b>	<b>Treasurer</b>
<b>Sheila Burcham</b>	<b>Board Members</b>
<b>Michael Cartier</b>	
<b>Lothar Heller</b>	
<b>Jesse Howell</b>	

The following Board Members were not present:

Cal Kost

The following staff and council members were present:

<b>Matt Fielder</b>	<b>City Manager</b>
<b>Sheila Sherman</b>	<b>Staff Liaison</b>
<b>Scott Williams</b>	<b>Public Works Director</b>

**Call to Order and General Comments**

Chairperson Chuck White called the meeting to order at 7:05 p.m.

**PLEDGE OF ALLEGIANCE**

**CRB MEMBER REPORTS**

Chairperson Chuck White extended his thanks to the board members for riding out the bad weather and event postponements these past few months. He acknowledges that his award from the town is representative of all our work for the CRB.

The Lions Club is holding their annual Pancake Breakfast on January 30<sup>th</sup>.

**OLD BUSINESS**

Approval of Minutes:

November 3, 2015. Michael Cartier moves to approve minutes as written and Leanna Cartier seconds the motion. The minutes pass as written.

December 1, 2015. Jesse Howell moves to approve the minutes as amended and Tori Roemmich seconds the motion. The minutes pass as amended.

## **CITIZENS OPEN FORUM**

### **NEW BUSINESS FOR DISCUSSION, REVIEW, AND APPROVAL**

#### **1. Re-cap of Christmas Event**

The Christmas event was scheduled for Saturday, November 28 with Michael and Leanna Cartier as the chair people for this event. The event was cancelled on November 28 due to weather and was rescheduled for December 12.

The feeling from the Board was that the event was better than expected considering the short notice of the reschedule. The craft station was very popular as well as the pictures with Santa.

All left over stockings were donated to Mission Arlington and the Arlington Life Shelter. Dog stockings were given to Park Row Animal Clinic.

Only two of the six elf volunteers showed up for the event. The Board has also requested that Sheila Sherman check to make sure all the elf costumes have been returned.

We received a thank you letter from TNT Train and they encouraged us to book as early as possible for future events.

Michael Cartier took some pictures during the event. Chuck White would like to make a CRB photo scrapbook to display during events like PantegoFest. Sheila Sherman suggested putting a few in the newsletter and Matt Fielder suggested posting a few on the Town's Facebook page.

#### **2. Discuss Yard Decorating Contest**

The Yard Decorating contest was concluded on December 19<sup>th</sup>. First and second place winners were chosen in each of the two categories, Whimsical and Traditional. The winners are listed below:

Whimsical Category: First place: 2810 Country Club. Second Place: 1604 Stagecoach

Traditional Category: First place: 1812 Nora. Second Place: 1602 Newsom

Honorable Mention was awarded to La Costa Court.

Prizes were \$100 for First place winners and \$50 for Second place.

There was discussion on whether or not participants should be allowed to win back to back years. A final decision was not made. We also discussed refiguring the scoring system to something more simple and straightforward.

#### **3. Discuss Face Painting Options**

A new contact for Face Painting has been made. She will charge \$80 an hour with a minimum of two hours. Jesse Howell motioned to use her for our events and Tori Roemmich seconds the motion. The motion passed.

**4. FY 15-16 Budget Review**

So far, \$1886.55 has been spent on charges related to Christmas. The Board has requested a budget listing that has an itemized list of everything spent during an event.

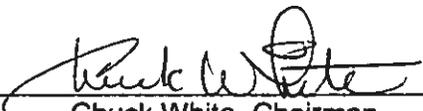
The Board discussed the issue of the movie screen replacement and Scott Williams of Public Works confirmed that the replacement screen will come out of the Public Works budget.

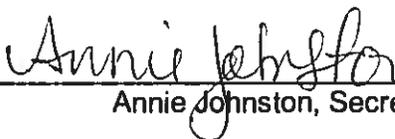
**CRB MEMBER INQUIRY**

A subject not listed on the agenda came up in discussion during the meeting. The Board discussed the purchase of 5 military flags for the Memorial Day event for \$350. A motion was made by Jesse Howell to move forward with the purchase of the flags. Michael Cartier seconded the motion.

**ADJOURNMENT**

Chairperson White adjourned the regular session at 8:23 p.m.

APPROVED:   
Chuck White, Chairman

ATTEST:   
Annie Johnston, Secretary





# AGENDA BACKGROUND

**AGENDA ITEM:** Public hearing, review, and consider action on Ordinance 16-776 an ordinance of the Town of Pantego, Texas approving the recommendation for zoning case Z-218, a proposed re-plat as requested by Ann Farrell for the property at 1704 Nora Drive, Lot 1, Block 1 of the Farrell Addition, an addition to the Town of Pantego, Tarrant County, Texas.

**Date:** February 8, 2016

**PRESENTER:**

Dennis Jobe, Community Development Manager

**BACKGROUND:**

Ann Farrell is requesting a re-plat to create two Lots. Lot 1R is the newly constructed single family home and lot 2R is the pre- existing single family home. The owner has met all the conditions of re-platting along with an access easement for Lot 2R. The Planning and Zoning Commission voted five (5) to zero (0) to approve this re-plat. The public hearing was published in the Commercial Recorder on January 14, 2016.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends approval of this re-plat with the addition of the access easement as requested by Planning and Zoning Commission.

**ATTACHMENTS:**

Ordinance 16-776  
 Community Development Staff Report  
 P&Z Commissioner Report  
 Application, Zoning Case Z-218  
 Notification Map  
 Notification List  
 Additional Information

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

**ORDINANCE NO. 16-776**

**AN ORDINANCE OF THE TOWN OF PANTEGO AUTHORIZING A REPLAT AS REQUESTED BY ANN FARRELL FOR THE PROPERTY LOCATED AT 1704 NORA DRIVE, LOT 1, BLOCK 1 OF THE FARRELL ADDITION, OF THE TOWN OF 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 14.02.262 of the Town of Pantego Municipal Code includes a table of district standards allowing only single family residential use within the R-1 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 January 14, 2016; and

**WHEREAS**, the Planning and Zoning Commission has received and reviewed the application from Ann Farrell and has determined that it complies with all requirements for the re-plat; and

**WHEREAS**, the Commissioners recommended approval of this application at their regularly scheduled meeting on February 1, 2016; and

**WHEREAS**, the Town Council by affirmative vote of four of its members may by ordinance authorize; 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 re-plat to establish two residential lots located at:

Lot 1, Block 1 of the Farrell Addition in Pantego, Tarrant County, Texas  
1704 Nora Drive, Pantego, Texas

as requested by Ann Farrell.

**SECTION 2:**

This Ordinance for re-platting shall require the following conditions:

1. Owner must meet all permitting requirements; and
2. Owner must provide concrete driveways to the street.

**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 FEBRUARY 2016 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>	February 1, 2016
<b>ACTION REQUESTED:</b>	Consider approval for a Re-Plat of Lot 1, Block 1 of the Farrell Addition
<b>PROPERTY DESCRIPTION:</b>	1704 Nora Drive, Lot 1, Block 1, Of the Farrell Addition, Pantego, Tarrant County, Texas.
<b>PROPERTY OWNER:</b>	Ann Farrell
<b>APPLICANT:</b>	Ann Farrell
<b>CURRENT ZONING:</b>	R-1 Residential District
<b>SURROUNDING ZONING/LAND USE:</b>	North-R-1 Residential One Family District West- R-1 Residential One Family District East- R-1 Residential One Family District South- R-1 Residential One Family District
<b>REQUESTED VARIANCES:</b>	Variance will be requested, from Zoning Board of Adjustment, for a wrought iron fence along Nora Dr.
<b>ANALYSIS:</b>	This is a Re-Plat to divide the lot into 2 lots to allow for the existing structure (house) to be retained at 1704 Nora Dr.
<b>RECOMMENDED ACTIONS:</b>	The Planning and Zoning Commission has the following options when considering this Re-Plat. <ul style="list-style-type: none"> <li>• Recommend approval as submitted;</li> <li>• Recommend approval with conditions;</li> <li>• Table to specific date with clarification of intent and purpose; or</li> <li>• Recommend denial of application.</li> </ul>
<b>STAFF RECOMMENDATION:</b>	Staff recommends approval of this Re-Plat with the following conditions: <ul style="list-style-type: none"> <li>• Owner must meet all permitting requirements</li> <li>• Owner must provide concrete driveways to the street</li> </ul>

**REPORT ON PLANNING AND ZONING COMMISSION MEETING**  
**February 1, 2016**

**1. Zoning Case Z-218 – Ann Farrell Re-Plat**

Action: The commissioners voted unanimously to support this re-plat.

Public Hearings: The hearing opened and Mrs. Ann Farrell spoke about her request to re-plat the property which currently has two houses on the property. This re-plat will have a smaller lot with an existing small house and a large lot with a larger house. Nobody spoke in opposition of the proposed re-plat.

Discussion: The commissioner's listened to Mrs. Farrell as well as the City Engineer who discussed the need for the re-plat. The only concern was that Mrs. Farrell requested that one drive be used for both houses. The P&Z commission approved the re-plat, but requested that updated re-plat be provided showing the proposed driveway easement before it goes to council.

**2. Zoning Case Z-219 – Oakview Capital Partners zoning change (Storage Unit)**

Action: The commissioners voted unanimously to approve this zoning change from C-2 – C-3.

Public Hearings: The hearing opened with the proposed developer discussing the project and requesting for the zoning change to allow for the proposed storage unit. The owner of Southern Flair Photography also spoke in favor and was glad that the property was going to be developed. A gentlemen from an Arlington house behind the proposed project spoke in opposition. He was not against the project, more concerned about the way the project was going to impact his property with the addition of lights and noise. It was recommended the he talk with the developer after the meeting to get his concerns addressed.

Discussion: The commissioner's had very few questions about the proposal. It was discussed that the developer will need to come back for at least two more zoning issues. They are trying to acquire an additional C-2 property directly behind Braums. If they do that, then they will need to get approval for that zoning change as well as a re-plat.

Any questions or concerns about this summary, please feel free to contact me at any time.

Stephen Smith  
Chairman



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

## RE-PLAT APPLICATION

### APPLICANT INFORMATION

NAME: ANN FARRELL DATE: 11/6/15  
 ADDRESS: 6 ROGERS CT PANTEGO, TX 76013  
 PHONE: 817-233-5277 FAX: \_\_\_\_\_

\* IF APPLICANT IS NOT PROPERTY OWNER, AGENT AUTHORIZATION FORM MUST BE COMPLETED\*

Developer: <u>ANN FARRELL</u> Address: <u>6 ROGERS CT.</u> City / State / Zip: <u>PANTEGO, TX 76013</u> Phone / Fax: <u>817-233-5277</u>	Agent: _____ Address: _____ City / State / Zip: _____ Phone / Fax: _____
Surveyor: <u>WIER AND ASSOCIATES</u> Address: <u>701 HIGHLANDER BLVD #300</u> City / State / Zip: <u>ARLINGTON, TX 76015</u> Phone / Fax: <u>817-467-7700</u>	Engineer: _____ Address: _____ City / State / Zip: _____ Phone / Fax: _____

### PROPERTY INFORMATION

THE UNDERSIGNED IS REQUESTING CONSIDERATION OF THE SUBMITTED RE-PLAT FOR THE FOLLOWING:

ADDRESS OF LOCATION: PORTION of 1704 NORA DR.  
 SUBDIVISION NAME: FARRELL ADDITION LOT: 1 BLOCK: \_\_\_\_\_  
 PRESENT ZONING: S.F. ZONING CHANGE REQUESTED:  YES  NO \*if Yes\* CASE#: \_\_\_\_\_  
 TOTAL ACREAGE: .35337466 TOTAL NUMBER OF LOTS: 1

### DEVELOPMENT INFORMATION

PRESENT USE OF PROPERTY:  Single Family     Duplex     Apartments  
     Commercial     Industrial     Other

PROPOSED USE OF PROPERTY: SINGLE FAMILY

DEVELOPER OF PROPERTY WILL BE:  Present Owner     Purchaser     Unknown

*Annfarrell@sbcglobal.net*

**CONTINUED**

\*please be aware that the Town does not enforce deed restrictions\*

- Are there deed restriction pertaining to the intended use of the property?  Yes (if so, attach copy)  No
- Does this application comply with the Town's master plan?  Yes  No
- Is any portion of this plat / subdivision subject to floodplain / floodway?  Yes  No
- Do all lots have access to public streets?  Yes  No
- Do all lots meet minimum standards?  Yes  No
- Do street sizes and dimensions meet standards?  Yes  No

**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 City 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.

Signature(s):

Owner: ANN FARREN Date: 11.9.15

Applicant: ANN FARREN Date: \_\_\_\_\_

**TOWN OFFICE USE ONLY**

INITIAL SUBMISSION:

- Completed Application
- Application Fee
- Tax Certificate
- Certificate by Surveyor
- Certificate of Ownership & Dedication
- Proposed Re-plat – 6 copies
- Drainage Plans – 6 copies
- Street & Sidewalk Construction Plan – 6 copies
- Utility Plans – 6 copies

Accepted By: [Signature] Date: 11/29/2015

FINAL SUBMISSION:

\_\_\_\_ DRC Approved Re-plat – 15 paper copies and 1 electronic copy ( pdf or .tif)

Accepted By: \_\_\_\_\_ Date: \_\_\_\_\_

MEET w/ A OR DENNIS  
Committee members to see  
Exactly what is needed

**RE-PLAT PROCEDURES**

1. At least thirty (30) days prior to the next Planning and Zoning Commission (P&Z) meeting, the applicant must make initial submittal including the required submittals below.
2. A Development Review Committee (DRC) meeting should be scheduled within seven (7) days of initial submittal. Within that time, the Town Staff and Town Engineer will review the re-plat and list any recommended changes to be made.
3. Any changes required by the Town will be explained and approved at the DRC meeting.
4. Fifteen (15) paper copies and one (1) electronic copy (.pdf or .tif) of the corrected re-plat must be submitted no less than twenty (20) days prior to the P&Z meeting.
5. The Zoning Administrator will publish a notice of application in a Town designated publication and notify by mail all property owners within two hundred (200) feet of property at least fifteen (15) days prior to the P&Z meeting, if required by law.
6. The applicant will be responsible for presenting the re-plat at the P&Z meeting. The Commission will then review the information and make recommendation to the Town Council.
7. The Town Council will review the re-plat and any recommendation from the P&Z Commission at their next scheduled meeting.
8. Upon approval, the applicant must provide two (2) bond prints and one (1) Mylar copy of the final plat to be signed.
9. The Town will file the re-plat with the Tarrant County Clerk. All fees incurred will be paid by the applicant.

**MEETING DATES**

P&Z: \_\_\_\_\_ Council: \_\_\_\_\_

\*These dates are contingent on deadlines being met by applicant\*

**REQUIRED SUBMITTALS**

INITIAL SUBMISSION:

- |   |   |
|---|---|
| _____ Completed Application                 | _____ Proposed Re-plat – 6 copies                         |
| _____ Application Fee                       | _____ Drainage Plans – 6 copies                           |
| _____ Tax Certificate                       | <u>N/A</u> Street & Sidewalk Construction Plan – 6 copies |
| _____ Certificate by Surveyor               | <u>N/A</u> Utility Plans – 6 copies                       |
| _____ Certificate of Ownership & Dedication |   |

FINAL SUBMISSION:

- \_\_\_\_\_ DRC Approved Re-plat – 15 paper copies and 1 electronic copy (.pdf or .tif)

**RE-PLAT CHECKLIST**

Plat must be formatted as follows:

- \* Size is to be 24"x 36"
- \* Scale is to be 1" = 100'

Plat must include the following information:

<u>BASIC INFORMATION:</u>	<u>On Plat</u>	<u>Incomplete</u>
• Subdivision Name	✓	_____
• Town	✓	_____
• County	✓	_____
• State	✓	_____
• Name & Address of Record Owner	✓	_____
<u>IDENTIFICATION:</u>		
• Names of adjacent subdivisions	✓	_____
• Names of streets (new & old)	✓	_____
• Lot & Block numbers	_____	_____
<u>SURVEYING:</u>		
• Boundary Survey of Plat	_____	_____
• Reference to original survey or previous subdivision	_____	_____
• Location, names, widths of adjacent &/or existing streets, alleys, rights of ways, & easements	_____	_____
• Reference & location of all surrounding subdivisions, tracts, etc.	_____	_____
• Field notes, & metes & bounds description	_____	_____
<u>INTERIOR DETAILS:</u>		
• Dimension & location of all lots, streets, easements, part, etc.	_____	_____
• Detail curve information	_____	_____
• Building lines, exterior & interior	_____	_____
<u>DEDICATION:</u>		
• Signed by owners & notarized	_____	_____
<u>CERTIFICATION:</u>		
• Plat represents survey by licensed Engineer or Surveyor	_____	_____
• Monuments shown on plat	_____	_____
• Monuments set in field	_____	_____
<u>DRAFTING:</u>		
• Date	_____	_____
• Scale & north arrow	_____	_____
• Small scale location map	_____	_____

This checklist is provided for the applicant's benefit. However, fulfilling the requirements of this summary checklist does not relieve the applicant from the responsibility of meeting the regulations in the zoning ordinance, subdivision regulations, and other development related ordinances of the Town of Pantego. Specific requirements and procedures for re-plat approval are specified in Pantego Municipal Code Titles 10 and 14.



January 4, 2016

Mr. Dennis Jobe  
Town of Pantego  
1614 S. Bowen Road  
Pantego, Texas 76013

Re: Lots 1R & 2R, Farrell Addition Replat  
Nora Drive, Pantego, Texas

Dear Mr. Jobe,

Based on a cursory review of the documentation for the replat application for the above referenced project as submitted again on December 30<sup>th</sup>, and 31<sup>st</sup> the comments and items of concern were addressed. I recommend forwarding to the Planning & Zoning Commission for approval.

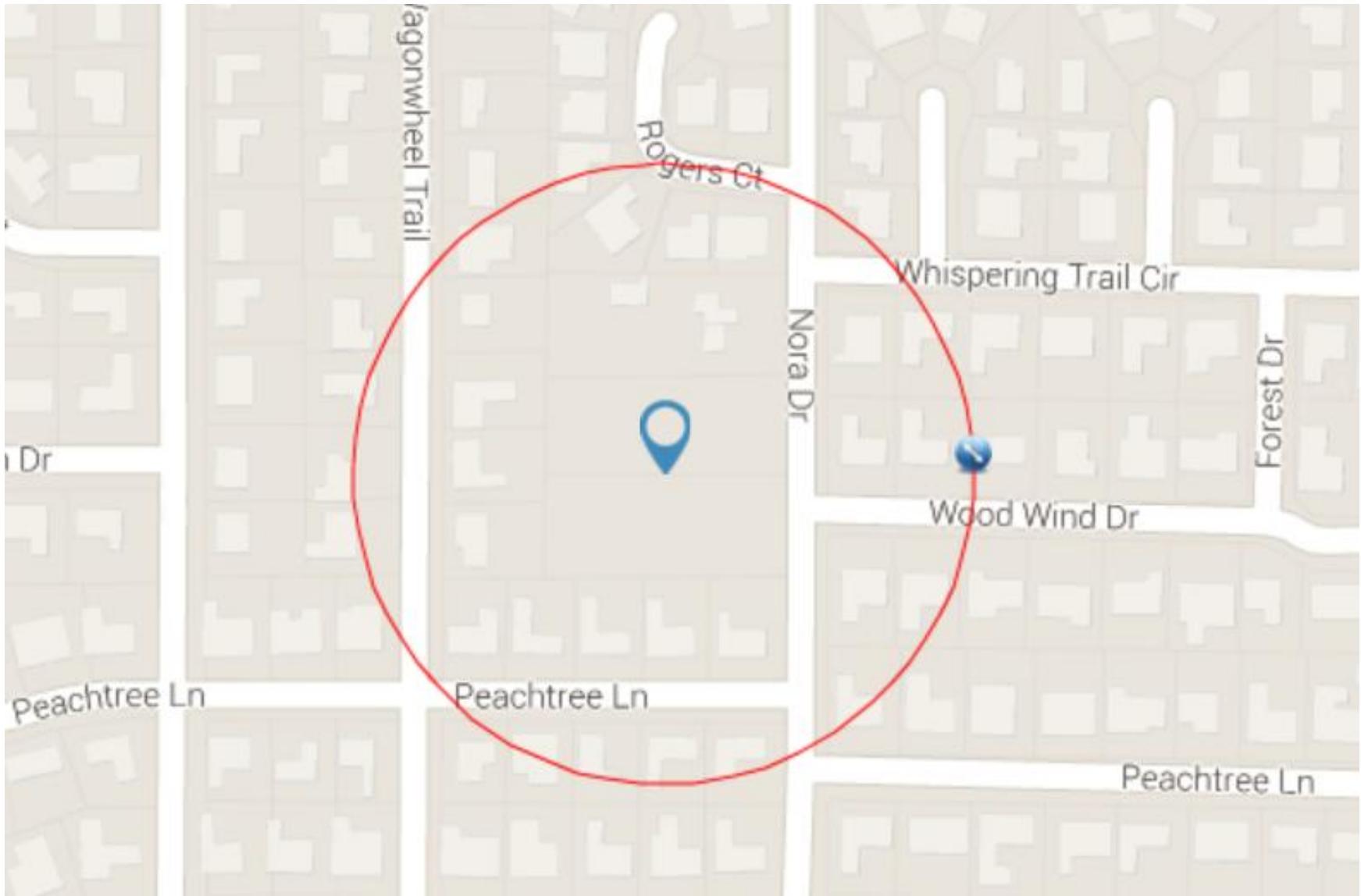
Feel free to contact me at 817-275-3361 or via email at [jstanton@dterry.com](mailto:jstanton@dterry.com) with any questions.

Sincerely,

Di Sciuillo-Terry, Stanton & Associates, Inc.



Joyce P. Stanton, P.E., RPLS



Notification List Z-218					
Name	Address	City	State	Zip Code	Adtl. Address
PHILLIP & DIANE DICKEY	1600 TRAIL GLEN CT	PANTEGO	TX	76013	
MICHAEL & KRISTIN WILLIAMS	2818 WHISPERING TRAIL CIR	PANTEGO	TX	76013	
BATTLES EDWARDS	2816 WHISPERING TRAIL CIR	PANTEGO	TX	76013	
ROBERT SIMEONE	2819 WOOD WIND DR	PANTEGO	TX	76013	
DIANE MCGAW	2818 WOOD WIND DR	PANTEGO	TX	76013	
JAMSHID & FARIBA DIDEHBANI	2817 WOOD WIND DR	PANTEGO	TX	76013	
JOSEPH & JANE BARRETT	2816 WOOD WIND DR	PANTEGO	TX	76013	
GRACE HOLSOMBACK	2815 WOOD WIND DR	PANTEGO	TX	76013	
JEANNE KIESH	2816 PEACHTREE LN	PANTEGO	TX	76013	
JEAN ERICKSON	2817 PEACHTREE LN	PANTEGO	TX	76013	
GORDON CANNOLES	2818 PEACHTREE LN	PANTEGO	TX	76013	
BOBBY & JACQUELINE BURNS	2819 PEACHTREE LN	PANTEGO	TX	76013	
SANDRA TAYLOR	3300 PEACHTREE LN	PANTEGO	TX	76013	
BETTY ANDUJAR	3301 PEACHTREE LN	PANTEGO	TX	76013	
CHARLES JONES	3302 PEACHTREE LN	PANTEGO	TX	76013	
ALAN & PATTI HARPER	3303 PEACHTREE LN	PANTEGO	TX	76013	
W R & SUZANNE STALLSWORTH	3304 PEACHTREE LN	PANTEGO	TX	76013	
J G ANDERSON	3305 PEACHTREE LN	PANTEGO	TX	76013	
NORMA BATSON	3306 PEACHTREE LN	PANTEGO	TX	76013	
ROBERT DE VOE	3307 PEACHTREE LN	PANTEGO	TX	76013	
MARY SLAGLE	3308 PEACHTREE LN	PANTEGO	TX	76013	
CHRIS & PEGGY SARANDIS	3309 PEACHTREE LN	PANTEGO	TX	76013	
DOROTHE BELCHER	3311 PEACHTREE LN	PANTEGO	TX	76013	
C D WRIGHT	1605 WAGONWHEEL TRAIL	PANTEGO	TX	76013	
EVELYN KUHR	1606 WAGONWHEEL TRAIL	PANTEGO	TX	76013	
PAUL & KATHRYN VALENTINCIC	1607 WAGONWHEEL TRAIL	PANTEGO	TX	76013	
DENNIS & MARIA SELL	1608 WAGONWHEEL TRAIL	PANTEGO	TX	76013	
ROBERT & DEBRA ADAMS	1609 WAGONWHEEL TRAIL	PANTEGO	TX	76013	
ESAU & MARIA VARGAS	1610 WAGONWHEEL TRAIL	PANTEGO	TX	76013	
KENNETH ROBERSON	1611 WAGONWHEEL TRAIL	PANTEGO	TX	76013	
BRIAN & TERAH PERSICHTTE	1612 WAGONWHEEL TRAIL	PANTEGO	TX	76013	
DAVID & VOLEEN BAILEY	1613 WAGONWHEEL TRAIL	PANTEGO	TX	76013	
ANDREW & ELIZABETH ST JOHN	1 ROGER CT	PANTEGO	TX	76013	
J D & VICKIE SCOTT	2 ROGER CT	PANTEGO	TX	76013	
DAVID & ANGELA JIMENEZ	3 ROGER CT	PANTEGO	TX	76013	
DONALD & MARY BURNETT	4 ROGER CT	PANTEGO	TX	76013	
ARDIE JORDAN	1702 NORA DR	PANTEGO	TX	76013	



# TARRANT COUNTY TAX OFFICE

100 E. Weatherford, Room 105 • Fort Worth, Texas 76196-0301 • 817-884-1100  
taxoffice@tarrantcounty.com

**RON WRIGHT**  
Tax Assessor-Collector

TAX CERTIFICATE FOR ACCOUNT : 00004185269  
AD NUMBER A1432 8A01  
CERTIFICATE NO : 67843923

COLLECTING AGENCY

RON WRIGHT  
PO BOX 961018  
FORT WORTH TX 76161-0018

REQUESTED BY

ALICE FARRELL

1704 NORA CRT  
PANTEGO TX 76013

DATE : 1/19/2016

FEE : \$10.00

PROPERTY DESCRIPTION

SMITH, NATHAN SURVEY  
A 1432 TR 8A01

0001704 NORA DR

1 ACRES

PROPERTY OWNER

FARRELL ALICE ANN

6 ROGERS CT

PANTEGO TX 760133167

PAGE 1 OF 1

This is to certify that the ad valorem records of the Tarrant County Tax Assessor-Collector reflect the tax, interest, and other statutory fees that have been assessed and are now due to the taxing entities and for the years set out below for the described property herein. The Tarrant County Tax Assessor-Collector makes no certification as to the amount of tax, penalty, interest, or other fees assessed by or due any taxing entity for the year or years for which the Tarrant County Tax Assessor-Collector did not have the statutory duty to collect or keep records of such collection. Additional taxes may become due on the described property, which are not reflected herein, if the said described property has or is receiving any special statutory valuations that may trigger tax rollback provisions. This certificate applies to ad valorem taxes only and does not apply to any special assessment levies.

YEAR	TAX UNIT	AMOUNT DUE
2015	ARLINGTON ISD	0.00
2015	JPS HEALTH NETWORK	0.00
2015	Tarrant County	0.00
2015	TARRANT COUNTY COLLEGE	0.00
2015	TOWN OF PANTEGO	0.00
TOTAL		\$0.00

ISSUED TO : ALICE FARRELL

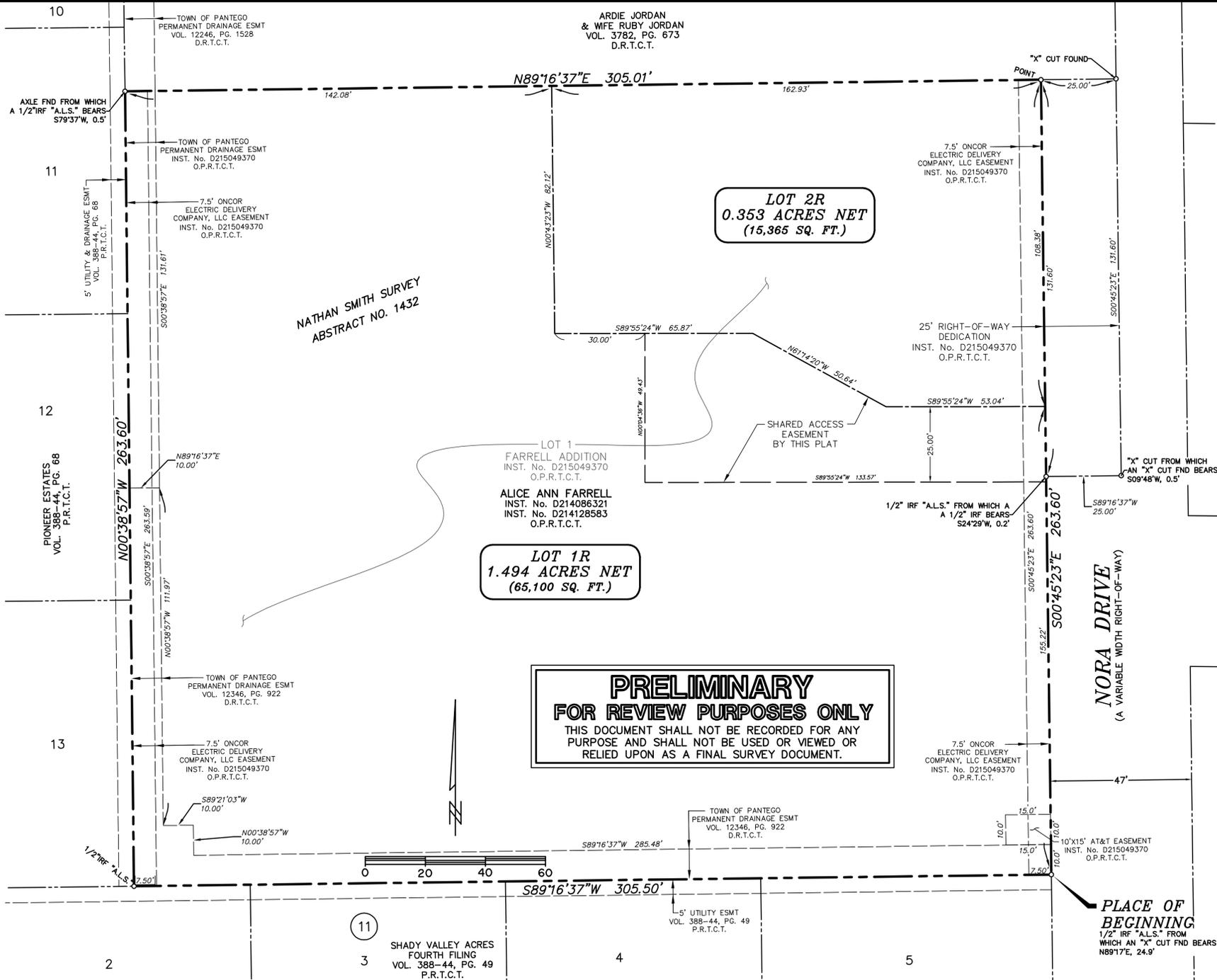
ACCOUNT NUMBER 00004185269

TOTAL CERTIFIED TAX \$0.00

BY  TARRANT COUNTY TAX OFFICE

BY \_\_\_\_\_ TARRANT COUNTY TAX OFFICE





**LOT 1R**  
1.494 ACRES NET  
(65,100 SQ. FT.)

**LOT 2R**  
0.353 ACRES NET  
(15,365 SQ. FT.)

**PRELIMINARY**  
**FOR REVIEW PURPOSES ONLY**  
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

**\* LEGEND \***

IRF	IRON ROD FOUND
IRS	IRON ROD SET
C.M.	CONTROLLING MONUMENT
P.R.T.C.T.	PLAT RECORDS TARRANT COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS TARRANT COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS TARRANT COUNTY, TEXAS

**WOOD WIND DR**  
(A CALLED 50' RIGHT-OF-WAY)  
VOL. 388-53, PG. 35  
P.R.T.C.T.

**NORA DRIVE**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

11

SHADY VALLEY ACRES  
FOURTH FILING  
VOL. 388-44, PG. 49  
P.R.T.C.T.

**NOTES**

- THIS PLAT DOES NOT ALTER OR REMOVE ANY PREVIOUSLY RECORDED UTILITY EASEMENTS.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW, AND IS SUBJECT TO FINES AND WITH HOLDING OF UTILITIES AND BUILDING PERMITS.
- ALL OF THIS PROPERTY LIES WITHIN ZONE "X", AND NO PORTION OF THIS PROPERTY LIES WITHIN ZONE "AE", ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP FOR TARRANT COUNTY, TEXAS, AND INCORPORATED AREAS, COMMUNITY-PANEL NUMBER 48439C0335K, MAP REVISED SEPTEMBER 25, 2009.
- ALL 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC, INC" UNLESS NOTED OTHERWISE.
- ALL BEARINGS CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE, 4202, NAD 83, UTILIZING THE RTK NETWORK ADMINSTRATED BY WESTERN DATA SYSTEMS.

LOT 1R SHALL CONTINUE TO RECEIVE AND ACCEPT THE UPSTREAM DRAINAGE FROM LOT 2R AND THE OWNER OF LOT 1R SHALL NOT CONSTRUCT ANYTHING OR ENGAGE IN ANY ACTIVITIES THAT WILL IMPEDE THAT DRAINAGE.

THE SHARED ACCESS EASEMENT IS FOR THE MUTUAL BENEFIT OF LOT 1R AND LOT 2R AND ITS USE SHALL NOT BE IMPEDED AT ANY TIME.

**TOWN OF PANTEGO APPROVAL**

MAYOR	DATE
CITY SECRETARY	DATE
PLANNING AND ZONING COMMISSION APPROVAL	
CHAIRMAN	DATE

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

**OWNER/DEVELOPER:**  
ANN FARRELL  
2304 W. PARK ROW, STE 7  
PANTEGO, TEXAS 76013  
PH: (817)-233-5277

**SURVEYOR:**  
WIER AND ASSOCIATES, Inc.  
701 HIGHLANDER BLVD. STE 300  
ARLINGTON, TEXAS 76015  
CONTACT: AARON L. STRINGFELLOW  
PH: (817) 467-7700  
FAX: (817) 467-7713

STATE OF TEXAS  
COUNTY OF TARRANT  
WHEREAS, ALICE ANN FARRELL IS THE OWNER OF A TRACT OF LAND LOCATED IN THE NATHAN SMITH SURVEY, ABSTRACT No. 1432, IN THE TOWN OF PANTEGO, TARRANT COUNTY, TEXAS, ACCORDING TO THE DEED RECORDED IN INSTRUMENT No. D214086321, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY TEXAS (O.P.R.T.C.T.), AS AMENDED BY THE CORRECTION AFFIDAVIT RECORDED IN INSTRUMENT No. D214128583, O.P.R.T.C.T., BEING ALL OF LOT 1, FARRELL ADDITION, AN ADDITION TO THE TOWN OF PANTEGO, TARRANT COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN INSTRUMENT No. D215049370, O.P.R.T.C.T., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH A CAP STAMPED "A.L.S." IN THE WEST RIGHT-OF-WAY LINE OF NORA DRIVE (A VARIABLE WIDTH RIGHT-OF-WAY), FROM WHICH AN "X" CUT FOUND BEARS NORTH 89°17' EAST, A DISTANCE OF 24.9 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF LOT 5, BLOCK 11, SHADY VALLEY ACRES, FOURTH FILING, AN ADDITION TO THE TOWN OF PANTEGO, AS SHOWN ON THE PLAT RECORDED IN VOLUME 388-44, PAGE 49, PLAT RECORDS, TARRANT COUNTY, TEXAS (P.R.T.C.T.), AND BEING THE SOUTHEAST CORNER OF SAID LOT 1, FARRELL ADDITION;

THENCE SOUTH 89°16'37" WEST, DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID NORA DRIVE AND ALONG THE COMMON NORTH LINE OF SAID SHADY VALLEY ACRES AND THE SOUTH LINE OF SAID LOT 1, FARRELL ADDITION, A DISTANCE OF 305.50 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "A.L.S." SAID 1/2" IRON ROD FOUND BEING THE SOUTHEAST CORNER OF LOT 13, PIONEER ESTATES, AN ADDITION TO THE TOWN OF PANTEGO AS SHOWN ON THE PLAT RECORDED IN VOLUME 388-44, PAGE 68, P.R.T.C.T. AND BEING THE SOUTHWEST CORNER OF SAID LOT 1, FARRELL ADDITION;

THENCE NORTH 00°38'57" WEST, ALONG THE COMMON EAST LINE OF SAID PIONEER ESTATE ADDITION AND THE WEST LINE OF SAID LOT 1, FARRELL ADDITION, A DISTANCE OF 263.60 FEET TO AN AXLE FOUND FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP STAMPED "A.L.S.", BEARS SOUTH 79°37' WEST, A DISTANCE OF 0.5 FEET, SAID AXLE BEING THE NORTHWEST CORNER OF SAID LOT 1, FARRELL ADDITION AND THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO ARDIE JORDAN & WIFE RUBY JORDAN RECORDED IN VOLUME 3782, PAGE 673, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 89°16'37" EAST, ALONG THE COMMON SOUTH LINE OF SAID ARDIE JORDAN TRACT AND THE NORTH LINE OF SAID LOT 1, FARRELL ADDITION, A DISTANCE OF 305.01 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF NORA DRIVE (A VARIABLE WIDTH RIGHT-OF-WAY), SAID IRON ROD BEING THE NORTHEAST CORNER OF SAID LOT 1, FARRELL ADDITION;

THENCE SOUTH 00°45'23" EAST, DEPARTING THE SOUTH LINE OF SAID ARDIE JORDAN TRACT AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NORA DRIVE AND THE EAST LINE OF SAID LOT 1, FARRELL ADDITION, A DISTANCE OF 263.60 TO THE PLACE OF BEGINNING AND CONTAINING 1,847 ACRES (80,465 SQUARE FEET) OF LAND, MORE OR LESS.

**SURVEYORS STATEMENT:**  
KNOW ALL MEN BY THESE PRESENTS:  
AARON L. STRINGFELLOW, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT AND THE FIELD NOTES MADE A PART THEREOF FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE TOWN OF PANTEGO, TEXAS.

AARON L. STRINGFELLOW, R.P.L.S. STATE OF TEXAS No. 6373

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:  
THAT ALICE ANN FERRELL, ACTING BY AND THROUGH HER DULY AUTHORIZED REPRESENTATIVE, DOES HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOT 1R & LOT 2R, FARRELL ADDITION, AN ADDITION TO THE TOWN OF PANTEGO, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON. ALICE ANN FERRELL DOES HEREBY CERTIFY THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE TOWN OF PANTEGO, TEXAS.

WITNESS, MY HAND, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
BY: \_\_\_\_\_  
PRINTED NAME AND TITLE OF AUTHORIZED SIGNATORY  
\_\_\_\_\_  
AUTHORIZED SIGNATURE

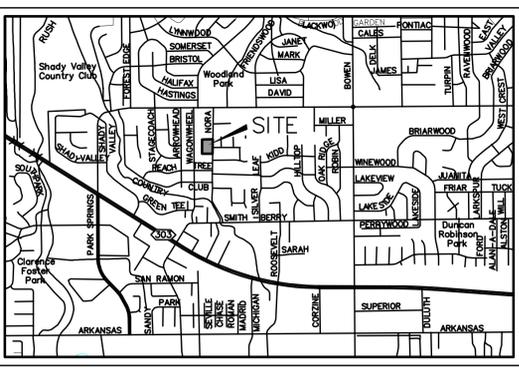
STATE OF TEXAS  
COUNTY OF TARRANT  
BEFORE THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.  
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

**REPLAT**  
**LOT 1R & 2R**  
**FARRELL ADDITION**

AN ADDITION TO THE TOWN OF PANTEGO,  
TARRANT COUNTY, TEXAS, BEING 1.847 ACRES OF LAND  
LOCATED IN THE NATHAN SMITH SURVEY, ABSTRACT No. 1432  
TARRANT COUNTY, TEXAS

PREPARED BY:  
**WIA WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
Texas Board of Professional Land Surveying Registration No. 10033900





# AGENDA BACKGROUND

**AGENDA ITEM:** Public hearing, review, and consider action on Ordinance 16-777 an ordinance of the Town of Pantego, Texas approving the recommendation for zoning case Z-219, a proposed zoning change as requested by Oakview Capital Partners, LLC. for the property at 2214 West Park Row Drive, Lot 2A, Block A of the Southern Flair- Braum's Addition, to the Town of Pantego, Tarrant County, Texas.

**Date:** February 8, 2016

**PRESENTER:**

Dennis Jobe, Community Development Manager

**BACKGROUND:**

Oakview Capital Partners, LLC is requesting a zoning change for the property at 2214 West Park Row Drive Lot 2A, Block A, from C-2 to C-3 zoning to allow like zoning on both properties. The Planning and Zoning Commission voted five (5) to zero (0) to approve this zoning change. The public hearing was published in the Commercial Recorder on January 14, 2016.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends approval of this zoning change. Staff also recommends a re-plat to be submitted and access easements provide.

**ATTACHMENTS:**

Ordinance 16-777  
 Community Development Staff Report  
 P&Z Commissioner Report  
 Application, Zoning Case Z-218  
 Notification Map  
 Notification List  
 Additional Information

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

**ORDINANCE NO. 16-777**

**AN ORDINANCE OF THE TOWN OF PANTEGO AUTHORIZING A ZONING CHANGE FROM C-2 TO C-3, AS REQUESTED BY OAK VIEW CAPITAL PARTNERS, LLC., TO ESTABLISH A MINI-WAREHOUSE STORAGE FACILITY LOCATED AT 2214 WEST PARK ROW DRIVE, LOT 2A, BLOCK A OF THE SOUTHERN FLAIR-BRAUM'S ADDITION, 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 14.02.451 of the Town of Pantego Municipal Code includes a table of permitted uses within each district showing Mini-warehouses are not permissible within C-2 but are permissible within C-3 with outlined restrictions; 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 January 14, 2016; and

**WHEREAS**, the Planning and Zoning Commission has received and reviewed the application from Oak View Capital Partners, LLC and has determined that it complies with all requirements for the rezoning; and

**WHEREAS**, the Commissioners recommended approval of this application at their regularly scheduled meeting on February 1, 2016; and

**WHEREAS**, the Town Council by affirmative vote of four of its members may by ordinance authorize; 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 rezoning from a C-2 to a C-3 to establish a mini-warehouse storage facility located at:

Lot 2A, Block A of the Southern Flair-Braum's Addition in Pantego, Tarrant County,  
Texas  
2214 West Park Row Drive, Pantego, Texas

as requested by Oak View Capital Partners, LLC.

**SECTION 2:**

This Ordinance for rezoning shall require the following conditions:

1. Owner must secure access easements with a re-plat; and
2. Owner must construct and maintain a masonry screening fence on the south side of the property; and
3. Provide adequate fire truck access.

**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 FEBRUARY 2016 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>	February 1, 2016
<b>ACTION REQUESTED:</b>	Consider approval and recommendation for Zoning case Z-219 as requested by Oakview Capital Partners, LLC.
<b>DESCRIPTION:</b>	2214 West Park Row Drive, Lot 2A, Block A of the Southern Flair- Braum's Addition, Pantego, Tarrant County, Texas.
<b>PROPERTY OWNER:</b>	Robert A. Walker
<b>APPLICANT:</b>	Oak View Capital Partners, LLC
<b>CURRENT ZONING:</b>	C-2 Commercial District
<b>SURROUNDING ZONING/LAND USE</b>	North-C-2 Commercial District West- C-3 Commercial District East- C-2 Commercial District South- R-1 Residential One Family District (Arlington)
<b>REQUESTED VARIANCES:</b>	Variance has been requested, from Zoning Board of Adjustment, to raise the allowed height of mini storage office.
<b>ANALYSIS:</b>	This is a Re-Zoning Case to change the current zone of C-2 to a C-3 to allow for the mini storage to be built upon this lot.
<b>RECOMMENDED ACTIONS:</b>	The Planning and Zoning Commission has the following options when considering a Re-Zoning Case application; <ul style="list-style-type: none"> <li>• Recommend approval as submitted;</li> <li>• Recommend approval with conditions;</li> <li>• Table to specific date with clarification of intent and purpose; or</li> <li>• Recommend denial of application.</li> </ul>
<b>STAFF RECOMMENDATION:</b>	Staff recommends approval of this Re-Zoning with the following conditions. <ul style="list-style-type: none"> <li>• Owner must secure access easements with a Re-Plat.</li> <li>• Owner must construct a Masonry Screening Fence on the South Side of property.</li> <li>• Provide adequate Fire truck access</li> </ul>

**REPORT ON PLANNING AND ZONING COMMISSION MEETING**  
**February 1, 2016**

**1. Zoning Case Z-218 – Ann Farrell Re-Plat**

Action: The commissioners voted unanimously to support this re-plat.

Public Hearings: The hearing opened and Mrs. Ann Farrell spoke about her request to re-plat the property which currently has two houses on the property. This re-plat will have a smaller lot with an existing small house and a large lot with a larger house. Nobody spoke in opposition of the proposed re-plat.

Discussion: The commissioner's listened to Mrs. Farrell as well as the City Engineer who discussed the need for the re-plat. The only concern was that Mrs. Farrell requested that one drive be used for both houses. The P&Z commission approved the re-plat, but requested that updated re-plat be provided showing the proposed driveway easement before it goes to council.

**2. Zoning Case Z-219 – Oakview Capital Partners zoning change (Storage Unit)**

Action: The commissioners voted unanimously to approve this zoning change from C-2 – C-3.

Public Hearings: The hearing opened with the proposed developer discussing the project and requesting for the zoning change to allow for the proposed storage unit. The owner of Southern Flair Photography also spoke in favor and was glad that the property was going to be developed. A gentlemen from an Arlington house behind the proposed project spoke in opposition. He was not against the project, more concerned about the way the project was going to impact his property with the addition of lights and noise. It was recommended the he talk with the developer after the meeting to get his concerns addressed.

Discussion: The commissioner's had very few questions about the proposal. It was discussed that the developer will need to come back for at least two more zoning issues. They are trying to acquire an additional C-2 property directly behind Braums. If they do that, then they will need to get approval for that zoning change as well as a re-plat.

Any questions or concerns about this summary, please feel free to contact me at any time.

Stephen Smith  
Chairman



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

### APPLICATION FOR AMENDMENT TO ZONING CLASSIFICATION

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

Name: OAK VIEW CAPITAL PARTNERS LLC Date: 1-7-16

Address: 201 HAWKS RIDGE TRL  
Street Address

COLLEYVILLE TX 76034  
City State Zip

Phone: 214-460-8442 Email: brad@oakviewcp.com

Applicant Status:  Owner  Tenant  Purchaser  Other

**PROPERTY DEVELOPMENT INFORMATION**

Address: 2200 Block W PARK ROW

Legal Description:  
 Property is subdivided: Addition: BRAUN'S ADDITION  
Lot: 2A Block: A

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

Existing Classification: C-2 Proposed Classification: C-3

Developer: <u>OAKVIEW CAPITAL</u>	Agent: _____
Address: <u>201 HAWKS RIDGE TRL</u>	Address: _____
City/State/Zip: <u>COLLEYVILLE, TX</u>	City/State/Zip: _____
Phone/Fax: <u>214-460-8442</u>	Phone/Fax: _____
Surveyor: <u>FULLER ENGINEERING</u>	Engineer: <u>HAYES ENGINEERING</u>
Address: <u>2411 GARDEN PARK CT</u>	Address: <u>2126 ALPINE RD</u>
City/State/Zip: <u>ARLINGTON, TX 76013</u>	City/State/Zip: <u>COLLEYVILLE, TX 76011</u>
Phone/Fax: <u>817-856-2442</u>	Phone/Fax: <u>903-758-2010</u>

Present use of the property: VACANT LAND

Proposed use of the property: MINI STORAGE

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: [Signature] Date: 1-7-16

OFFICE USE ONLY

Application Checklist:

- Completed, signed, notarized application form
Agent Authorization Form (if necessary)
Application Fee
Tax Certificate
Survey Plat: 15 paper copies and 1 digital copy (.pdf or .tif)

Application accepted by: Date:

Checked for completeness: Fee Paid: Receipt No.:

Remarks:

Set for P&Z: Set for Council:



Agent Authorization Form -- to be used if Owner is not Applicant

Date: 12/30/2015

This letter shall serve as authorization for \_\_\_\_\_ to file this application for the property described herein.

Owner: Robert A. Walker

Address: P.O. Box 13933

City / State / Zip: Arlington, TX 76094-0933

Phone / Fax: 817-896-3737

Recorded in Volume \_\_\_\_\_ Page \_\_\_\_\_ Document Numbers 205356712 & 206086123 Tarrant County Deed Records

[Handwritten Signature]  
Owner's Signature

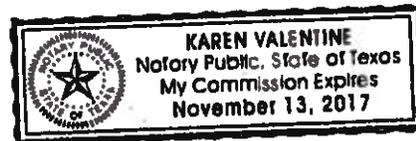
State of Texas )

County of )

Sworn and subscribed before me the undersigned notary public this the 30<sup>th</sup> day of December 20 15.

Karen Valentine

Notary Public



Commission Expires: 11/13/2017

Seal:

WHEREAS WE, RETAIL BUILDINGS, INC. and DWAYNE LEE are the owners of a tract of land situated in the W. J. Barry Survey, Abstract No. 155, Town of Pantego, Tarrant County, Texas and being all of that certain tract of land as described by deed to Paul McGinnis and recorded in Volume 13120, Page 229, Deed Records, Tarrant County, Texas, said tract being more particularly described by metes and bounds as follows:

BEGINNING at a point in the south right-of-way line of W. Park Row, said point being the northeast corner of Lot 1-R-1, Block 1, Village Park Addition, an addition to the Town of Pantego according to the plat recorded in Volume 388-158, Page 80, Plat Records, Tarrant County, Texas;

THENCE North 89° 55' 54" East, along said south right-of-way line, a distance of 349.46 feet to a 3/8" iron rod found at the northwest corner of Lot 3, Block A, Barry Addition, an addition to the Town of Pantego according to the plat recorded in Volume 388-198, Page 55, Plat Records, Tarrant County, Texas;

THENCE South 00° 00' 00" West, along the west line of said Lot 3, a distance of 493.08 feet to a 1/2" iron rod found in the north line of Block 1, Lakewood Addition, an addition to the City of Arlington according to the plat recorded in Volume 388-40, Page 8, said Plat Records;

THENCE North 89° 56' 05" West, along the north line of said Block 1, a distance of 348.05 feet to a point for the southeast corner of Lot 2R, Block 1, Village Park Addition, an addition to the Town of Pantego according to the plat recorded in Volume 388-158, Page 80, Plat Records, Tarrant County, Texas;

THENCE North 00° 09' 51" West, along the east line of said Lot 2R, Block 1, and said Lot 1-R-1, Block 1, Village Park Addition, a distance of 492.27 feet to the POINT OF BEGINNING and containing 171,822 square feet or 3.94449 acres of land.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That RETAIL BUILDINGS, INC. and DWAYNE LEE do hereby adopt this plat, designating the herein above described property as Lot 1A, 2A and 3, Block A, SOUTHERN FLAIR - BRAUM'S ADDITION, an addition to the Town of Pantego, Texas

WITNESS, my hand at Dallas, Texas, this the 15th day of MARCH, 2000.

*Dwayne Lee*  
Dwayne Lee  
Drew M. Braum, President  
Retail Buildings, Inc.

STATE OF TEXAS  
COUNTY OF TARRANT

BEFORE me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Dwayne Lee, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office, this the 15th day of MARCH, 2000.  
*Christina Slote*  
Christina Slote  
Notary Public in and for  
The State of Texas

STATE OF TEXAS-OKLAHOMA  
COUNTY OF TARRANT OKLAHOMA

BEFORE me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Drew M. Braum, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office, this the 15th day of MARCH, 2000.  
*Melinda Green*  
Melinda Green  
Notary Public in and for  
The State of Texas OKLAHOMA

SURVEYOR'S CERTIFICATE

I, Joseph C. Hersey, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I have prepared this plat from a actual on the ground survey of the land, and the monuments shown hereon were found or placed under my personal supervision in accordance with the platting rules and regulations of the Planning and Zoning Commission of the Town of Pantego, Texas.

*Joseph C. Hersey*  
Joseph C. Hersey  
Registered Professional  
Land Surveyor No. 1851

STATE OF TEXAS  
COUNTY OF TARRANT

BEFORE me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Joseph C. Hersey, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office, this the 3rd day of April, 2000.  
*Kevin B. Fagan*  
Kevin B. Fagan  
Notary Public in and for  
The State of Texas

Lot 1A, 2A, & 3, Block A  
SOUTHERN FLAIR - BRAUM'S ADDITION  
Replat of Lot 1, Block A Braum's Addition  
and Lots 1 & 2 Southern Flair Addition

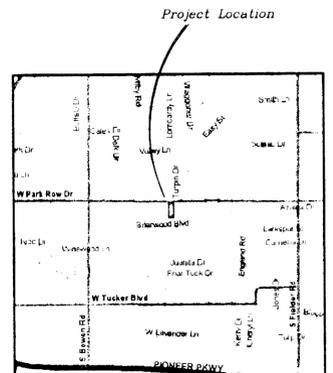
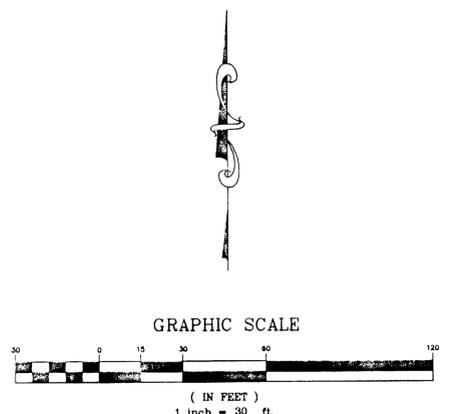
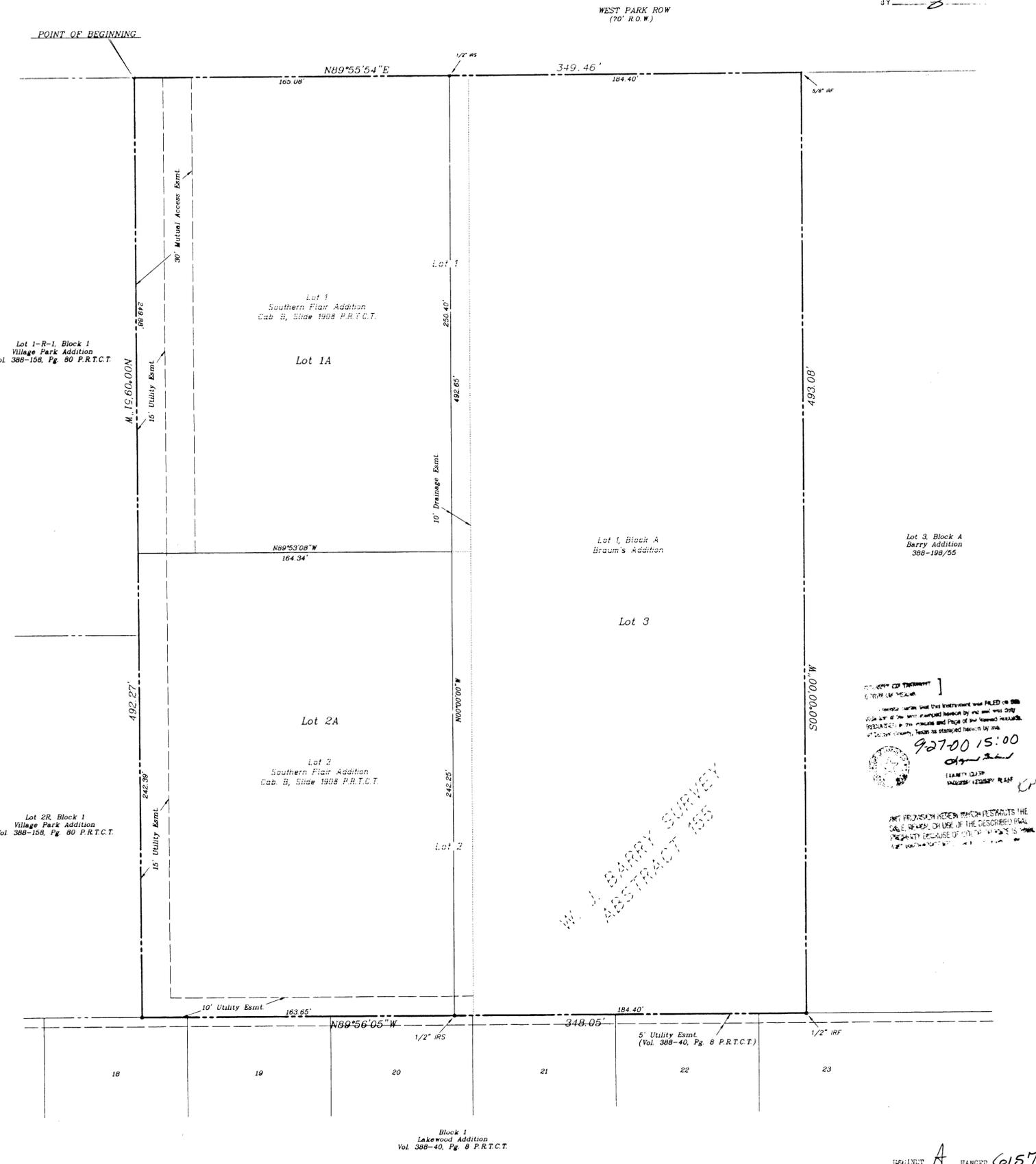
OUT OF THE  
W. J. BARRY SURVEY, ABSTRACT NO. 155  
Town of Pantego, TARRANT COUNTY, TEXAS

Scale: 1"=30' Date: February 2, 2000

OWNER:  
RETAIL BUILDINGS, INC.  
3000 N.E. 63rd STREET  
OKLAHOMA CITY, OK. 73121  
(405) 478-1656

ENGINEER:  
& HERSEY & ASSOCIATES  
11325 PEGASUS STREET  
SUITE E-118  
DALLAS, TEXAS 75238  
(214) 343-6222

W/O 2302



TOWN COUNCIL  
PANTEGO, TEXAS  
Approval Date August 1, 2000  
*Pat Liberman*  
Mayor  
*Joan Brown*  
City Secretary

PLANNING & ZONING COMMISSION  
PANTEGO, TEXAS  
Approval Date August 1, 2000  
*Dwaine Darnell*  
Chairman  
*Joan Brown*  
Secretary

D200219448

A-6157

D200219448

A-6157<sup>97</sup>

OWNER'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF TARRANT

A1144

WHEREAS WE, RETAIL BUILDINGS, INC. and DWAYNE LEE are the owners of a tract of land situated in the W. J. Barry Survey, Abstract No. 155, Town of Pantego, Tarrant County, Texas and being all of that certain tract of land as described by deed to Paul McGinnis and recorded in Volume 13120, Page 229, Deed Records, Tarrant County, Texas, said tract being more particularly described by metes and bounds as follows:

BEGINNING at a point in the south right-of-way line of W. Park Row, said point being the northeast comer of Lot 1-R-1, Block 1, Village Park Addition, an addition to the Town of Pantego according to the plat recorded in Volume 388-158, Page 80, Plat Records, Tarrant County, Texas;

THENCE North 89° 55' 54" East, along said south right-of-way line, a distance of 349.46 feet to a 5/8" iron rod found at the northwest corner of Lot 3, Block A, Barry Addition, an addition to the Town of Pantego according to the plat recorded in Volume 388-198, Page 55, Plat Records, Tarrant County, Texas;

THENCE South 00° 00' 00" West, along the west line of said Lot 3, a distance of 493.08 feet to a 1/2" iron rod found in the north line of Block 1, Lakewood Addition, an addition to the City of Arlington according to the plat recorded in Volume 388-40, Page 8, said Plat Records;

THENCE North 89° 56' 05" West, along the north line of said Block 1, a distance of 348.05 feet to a point for the southeast corner of Lot 2R, Block 1, Village Park Addition, an addition to the Town of Pantego according to the plat recorded in Volume 388-158, Page 80, Plat Records, Tarrant County, Texas;

THENCE North 00° 09' 51" West, along the east line of said Lot 2R, Block 1, and said Lot 1-R-1, Block 1, Village Park Addition, a distance of 492.27 feet to the POINT OF BEGINNING and containing 171,822 square feet or 3.94449 acres of land.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

A244

That RETAIL BUILDINGS, INC. and DWAYNE LEE does hereby adopt this plat, designating the herein above described property as Lot 1A, 2A and 3, Block A, SOUTHERN FLAIR - BRAUM'S ADDITION, an addition to the Town of Pantego, Texas

WITNESS, my hand at Dallas, Texas, this the 9<sup>th</sup> day of June 2000.

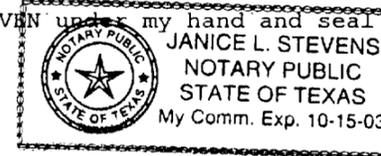
*Dwayne Lee*  
Dwayne Lee

*Drew M. Braum*  
Drew M. Braum, President

STATE OF TEXAS  
COUNTY OF TARRANT

BEFORE me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Dwayne Lee, known to me to be the person whose name is subscribed to the fore going instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office, this the 9<sup>th</sup> day of June 2000.

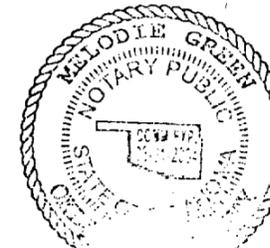


*Janice Stevens*  
Notary Public in and for  
The State of Texas

STATE OF OKLAHOMA  
COUNTY OF OKLAHOMA

BEFORE me, the undersigned authority, a Notary Public in and for the State of ~~Texas~~ <sup>Oklahoma</sup>, on this day personally appeared Drew M. Braum, known to me to be the person whose name is subscribed to the fore going instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office, this the 27<sup>th</sup> day of April 2000.



*Melodie Green*  
Notary Public in and for  
The State of ~~Texas~~ Oklahoma

PLAT RECORD VOLUME 388 158

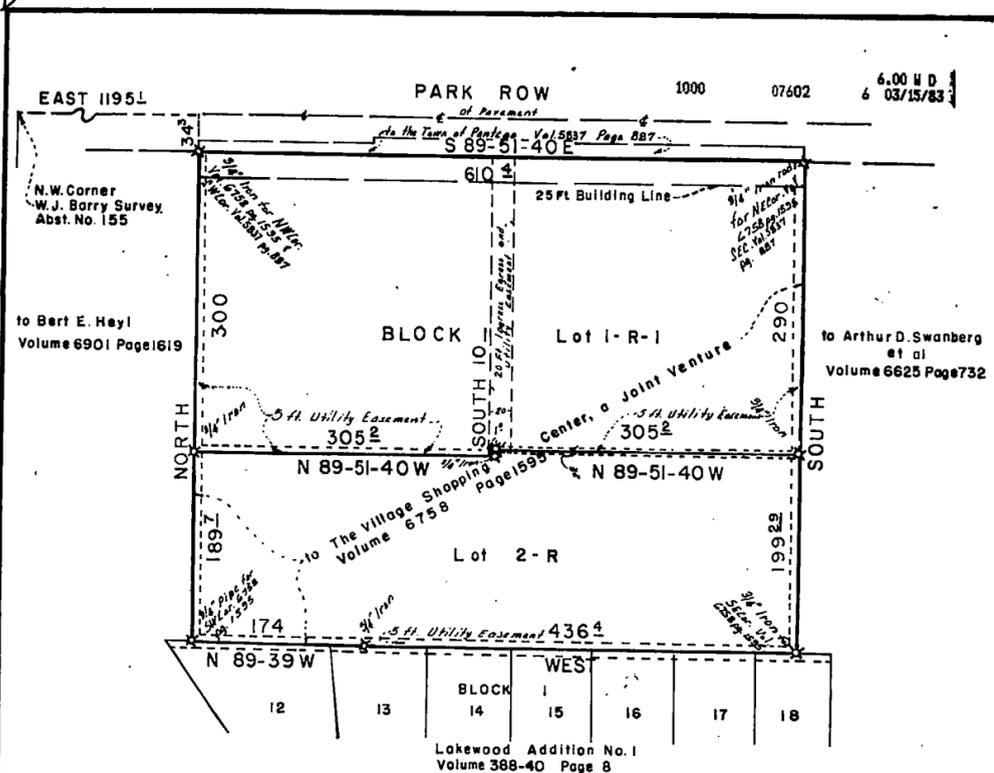
80

VILLAGE PARK ADD.

388-158-80

(Lts 1R1+2R BLK1)

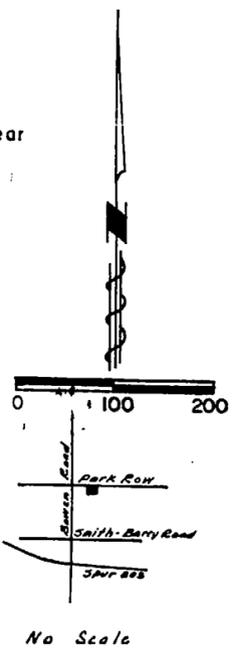
PANTEGO



Map of  
 Lot 1-R-1 and 2-R in Block 1 of  
 VILLAGE PARK ADDITION  
 an Addition in the Town of Pantego in  
 Tarrant County, Texas and embracing  
 Lots 1-R and 2-R in said Block 1 as they appear  
 upon the map recorded in Volume 388-136 Page 86  
 of the Tarrant County Deed Records.  
 Surveyed in February 1983.  
 BROOKES BAKER SURVEYORS  
 C. Richard Davis



Approved 3-14-1983  
 by Hank Bloom  
 by E. J. ...  
 by ...  
 Chairman Planning & Zoning Board



DEDICATION  
 THE STATE OF TEXAS §  
 COUNTY OF TARRANT §  
 KNOW ALL MEN BY THESE PRESENTS  
 THAT WHEREAS, THE VILLAGE SHOPPING CENTER JOINT VENTURE, is the owner of:

Part of the W. J. Barry Survey, Abstract No. 155, situated in the Town of Pantego in Tarrant County, Texas; and embracing Lots 1-R and 2-R in Block 1 of Village Park Addition as they appear upon the map recorded in volume 388-136, page 86 of the Tarrant County Deed Records and being the same tract described in the deed to The Village Shopping Center, a Joint Venture recorded in volume 6758, page 1595 of the said Deed Records.

Beginning at a 3/4" iron rod for the northwest corner of said Lot 2-R in Block 1 and said Shopping Center tract and being for the southwest corner of the tract described in the deed to the Town of Pantego recorded in volume 5837, page 887 of the said Deed Records.

Thence south 89 degrees-51 minutes-40 seconds east, along the north line of said Block 1 and the south line of said Pantego tract 610-4/10 feet to a 3/4" iron rod for the northeast corner of said Lot 1-R in Block 1 and said Shopping Center tract and for southeast corner of said Pantego tract.

Thence south, along the east line of said Block 1 and said Shopping Center tract, and the west line of the tract described in the deed to Arthur D. Swanberg, et al, recorded in volume 6625, page 732 of the said Deed Records, 489-29/100 feet to a 3/4" iron rod.

Thence west, along the south line of the said Block 1 and said Shopping Center tract, 436-40/100 feet to a 3/4" iron rod.

Thence north 89 degrees-39 minutes west, continuing along the said south line of Block 1 and Shopping Center tract, 174 feet to a 3/4" iron pipe for the southwest corner of said Block 1 and said Shopping Center tract.

Thence north, along the west line of said Block 1 and said Shopping Center tract, 489-7/10 feet to the place of beginning and containing 6-864/1000 acres.

THE VILLAGE SHOPPING CENTER JOINT VENTURE does hereby adopt the attached plat revision the above described property as Lots 1-R-1 & 2-R in Block 1, Village Park Addition, an Addition to the Town of Pantego, Tarrant County, Texas, and does hereby dedicate to the use of the public all streets and easements as shown thereon.

IN WITNESS THEREOF THIS DEDICATION is executed this the 8th day of March, 1983.

James A. Sammons, Trustee

THE STATE OF TEXAS §  
 COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this Day personally appeared James A. Sammons known to me as the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration thereon expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 8th day of March, 1983.

Paula Harjula  
 Notary Public

STATE OF TEXAS  
 COUNTY OF TARRANT  
 I hereby certify that this instrument was FILED on this date and at the time stamped herein by me and was duly RECORDED in the Volume and Page of the Record of Tarrant County, Texas, as stamped herein by me.

MAR 15 1983

FILED  
 MAR 15 9 28  
 COUNTY CLERK  
 TARRANT COUNTY, TEXAS



Madeline Huffman  
 COUNTY CLERK  
 TARRANT COUNTY, TEXAS

CHECKED  
 BY

BROOKES BAKER SURVEYORS  
 Brookes Baker Building  
 511 E. Buff Street  
 Ft. Worth, Texas 76102-2293  
 817-335-7151 Metro 428-6119

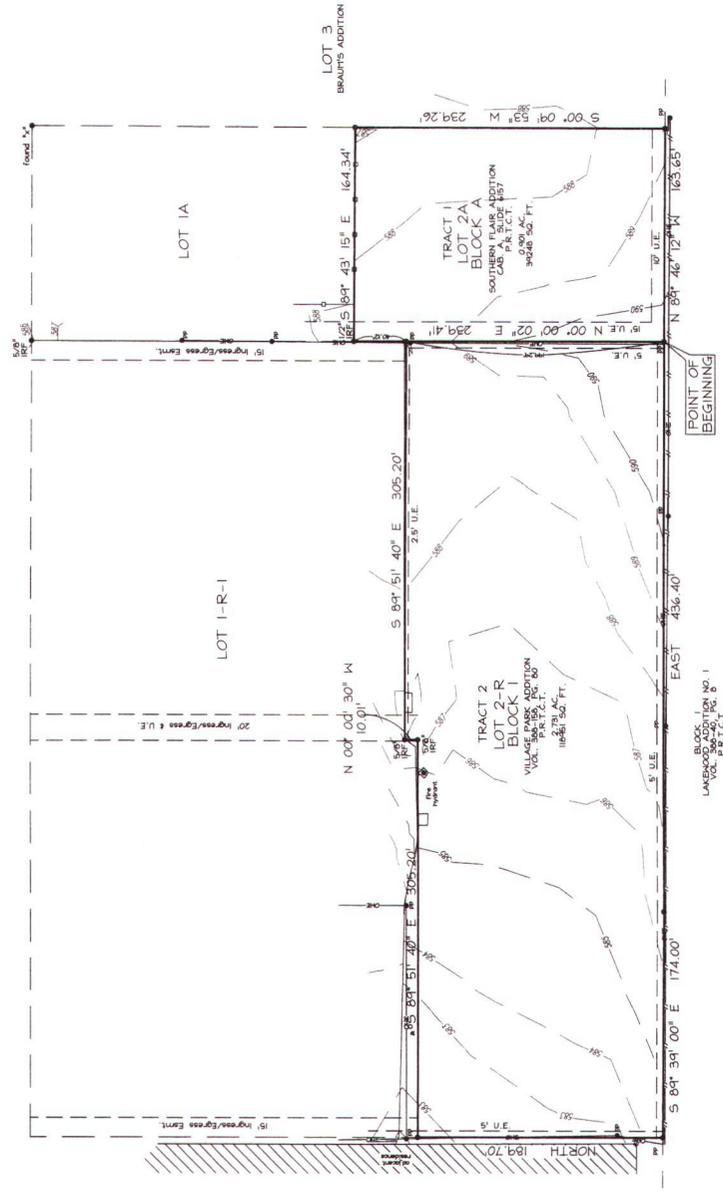
**LEGAL DESCRIPTION**

TRACT 1  
 L&L Block A, SOUTHERN FLAIR-BRAUNTS ADDITION, on addition to the  
 Survey recorded in Grant A, Book 237, of the Public Records of Tarrant  
 County, Texas.

TRACT 2  
 Lot 2-R, Block 1, of Village One Addition, on addition to the Survey  
 recorded in Volume 385-145, Page 85, of the Public Records of Tarrant  
 County, Texas.

Tract 1 is not affected by the Survey. A.C.C.L.  
 Tract 2 is not affected by the Survey. A.C.C.L.  
 The Survey is a subdivision of the Survey recorded in  
 Volume 385-145, Page 85, of the Public Records of Tarrant  
 County, Texas. The Survey is a subdivision of the Survey  
 recorded in Volume 385-145, Page 85, of the Public Records of  
 Tarrant County, Texas.

WEST PARK ROW



POINT OF BEGINNING

Scale: 1" = 50'



Address: 2220 S 224th WEST PARK ROW DRIVE  
 G.P. No.: LT-1978-1980044-34  
 11/02/2015

**FULLER ENGINEERING & LAND SURVEYING, INC.**  
 Texas Registered Professional Surveyors License No. 1-0088 and Landmark License No. 000000

- LEGEND OF ABBREVIATIONS AND SYMBOLS**
- B.C. - Block Corner
  - D.L. - Ditch Line
  - E.P. - Easement Point
  - I.P. - Iron Pipe
  - L.S. - Lot Survey
  - M.E. - Monument Easement
  - P.A.E. - Public Access Easement
  - S.P.E. - Special Easement
  - S.P. - Subdivision Plat
  - R.P. - Railroad Plat
  - U.E. - Utility Easement
  - X.T.R. - X-Termination
  - O.H.E. - Overhead Electric
  - R.F. - Road Fence
  - U.F. - Utility Fence
  - T.F. - Top Fence
  - R.F. - Right of Way
  - S.B. - Survey Boundary
  - C.P. - Corner Point
  - C.P. - Concrete
  - G. - Gravel
  - I.D. - Irregular Ditch
  - D. - Ditch
  - B. - Block
  - S. - Stone or Brick

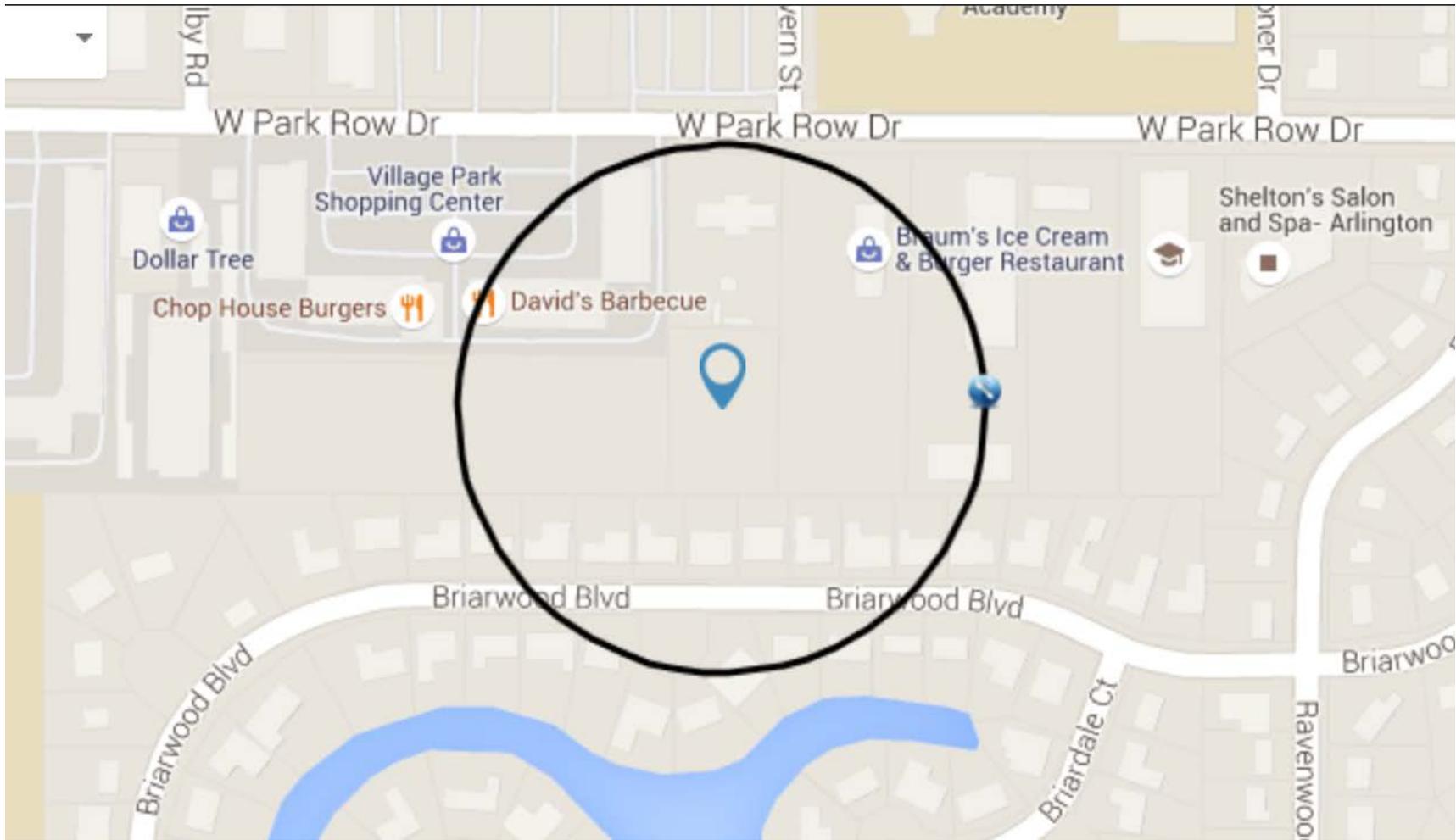




# Climate Controlled Storage

W. Park Row Pantego, Texas 76013

 **ROBERT W. KELLY**  
ARCHITECT INC.  
201 S. CALHOUN ST. STE. 125B  
FORT WORTH, TEXAS 76104  
TEL: 817-332-5014 FAX: 817-332-8570



Notification List Z-219					
Name	Address	City	State	Zip Code	Adtl. Address
VILLAGE PARK INVESTMENTS LP	670 ARAPAHO RD	RICHARDSON	TX	75080	
DWAYNE LEE	2214 W PARK ROW DR	PANTEGO	TX	76013	
RETAIL BUILDINGS INC	3000 NE 63RD ST	OKLAHOMA CIT	TX	73121	
IVESON & LEE PARTNERS LP	325 S MESQUITE ST SUITE 102	ARLINGTON	TX	76010	
MARY HELEN BURNETT	2207 BRIARWOOD BLVD	ARLINGTON	TX	76013	
JAMES & DORIS ALEXANDER	2206 BRIARWOOD BLVD	ARLINGTON	TX	76013	
GEORGE FAUGHT	2205 BRIARWOOD BLVD	ARLINGTON	TX	76013	
DONALD & CYNTHIS WERNER	2204 BRIARWOOD BLVD	ARLINGTON	TX	76013	
AARON & ELLEN HEIDELMEIER	2203 BRIARWOOD BLVD	ARLINGTON	TX	76013	
DAN & LAURIE RIOUX	PO BOX 1402	MANSFIELD	TX	76063	2202 BRIARWOOD BLVD
GERALDINE JOHNSON	2201 BRIARWOOD BLVD	ARLINGTON	TX	76013	
INEZ HUNT	2200 BRIARWOOD BLVD	ARLINGTON	TX	76013	
CASEY SCOTT TERRELL	2113 BRIARWOOD BLVD	ARLINGTON	TX	76013	
BOBBY PARKER LANE	2111 BRIARWOOD BLVD	ARLINGTON	TX	76013	
GEORGE KLEOPFER	2110 BRIARWOOD BLVD	ARLINGTON	TX	76013	
CURRENT OWNER	2109 BRIARWOOD BLVD	ARLINGTON	TX	76013	
KELLY STONE	2108 BRIARWOOD BLVD	ARLINGTON	TX	76013	
SS METROPLEX INVESTMENTS LLC	2021 SHADOW RIDGE DR	ARLINGTON	TX	76006	2107 BRIARWOOD BLVD
THOMAS WILSON	2106 BRIARWOOD BLDV	ARLINGTON	TX	76013	



# AGENDA BACKGROUND

**AGENDA ITEM:** Public Hearing, discuss, direct, and consider action on Ordinance 16-778 to regulate Credit Access Businesses generally known as cash advance and payday lenders.

**Date:** February 8, 2016

**PRESENTER:**

Matt Fielder, City Manager

**BACKGROUND:**

At the January 25<sup>th</sup> regular Town Council meeting, the Staff reviewed a proposed ordinance for the regulation of Credit Access Businesses. These are better known as cash advance, payday lending, or car title lending businesses. The proposed ordinance is identical to the Texas Municipal League model ordinance that has been adopted by more than twenty-five communities, including the City of Arlington. The ordinance includes the following provisions:

- Limiting loans to 20% of gross monthly income;
- Limiting auto title loans to the lesser of 3% of gross annual income or 70% of retail car value;
- Limiting repayment to four (4) installments with each repaying at least 25% of principal;
- Prohibiting renewals or refinancing of installment-payment loans;
- Registration with the Town;
- Maintaining loan records for a minimum of three (3) years;
- Violation or infractions fined up to \$500 each;
- If consumer is non-English speaker, loan agreements must be translated into the language of preference. If consumer is non-English speaker and unable to read, loan agreements must be read, in the language of preference; and
- A list of non-profit groups that offer consumer credit counseling must be provided to consumers.

Staff recommends a thirty-day waiting period for the implementation of the ordinance in order to provide notification to existing businesses and establishing forms and processes to enforce the ordinance.

**FISCAL IMPACT:**

\$100 permit fee

**RECOMMENDATION:**

Staff recommends approval of Ordinance 16-778

**ATTACHMENTS:**

Ordinance 16-778

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

**ORDINANCE NO. 16-778**

**AN ORDINANCE OF THE TOWN OF PANTEGO SETTING FORTH REGISTRATION REQUIREMENTS AND CREDIT EXTENSION GUIDELINES FOR CREDIT ACCESS BUSINESSES AND PROVIDING A PENALTY.**

**WHEREAS**, certain credit access businesses engage in abusive and predatory lending practices, offering easy money to those members of our community who are in a tight spot with onerous terms and fees; and

**WHEREAS**, the practices of certain access businesses cause members of our community to become trapped in a cycle of short term, high interest loans resulting in large debt and huge payments; and

**WHEREAS**, the Pew Charitable Trusts, in their publication entitled *Payday Lending in America: Who Borrows, Where they Borrow, and Why*, (July 2012), wrote that “payday loans are sold as two-week credit products that provide fast cash, but borrowers are actually indebted for an average of five months per year.” The report further noted that “on average, a borrower takes out eight loans of \$375 each per year and spends \$520 on interest;” and

**WHEREAS**, the Pew Charitable Trusts, in their publication entitled *Payday Lending in America: Who Borrows, Where they Borrow, and Why*, (July 2012), also noted: “How much borrowers spend on loans depends heavily on the fees permitted by their state. The same \$500 storefront loan would generally cost about \$55 in Florida, \$75 in Nebraska, \$87.50 in Alabama, and \$100 in Texas, even if it were provided by the same national company in all those states. Previous research has found that lenders tend to charge the maximum permitted in a state;” and

**WHEREAS**, the Pew Charitable Trusts, in their publication entitled *Payday Lending in America: Who Borrows, Where they Borrow, and Why*, (July 2012), also stated that “the vast majority of borrowers use the loans on a long-term basis, not temporary one. Thus it seems that the payday loan industry is selling a product few people use as designed and that imposes debt that is consistently more costly and longer lasting than advertised;” and

**WHEREAS**, the Community Financial Services Association of America (CFSA), the national trade association for companies that offer small dollar, short-term loans or payday advances includes the following in the “Member Best Practices” as listed on its internet site (<http://cfsaa.com/cfsa-member-best-practices.aspx>): “Members shall not allow customers to rollover a payday advance (the extension of an outstanding advance by payment of only a fee) unless expressly authorized by state law, but in such cases where authorized will limit rollovers to four or the state limit, whichever is less.” The need for consumer understanding was also outlined on this website: “A contract between a member and the customer must fully outline the terms of the payday advance transaction. Members agree to disclose the cost of the service fee both as a dollar amount and as an annual percentage rate (“APR”);” and

**WHEREAS**, the Center for Responsible Lending, a non-profit, non-partisan organization, states on its internet site (<http://www.responsiblelending.org/other-consumer-loans/tools-resources/fast-facts.html>) that: “car title loans are based on the value of a borrower’s car - the ability to repay the loans is not factor in the lending decision...”; “loan rates for a car title are

typically 20-30 times that of rates charged by credit card issuers...”; “the average car title customer renews their loan 8 times...”; and, “on a \$500 title loan, this average customer will pay back \$650 in interest over eight months; the principal borrowed will be in addition;” and

**WHEREAS**, lenders hold onto the motor vehicle title and when borrowers cannot continue to pay the fees, they can lose their vehicles, which can drastically affect the borrower’s means of transportation for work and other essential household functions.

**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:**

#### **CHAPTER 4 BUSINESS REGULATIONS**

##### **Section 1. Article 4.07 - CREDIT ACCESS BUSINESSES**

###### **Sec. 4.07.001 - Short Title and Purpose.**

(a) This article may be known and cited as “Credit Access Businesses Regulation.”

(b) The purpose of this article is to protect the welfare of the citizens of the Town of Pantego by monitoring credit access businesses in an effort to reduce abusive and predatory lending practices. To this end, this article establishes a registration program for credit access businesses, imposes restrictions on extensions of consumer credit made by credit access businesses, and imposes recordkeeping requirements on credit access businesses.

###### **Sec. 4.07.002 - Definitions.**

As used in this chapter:

**CERTIFICATE OF REGISTRATION** means a certificate of registration issued by the director under this article to the owner or operator of a credit access business.

**CONSUMER** means an individual who is solicited to purchase or who purchases the services of a credit access business.

**CONSUMER’S LANGUAGE OF PREFERENCE** is the language the consumer understands best.

**CREDIT ACCESS BUSINESS** has the meaning given that term in Section 393.601 of the Texas Finance Code.

**DEFERRED PRESENTMENT TRANSACTION** has the meaning given that term in Section 393.601 of the Texas Finance Code.

**DIRECTOR** means the director of the department designated by the Town Council, City Manager, or Town Council or City Manager's Designee, to enforce and administer this chapter.

**EXTENSION OF CONSUMER CREDIT** has the meaning given that term in Section 393.001 of the Texas Finance Code.

**MOTOR VEHICLE TITLE LOAN** has the meaning given that term in Section 393.601 of the Texas Finance Code.

**PERSON** means any individual, corporation, organization, partnership, association, financial institution, or any other legal entity.

**REGISTRANT** means a person issued a certificate of registration for a credit access business under this chapter and includes all owners and operators of the credit access business identified in the registration application filed under this chapter.

**STATE LICENSE** means a license to operate a credit access business issued by the Texas Consumer Credit Commissioner under Chapter 393, Subchapter G of the Texas Finance Code.

#### **Sec. 4.07.003 - Violations; Penalty**

(a) A person who violates a provision of this chapter, or who fails to perform an act required of the person by this chapter, commits an offense. A person commits a separate offense for each and every violation relating to an extension of consumer credit, and for each day during which a violation is committed, permitted, or continued.

(b) An offense under this chapter is punishable by a fine of not more than \$500.

(c) A culpable mental state is not required for the commission of an offense under this article and need not be proved.

(d) The penalties provided for in Subsection (b) are in addition to any other remedies that the town may have under town ordinances and state law.

#### **Sec. 4.07.004 - Defenses**

It is a defense to prosecution under this article that at the time of the alleged offense the person was not required to be licensed by the state as a credit access business under Chapter 393, Subchapter G, of the Texas Finance Code.

#### **Sec. 4.07.005 - Registration Required**

A person commits an offense if the person acts, operates, or conducts businesses as a credit access business without a valid certificate of registration. A certificate of registration is required for each physically separate credit access business.

#### **Sec. 4.07.006 - Registration Application**

(a) To obtain a certificate of registration for a credit access business, a person must submit an application on a form provided for that purpose to the director. The application must contain the following:

- (1) The name, street address, mailing address, facsimile number, and telephone number of the applicant.
- (2) The business or trade name, street address, mailing address, facsimile number, and telephone number of the credit access business.
- (3) The names, street addresses, mailing addresses, and telephone numbers of all owners of the credit access business, and the nature and extent of each person's interest in the credit access business.
- (4) A copy of a current, valid state license held by the credit access business pursuant to Chapter 393, Subchapter G of the Texas Finance Code.
- (5) A copy of a current, valid certificate of occupancy showing that the credit access business is in compliance with the Town of Pantego Code.
- (6) A non-refundable application fee for the amount established.

(b) An applicant or registrant shall notify the director within 45 days after any material change in the information contained in the application for a certificate of registration, including, but not limited to, any change of address and any change in the status of the state license held by the applicant or registrant.

#### **Sec. 4.07.007 - Issuance and Display of Certificate of Registration; Presentment upon Request.**

(a) The director shall issue to the applicant a certificate of registration upon receiving a completed application under Section 4.07.006.

(b) A certificate of registration issued under this section must be conspicuously displayed to the public in the credit access business. The certificate of registration must be presented upon request to the director or any peace officer for examination.

#### **Sec. 4.07.008 - Expiration and Renewal of Certificate of Registration.**

(a) A certificate of registration expires on the earliest of:

- (1) One year after the date of issuance; or
- (2) The date of revocation, suspension, surrender, expiration without renewal, or other termination of the registrant's state license.

(b) A certificate of registration may be renewed by making application in accordance with Section 4.07.006. A registrant shall apply for renewal at least 30 days before the expiration of the registration.

**Sec. 4.07.009 - Non-transferability.**

A certificate of registration for a credit access business is not transferable.

**Sec. 4.07.010- Maintenance of Records.**

(a) A credit access business shall maintain a complete set of records of all extensions of consumer credit arranged or obtained by the credit access business, which must include the following information:

- (1) The name and address of the consumer.
- (2) The principal amount of cash actually advanced.
- (3) The length of the extension of consumer credit, including the number of installments and renewals.
- (4) The fees charged by the credit access business to arrange or obtain an extension of consumer credit; and

(5) The documentation used to establish a consumer's income under Section 4.07.011 of this ordinance.

(b) A credit access business shall maintain a copy of each written agreement between the credit access business and a consumer evidencing an extension of a consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer).

(c) A credit access business shall maintain copies of all quarterly reports filed with the Texas Consumer Credit Commissioner under Section 393.627 of the Texas Finance Code.

(d) The records required to be maintained by a credit access business under this section must be retained for at least three years and made available for inspection by the town upon request during the usual and customary business hours of the credit access business.

**Sec. 4.07.011 - Restriction on Extension of Consumer Credit.**

(a) The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a deferred presentment transaction may not exceed 20 percent of the consumer's gross monthly income.

(b) The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a motor vehicle title loan may not exceed the lesser of:

- (1) Three percent of the consumer's gross annual income; or
- (2) 70 percent of the retail value of the motor vehicle.

(c) A credit access business shall use a paycheck or other documentation establishing income to determine a consumer's income.

(d) An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for repayment in installments may not be payable in more than four installments. Proceeds from each installment must be used to repay at least 25 percent of the principal amount of the extension of consumer credit. An extension of consumer credit that provides for repayment in installments may not be refinanced or renewed.

(e) An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for a single lump sum repayment may not be refinanced or renewed more than three times. Proceeds from each refinancing or renewal must be used to repay at least 25 percent of the principal amount of the original extension of consumer credit.

(f) For purposes of this section, an extension of consumer credit that is made to a consumer within seven days after a previous extension of consumer credit has been paid by the consumer will constitute a refinancing or renewal.

**Sec. 4.07.012 - Requirement of Consumer Understanding of Agreement.**

(a) Every agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer), must be written in the consumer's language of preference. Every credit access business location must maintain on its premises, to be available for use by consumers, agreements in the English and Spanish languages.

(b) For every consumer who cannot read, every agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer) must be read to the consumer in its entirety in the consumer's language of preference, prior to the consumer's signature.

(c) For every consumer who cannot read, every disclosure and notice required by law must be read to the consumers in its entirety in the consumer's language of preference, prior to the consumer's signature.

**Sec. 4.07.013 - Referral to Consumer Credit Counseling.**

A credit access business shall provide a form, to be prescribed by the Director, to each consumer seeking assistance in obtaining an extension of consumer credit which references non-profit agencies that provide financial education and training programs and agencies with cash assistance programs. The form will also contain information regarding extensions of consumer credit, and must include the information required by Sec. 4.07.010(a)(1)-(5) of this ordinance specific to the loan agreement with the consumer. If the Director has prescribed a form in the consumer's language of preference, the form must be provided in the consumer's language of preference.

**Section 2.** Should any article, section, part, paragraph, sentence, phrase, clause, or word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be illegal, inoperative, unconstitutional, invalid, or ineffective.

**Section 3.** 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 FEBRUARY 2016 BY A VOTE OF \_ AYES, \_ NAYS, AND \_ ABSTENTIONS, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS.**

**TOWN OF PANTEGO**

ATTEST:

\_\_\_\_\_

Melody Paradise, Mayor

\_\_\_\_\_

Julie Arrington, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_

Jim Jeffrey, Town Attorney



# AGENDA BACKGROUND

**AGENDA ITEM:** Discuss, direct, and consider action on Resolution 16-02 a resolution of the Town of Pantego authorizing the City Manager to enter into a contract with Flair Events for the purpose of coordinating and working the PantegoFest 2016 Festival.

**Date:** February 8, 2015

**PRESENTER:**

Matt Fielder, City Manager

**BACKGROUND:**

At the last regular Town Council meeting, the Council directed staff to move forward with planning for a two-day PantegoFest event for 2016. It is to be held Friday evening and Saturday afternoon-evening on the weekend of September 23-24. The next step is to secure the services of an event planner. A proposed contract with Flair Events is attached. The cost has been reduced through the use of Town staff/officials for obtaining the sponsorships.

**FISCAL IMPACT:**

\$24,000

**RECOMMENDATION:**

Staff recommends approval of Resolution 16-02 authorizing the City Manager to enter into a contract with Flair Events.

**ATTACHMENTS:**

Resolution 16-02  
Flair Events Proposal

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

**RESOLUTION NO. 16-02**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FLAIR EVENTS TO PROVIDE FESTIVAL MANAGEMENT TO THE ANNUAL PANTEGOFEST EVENT.**

**WHEREAS,** the Town Council sees the need to obtain the services of an event planner to accommodate the amount of work and planning that is involved in the management of the annual PantegoFest event; and

**WHEREAS,** Flair Events agrees to furnish their expertise and contacts for the purpose of the PantegoFest event; and

**WHEREAS,** the proposed date for PantegoFest is Friday evening and Saturday afternoon-evening on the weekend of September 23-24.

**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 Flair Events to provide their expertise and contacts for the purpose of the PantegoFest event.

**Section 2:** The Town Council authorizes the City Manager to pay a total contract price of \$24,000 plus expenses as outlined in "Exhibit A".

**Section 3:** This resolution is effective immediately upon passage.

**PASSED AND APPROVED this the 8<sup>th</sup> day of February 2016, 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**



1040 Falcon Creek Dr <sup>114</sup>  
Kennedale, TX 76060

Email: [April@FlairFtWorth.com](mailto:April@FlairFtWorth.com)  
Web: [FlairFtWorth.com](http://FlairFtWorth.com)  
Phone: 817-614-5530

## CONTRACT AGREEMENT

A Flair for Elegance, Inc. (dba Flair Events) understands and appreciates the trust and confidence bestowed upon it by the Client for festival management. This commitment is conditioned upon satisfactory agreement of services and receipt of fees set forth below.

This agreement is entered into on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by and between A Flair for Elegance, Inc.(dba Flair Events) a Business, and The Town of Pantego, a Client.

In consideration of the mutual promises set forth hereunder, the sufficiency of which is hereby acknowledged,

Flair Events and Client agree to the following:

- Flair Events promises to provide the following services:
  - Plan and Execute festival management according to the scope of work listed on pages 3 – 4.
- Payment details and expenses as follows:
  - Flair Events festival planning service fee is a lump sum of \$24,000.
  - Monthly payments shall be based upon percentage of project complete each month determined in progress reports with the City Manager.
  - Expenses.
    - Expenses for postage and printing will be invoiced each month based on actual expenses.
    - Other expenses encountered will be approved by the city manager in writing prior to purchase and reimbursed as invoiced.
  - Invoice is payable by client within 30 days.
  - Should additional duties or labor beyond the proposed scope of work be needed an addendum and fees will be agreed upon prior to additional services by representatives of Flair Events being performed.

By signing this contract client understands that client is using Flair Events to help with festival management. The client can cancel at any time in writing, but client agrees that fees paid to date are not refundable in addition to services performed prior to cancellation will be paid as invoiced and agreed upon according to this contract. Client acknowledges Flair Events and its representatives are not liable for the products or services and warranties of participating vendors. Client agrees to pay for work performed regardless of perceived success or failure of planned event. Client understands that it is the clients responsibility to purchase event and liability insurance policies.



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Phone: 817-614-5530

Client agrees to indemnify, defend, and hold harmless Flair Events and its trustees, officers, directors, employees and agents, from and against any loss, expense, liability, damage, claim (including reasonable attorneys' fees) made or brought on for personal injury, including death, that arises from festival activities, negligence or willful misconduct and omission.

This Agreement is entered into on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the City of \_\_\_\_\_, the County of \_\_\_\_\_, the state of \_\_\_\_\_.

Flair Events

Client

\_\_\_\_\_  
April Coltharp, President  
Flair Events

\_\_\_\_\_  
Matthew Fielder, City Manager  
Town of Pantego



1040 Falcon Creek Dr <sup>116</sup>  
Kennedale, TX 76060

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## **Scope of work for Pantego Fest 2016**

### **Event Services/Operations:**

- Develop business plan, strategies, and budget together with Client
- Ideas for growth, income possibilities, activities and entertainment
- Proposals for infrastructure requirements
- Site Plan
- Coordinate permit requirements with vendors
- Electrical plan
- Develop master festival schedule and timeline
- Ensure safety plan is in place

### **Vendors:**

- Contact and promote Pantego Fest with local businesses to participate with Pantego Fest as a vendor or sponsor according to business strategy developed with client
- Develop vendor packet and obtain vendors to buy booth space at the festival
- Coordinate with the client for vendor and sponsor payment schedules and receivables
- Communicate and organize booth vendors during planning and at the festival
- Develop a survey for vendors to evaluate the festival

### **Activities:**

- Identify and attempt to obtain potential activities and community members to help support activities
- Marketing for participants for festival activities as needed
- Obtain bids for contracts as needed for activities for approval

### **Live Entertainment:**

- Obtain proposals from bands, local groups and businesses, stage, sound and lighting that may provide live entertainment for approval by client
- Develop and manage live entertainment schedule
- Manage agreements and ensure all necessary paperwork is completed by local entertainment to include contracts, letter of intent agreements, hold harmless agreements, and documents required for payment by the Town of Pantego.

### **Sponsors:**

- Develop sponsorship packet
- Identify targeted businesses
- Work with Town of Pantego employees to have letters mailed for potential sponsors
- Assist Town of Pantego staff, Council members and PEDC with Follow up correspondence to obtain sponsorship commitments
- Communicate with sponsors about involvement in the festival
- Facilitate Thank you letters sent by Town of Pantego to all sponsors for the festival.



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### **Scope of work for Pantego Fest 2016 continued**

#### **Marketing:**

- Develop a marketing plan to be approved by Town of Pantego Council
- Assist with marketing by continuing the branding and marketing material for Pantego Fest
- Assist with website updates
- Facilitate Marketing activities to include: radio, print, social media, direct mail, banners, press releases, ad placements and banners as determined in the marketing plan and budget

#### **Volunteers:**

- Identify local groups and communicate volunteer needs with those groups
- Establish volunteer needs at the festival
- Develop volunteer applications and information packets
- Assist Town of Pantego employee in scheduling and obtaining volunteers

#### **Meetings:**

- Updates via email and/or phone conversations with City Manager monthly and/or weekly determined by the stage of planning.
- Updates at Town of Pantego City Council Meetings as necessary.

#### **Festival Weekend: September 23-25, 2016**

- Oversee and execute festival set up, troubleshooting and overall event management based on Friday evening event and half a day Saturday (no Sunday).
- Event staff to assist with set up, various activities and strike. Event staff not to exceed 80 hours of festival event labor.

#### **After Event Services: September 26 – October 7**

- Strike and site clearance
- Debrief with Town of Pantego Management team and Town of Pantego Council
- Follow through with vendors, sponsors and event vendors



# AGENDA BACKGROUND

**AGENDA ITEM:** Discuss, direct, and consider action on Resolution 16-03 a resolution of the City Council of the City of Pantego, Texas, authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity effective January 1, 2018; authorizing TCAP to act as an agent on behalf of the city to enter into a contract for electricity; authorizing the City Manager to execute an electric supply agreement for deliveries of electricity effective January 1, 2018 and committing to budget for energy purchases in 2018 through 2022 and to honor the city's commitments to purchase power for its electrical needs in 2018 through 2022 through TCAP.

**Date:** February 8, 2016

**PRESENTER:**

Matt Fielder, City Manager

**BACKGROUND:**

The Town of Pantego is a member of the Texas Coalition for Affordable Power (TCAP), which has allowed it to purchase electricity as part of a larger aggregation of customers. The existing rate contract with TCAP is coming to an end and Council action is necessary to continue to participate. The attached sample staff report outlines what TCAP is and what actions need to be taken to continue to participate.

Should Council choose to approve Resolution 16-03, it will need to choose one of three plans in which to participate, as well as designate a representative with the authority to accept a bid on the Town's behalf.

**FISCAL IMPACT:**

Unknown

**RECOMMENDATION:**

Staff recommends approval of Resolution 16-03 with participation in Option 2. Staff believes this provides the best opportunity for cost savings to the Town.

**ATTACHMENTS:**

Resolution 16-03  
Model Staff Report

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

**RESOLUTION 16-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PANTEGO, TEXAS, AUTHORIZING THE TEXAS COALITION FOR AFFORDABLE POWER, INC. (TCAP) TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT FOR FIVE YEARS FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2018; AUTHORIZING TCAP TO ACT AS AN AGENT ON BEHALF OF THE CITY TO ENTER INTO A CONTRACT FOR ELECTRICITY; AUTHORIZING THE CITY MANAGER TO EXECUTE AN ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2018 AND COMMITTING TO BUDGET FOR ENERGY PURCHASES IN 2018 THROUGH 2022 AND TO HONOR THE CITY'S COMMITMENTS TO PURCHASE POWER FOR ITS ELECTRICAL NEEDS IN 2018 THROUGH 2022 THROUGH TCAP**

1. **WHEREAS**, the Town of Pantego, Texas (City) is a member of Texas Coalition For Affordable Power, Inc. (TCAP), a non-profit, political subdivision corporation dedicated to securing electric power for its more than 170 members in the competitive retail market; and
2. **WHEREAS**, TCAP has unique rights under Texas law to negotiate directly in the wholesale market and arrange separate contracts for power supply and retail services which provides TCAP leverage to achieve contract provisions that single city negotiations with a Retail Electric Provider (REP) would be unlikely to produce; and
3. **WHEREAS**, TCAP's geographic diversity across all four ERCOT zones produces an aggregated peak load that is lower than the total of individual peak loads of the individual TCAP members, allowing price benefits in the wholesale market that are not likely to be available to any given TCAP member alone; and
4. **WHEREAS**, TCAP and its predecessor organizations, Cities Aggregation Power Project, Inc. (CAPP) and South Texas Aggregation Project, Inc. (STAP), negotiated favorable contract terms that resulted in rebates from the wholesale supplier and reasonable commodity

prices for delivered electricity since 2002 resulting in stable budgets for electricity for members; and

5. **WHEREAS**, commodity prices for electricity experienced significant volatility between 2002 and 2009, with prices ranging from 4 cents to over 13 cents per kWh, causing CAPP and STAP members to welcome a five year contractual commitment that came close to cutting the 2008 prices in half, with that contract being extended until December 31, 2017, with a negotiated price reduction of about 1 cent per kWh; and

6. **WHEREAS**, TCAP has become a forceful voice for consumer protections and market reform to benefit the public and well as cities and other political subdivisions; and

7. **WHEREAS**, TCAP is owned by its members and distributes monetary and other resources according to relative load size of members and is controlled by a 15 member Board of Directors, all of whom must be city employees of members who represent diversity in size and geography; and

8. **WHEREAS**, wholesale power prices within the deregulated Texas market are largely determined by the NYMEX gas futures prices for natural gas which are currently low and relatively stable, but which change daily; and

9. **WHEREAS**, daily price changes require retail customers to execute a contract immediately upon receipt of a favorable offer; and

10. **WHEREAS**, pursuant to Texas Local Government Code Section 252.022(a)(15) expenditures for electricity are exempt from competitive bidding requirements; and

11. **WHEREAS**, on any given day, TCAP is able to capture a favorable wholesale price for any period of time, comparable to or better than any given REP or broker; and

12. **WHEREAS**, TCAP intends to continue to contract with its current wholesale supplier, NextEra, because the relationship with NextEra is such that NextEra is willing, after it knows the size of a given load, to execute a contract at or below prescribed price and terms; and

13. **WHEREAS**, the City desires to execute a contract for electricity for the period beyond the expiration of its current contract on December 31, 2017, that locks-in favorable wholesale prices under one of three different supply options:

Option 1 - fixed-price, full-requirements at a price not to exceed 4.1 cents per kWh for the North and West zones or 4.25 cents per kWh for the South and Houston zones;

Option 2 - fixed price for on-peak hours and variable spot market prices for off-peak hours;

Option 3 - block energy at a fixed price to cover the base load hours, a fixed price for solar energy to cover mid-day peak hours (approximately 10% of total load) and variable spot market prices for all remaining consumption; and

14. **WHEREAS**, TCAP will allow members six weeks from receipt of this resolution to consider whether to participate in this second opportunity to contract for post-2017 electrical supply, and thereafter allow NextEra until June 30, 2016 to contact for power for five years at a price not to exceed 4.1 cents per kWh in the North and West zones and a price not to exceed 4.25 cents per kWh in the South and Houston zones for Option 1, so long as the aggregated load for any of the three supply options reaches at least 50 megawatts; and

15. **WHEREAS**, wholesale suppliers demand assurance that TCAP will pay for all contracted load; and

16. **WHEREAS**, the City needs to assure TCAP that it will sign a Commercial Electric Supply Agreement (CESA) reflecting the contract extension and budget for energy

purchases for the post-2017 period and honor its commitment to purchase power for its electrical needs for 2018 through 2022 through TCAP,

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

**Section 1:**

That the TCAP Board of Directors and its consultants and advisors are agents authorized to negotiate for the City's electricity needs as a member of TCAP for the period 2018 through 2022 at a price not to exceed 4.1 cents per kWh for the North and West zones and a price not to exceed 4.25 cents per kWh in the Houston and South zones for supply Option 1;

**Section 2:**

The City prefers to participate in supply Option \_\_\_\_\_ with the following understanding: a) while supply Option 1 is a full-requirements, fixed-price option, Options 2 (fixed price on-peak, variable spot prices for off-peak usage) and 3 (fixed price for base load, fixed price for a portion of peak load, and variable spot market for remainder) have variable price components and savings over Option 1 cannot be guaranteed, and b) if there is insufficient desire among members to achieve a 50 MW threshold for either Option 2 or 3, the member selecting the inadequately subscribed option will be placed in the Option 1 category. If no option is selected, TCAP will assume that a passed Resolution approves of Option 1.

**Section 3:**

Assuming this resolution is passed before February 25, 2016 and the combined load of TCAP members passing this resolution exceeds 50 megawatts for the preferred Option and NextEra is able to provide TCAP an opportunity prior to June 30, 2016 to contract for power to be delivered to members at a price not to exceed 4.1 cents per kWh for the North and West zones and not to exceed 4.25 cents per kWh in the Houston and South zones for supply Option 1 for the period January 1, 2018 through December 31, 2022, any one of the following individuals is hereby authorized to sign an electric supply agreement for the City within 24 hours of receipt of a contract that has been approved and recommended by the TCAP Board of Directors: \_\_\_\_\_, or \_\_\_\_\_, or \_\_\_\_\_.

**Section 4:**

That the City will commit to purchase power to meet all of its electricity needs eligible for competition pursuant to the TCAP approved supply agreement and approve funds necessary to pay electricity costs proportionate to the City's load under the supply agreement (whether wholesale or retail) arranged by TCAP and signed by TCAP's Executive Director or President or other TCAP representatives authorized by the TCAP Board.

**Section 5:**

That a copy of this resolution shall be sent to Jay Doegey, Executive Director, TCAP, 15455 Dallas Parkway, Suite 600, Addison, Texas 75001 and Geoffrey M. Gay, legal counsel to TCAP at 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

**PRESENTED AND PASSED** on this the 8<sup>th</sup> day of February, 2016, by a vote of \_\_\_\_\_  
\_\_\_\_\_ ayes and \_\_\_\_\_ nays at a regular meeting of the City Council of Pantego, Texas.

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

ATTEST:

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

## **Model Staff Report to Support Resolution Authorizing TCAP to Procure Electricity for 2018-2022**

This resolution is designed to support the second of several opportunities for TCAP members to contract for electricity for the post-2017 time period. If interested in contracting for a five-year term (2018-2022) during 2016, the authorizing resolution must be passed by the governing body of the interested TCAP member by February 25, 2016. The deadline will allow definition of the load to be served under each of three different electric supply options, which must be at least a minimum of 50 megawatts. Also, the deadline will give the wholesale provider ample opportunity to lock a fixed-price, equal to or less than a specific benchmark for each ERCOT zone, before June 30, 2016. When that supply scenario is locked, each member that passed the authorizing resolution must immediately sign a contract for that power. Please Note: The draft resolution is in Word and blanks must be filled in to identify the member, the preferred supply option and several individuals by name or position who will sign the contract when the appropriate price point is reached.

### **Explanation of Whereas Clauses:**

#### **What is TCAP?**

As reflected in the fourth and seventh Whereas clauses, TCAP is a non-profit, political subdivision corporation, owned and controlled by its 171 political subdivision members, the vast majority of whom are cities. TCAP was formed in 2011 from the merger of Cities Aggregation Power Project (“CAPP”) and South Texas Aggregation Project (“STAP”), both of which were created in 2001, shortly before retail deregulation became effective on January 1, 2002. TCAP is governed by a 15 member board of directors, all of whom must be city employees or elected city officials. Typically, board members have been mayors, city managers, assistant city managers, finance directors or city attorneys.

#### **Market Benefits of TCAP**

An individual city, citizen or commercial customer can only purchase power directly from a Retail Electric Provider (“REP”) which under Texas law exists to give the impression of a competitive market. REPs cannot generate electricity, nor can they own wires. REPs are unnecessary middlemen between the wholesale and retail markets. As reflected in the second and fourth Whereas clauses, TCAP, as a political subdivision corporation, uniquely can go directly to the wholesale market. CAPP and STAP, prior to their merger into TCAP, separated contracts between a wholesale supplier and an independent REP, providing TCAP consultants with greater insight into the margins of various market participants than would be possible for most consumers. A broker or a REP would hand a form contract to an individual consumer. In the case of TCAP, no form contract is acceptable and, because of the size of TCAP’s load, both wholesale suppliers and REPs are willing to negotiate contract terms that are beneficial to TCAP members, enabling the refunds members have consistently received, special terms for adds and deletes, including an ability to add new loads at current market prices even if the market price is lower than the price of the master agreement.

## **TCAP's benefits regarding pricing**

TCAP's membership consumes approximately 1.4 billion kWh annually which amounts to approximately \$100 million in revenue for the wholesale provider at current contract prices. The value of the aggregated load is extremely appealing to wholesale market participants, enabling TCAP to get the market competitive pricing at any particular moment. As reflected in the third Whereas clause, in addition to the size of its load, TCAP derives benefit from geographic diversity. TCAP members reside in all four ERCOT zones and are spread between the entire length and breadth of Texas, from Wichita Falls to Harlingen and Fort Stockton to Palestine. Since consumption is influenced by weather and since weather conditions are seldom the same across all of Texas, it is unlikely that all TCAP members are reaching peak consumption simultaneously. If the peaks of all TCAP members were totaled, the sum would equal 313.1 MW. But a wholesale supplier looks at the peak consumption of TCAP as an aggregated load rather than the sum of the peaks of all members. TCAP's peak demand is 246.9 MW. That reduction in peak is a specific and unique benefit of aggregation. And unlike other aggregation groups that accept counties and school districts as members, TCAP has focused its membership on cities and other political subdivisions that have a relationship with cities to maintain the very favorable load factor of cities with high off peak consumption from street lights which provides favorable pricing terms.

## **History of CAPP, STAP, TCAP pricing**

As reflected in the fifth and eighth Whereas clauses, aggregated cities have historically been interested in flat, fixed-price, full-requirements contracts and price stability. The resolution under consideration maintains that goal for a five-year period at a price much lower than the current contract price. In 2002, CAPP and STAP were able to obtain prices for energy at 4 cents per kWh. Very quickly after retail deregulation was implemented, natural gas prices started to rise, and they continued on an upward trend until late 2008. In late 2008, CAPP cities were paying approximately 13.5 cents per kWh. Fear that natural gas price volatility would continue to result in high electricity rates, CAPP cities were excited to lock-in long term rates beginning in 2009 that were significantly lower than prices experienced in the 2007-2008 time frame. STAP cities experienced their highest rate in 2006 at slightly more than 9 cents per kWh. STAP cities saw prices drop to around 7.8 cents per kWh in 2008 and were happy to find a contract that would stabilize prices in the 7 to 8 cent range for an extended period. When CAPP and STAP members signed new contracts in late 2008, no one could have predicted that the economy was about to enter a multi-year recession and that fracking would bring a glut of natural gas to a market with reduced demand, putting natural gas and electricity prices into a downward trend. Fortunately, gas prices have continued to drop and now TCAP members have an opportunity to again capture rates in the range of, and hopefully below, 4 cents per kWh.

## **Contract Requirements**

As explained in the tenth Whereas clause, there is no legal requirement that a city engage in a competitive bidding process prior to contracting for electricity. The primary expectation of contracting for wholesale energy in a deregulated energy market is that a purchaser sign a contract accepting a particular offered price within 24 hours of receipt of the offer. NYMEX gas futures prices change daily, and since gas prices drive electricity prices, it is unlikely that any

given price quote for wholesale electricity during a given period will remain open for more than a day. As explained in the ninth Whereas clause, TCAP members are expected to immediately execute a contract once TCAP's supplier is able to lock in a price at or below the benchmark prices specified in the resolutions for a five-year period commencing January 1, 2018. That is why Section 2 of the resolution requires the naming of specific individuals with whom TCAP can correspond and provide a contract for signing when appropriate.

### **Resolution's Objective**

As explained in the eleventh thru fourteenth Whereas clauses, after the size of the load for the 2015 contract opportunity is defined by February 25, 2016, TCAP's supplier will look for an opportunity to lock prices for the five-year term at or below specified benchmarks (4.1 – 4.25 cents per kWh). That may happen by the second week of March, but if it appears that prices are trending downward, TCAP will direct its designated supplier, NextEra, to daily monitor the market to hopefully capture a price under lower than benchmarked prices. The window of opportunity for capturing a reasonable price at or below the benchmarks will expire by June 30, 2016. TCAP will develop another supply opportunity in the Fall of 2016 for any members not contracting in this offering.

### **TCAP benefits to the consuming public**

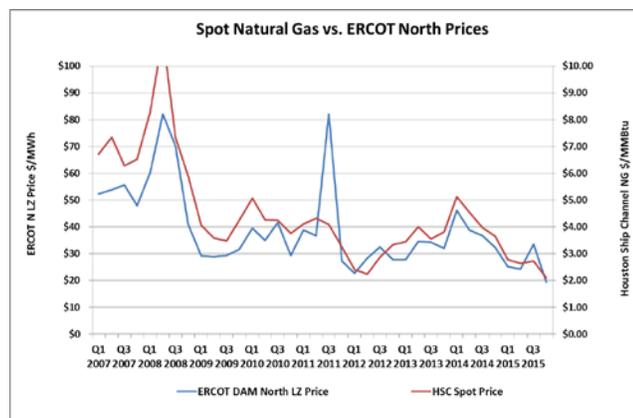
Whereas clause six references TCAP becoming a forceful voice for consumer protections and market reform to benefit the public as well as political subdivisions. When CAPP and STAP merged in 2011, one of the guiding principles established in meetings with members and through subsequent board priority-setting meetings was that TCAP should advocate for reforms in the market that would enhance competition and benefit the general public. TCAP has become the closest thing to a consumer advocate that exists in the deregulated marketplace on both the wholesale and retail sides of the business. TCAP membership not only provides political subdivisions with resources to monitor markets, capture reasonable prices and best available terms, stabilize budgets, address problems with invoices and help with governmental reports, provide best of class portals to understand consumption patterns, membership also affords an opportunity to represent to constituents that they have an advocate on their behalf.

### **CHOICE OF SUPPLY OPTION**

Whereas Clause 13 identifies three different supply options that TCAP has arranged as choices for each member. Option 1 is a fixed price for all consumption regardless of time of day. The price will not exceed 4.1 cents per kWh in the North and West ERCOT zones. It will not exceed 4.25 cents per kWh in the Houston and South zones. The actual price is likely to be less than the benchmark prices. The prices will become effective January 1, 2018. Given that these prices are to be locked in 2016 and will not expire until December 31, 2022, they are reflective of the lowest prices for electricity experienced since the retail market was deregulated January 1, 2002. Generally speaking, there ought to be an expectation that the price of energy will climb marginally for each year of the contract term beyond two years. The possibility of locking-in energy prices at or below 4 cents per kWh for a period that terminates in seven years is truly remarkable based upon the history of deregulation.

In the Spring of 2015, TCAP consultants received indicative fixed-prices around 4.5 cents per kWh. They then developed two supply options to the fixed price full requirements contract that offered attractive savings opportunities. Both Options 2 and 3 have variable components related to the energy spot market. While the average spot price in the past three years has been \$32.14/Mwh (2013), \$38.50/Mwh (2014), \$25.53/Mwh (2015), respectively, it is important to note that spot market prices can change every 15 minutes, therefore it is impossible to provide members a precise price for Options 2 and 3. While they provide an opportunity for savings off of the benchmarked prices for Option 1, savings cannot be guaranteed, and thus Option 2 and 3 involve risk to that does not exist with Option 1. A TCAP member that is completely risk adverse should select Option 1.

Option 2 fixes a price for the peak usage period and then turns to the spot market for all off-peak usage. When TCAP was developing these products in 2014, there was a large enough gap between fixed price options and spot prices that this option looked very attractive. Now, with market prices at historic recent term lows, both spot prices and fixed prices have fallen and their price differential has shrunk to the point that future savings from the spot market may not be as great as the risk of future price increases. The following graph shows how low current spot market prices have gone.



Option 2 was developed with the anticipation that spot prices during the off peak period would be in the range of \$10/MWh to \$40/MWh (\$0.01-\$0.04/kWh) over time for spot purchases. Our latest quotes for fully fixed priced products (Option 1) includes off peak pricing fixed at under \$20/MWh. These low Option 1 fixed prices for off peak usage may make it harder for future off peak spot prices to create additional savings under Option 2 over time even though the customer will be incurring market price risk.

Option 3 begins with the purchase of a block of power to cover the base use of all members who commit to this option. Block power, since it is a firm commitment 24 hours a day, is the cheapest form of energy available in the wholesale market. Daytime peak consumption will be partly covered by a fixed price for solar power with all other consumption supplied by the spot market.

In considering Option 2, TCAP consultants would tell you that with current prices about a half cent less than the price that existed when Option 2 was conceptualized last Spring, it will be difficult for Option 2 to generate savings sufficient to justify its selection. Option 3 with its

majority reliance on the cheapest form of energy has a greater probability than Option 2 of producing savings over Option 1. But again, with such low Option 1 fixed priced products now available to TCAP members, and since there are no guarantees that Options 2 or 3, which utilize spot market pricing, will remain as attractive as they were even a few months ago.

### **EXPLANATION OF “BE IT RESOLVED” SECTIONS**

- Section 1.** Authorizes TCAP to submit the members load, along with the load of other authorizing members, to be aggregated into a pool by TCAP’s wholesale supplier for a contract commencing January 1, 2018 and terminating December 31, 2022 with the understanding that the fixed, full-requirements price under Option 1 must not exceed 4.1 cents per kWh in the North and West zones and must not exceed 4.25 cents in the Houston and South zones.
- Section 2.** Sets conditions precedent that the aggregated load exceed 50 MW, that the resolution be passed before February 25, 2016, and that NextEra has until June 3, 2016 to lock in a fixed price for the aggregated load that does not exceed benchmark prices. It also requires the designation of a specific individual, by name or title, who are authorized to sign a contract within 24 hours of submittal, assuming the conditions have been met.
- Section 3.** Consistent with the last two Whereas clauses, this section commits the member to budget for and approve funds necessary to pay for the member’s proportionate share of the aggregated load that TCAP commits to with NextEra. TCAP will contract with NextEra based upon representations of authorizing members, each of whom will be provided with a Commercial Electric Service Agreement (“CESA”) with GEXA, the current REP, that extends current retail service terms with the lower wholesale price arranged with NextEra for the 2018-2020 time period.
- Section 4.** In order for TCAP to be informed of the passage of the resolution so that the member’s load can be aggregated by NextEra, this section specifies that a copy of the resolution should be sent to TCAP’s Executive Director and General Counsel.