
Tuesday, May 12, 2020

7:00 PM

Council Chambers

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Westworth Village City Council will hold its regular meeting on Tuesday, May 12, 2020 at 7:00 pm by telephone conference. An electronic copy of the agenda packet has been made available on the City's website and a recording of the meeting will be maintained per state records retention requirements.

THE CITY COUNCIL INTENDS TO PARTICIPATE IN THE MEETING VIA TELECONFERENCE.

Members of the public may dial the following number to join the meeting starting at 7:00 pm: 1-877-309-2073, when prompted enter access code 397 813 437#. Please deliver or email all comments related to the action items posted on the agenda to the City Secretary at: bbarrett@cityofwestworth.com prior to 3:00p.m. on the day of the meeting, Tuesday, May 12th. Any comment submitted must include the item number to which it pertains. All comments submitted are subject to being read aloud during the Citizen Comments portion of the meeting.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

REGULAR SESSION:

1. Approval of the Agenda

EXECUTIVE SESSION:

Those needed to join the Executive Session will exit the council meeting teleconference, then rejoin at the conclusion of the Executive Session. The council meeting teleconference that was called to order will remain open. Mayor Jones anticipates the Executive Session to take approximately 15 minutes.

Convene in closed executive session to deliberate the following items:

- A. Consultation with Attorney pursuant to Texas Government Code Section 551.071.
Receive legal advice related to the White Settlement 380 Agreement Lawsuit.**
- B. Consultation with Attorney pursuant to Texas Government Code Section 551.074.
Deliberation of personnel matters regarding the service of councilmember.**

Re-convene in Regular Session and take any action necessary based upon Executive Session discussion.

2. Approval of the Consent Agenda:

All matters listed as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

A. Approval of the Minutes:

- Council Meeting – April 14, 2020

B. Resolution 2020-06:

- This Resolution documents the required annual review and approval of the City's Investment Policy, naming the Mayor, City Administrator and City Secretary as the City's Investment Officers. No changes have been made to the existing policy.

C. Resolution 2020-07:

- This Resolution documents the required review and approval of the City's continued participation in Tarrant County's Community Development Block Grant, Home Investment Partnership and Emergency Solutions Grant Consortium for a three-year period, beginning October 1, 2020 and ending September 30, 2023. Westworth Village does not currently qualify for these grants.

D. Designation of Health Services Provider:

- This is an annual appointment, designating the City's Health Officer, providing new hire testing, worker's compensation treatments and other employee health related services. Texas Health Harris Methodist Hospital Occupational Health Services physicians have provided these services for the past 5 years and have offered to continue to provide them with no cost increase.

E. Approval of the Financial Reports:

- TexPool Report
- A/P Disbursements

| FUND BALANCES April 2020 | GENERAL | WATER | CAPITAL PROJECTS | CRIME CONTROL | DEBT SERVICE | WRA | HCGC | STREET |
|-------------------------------------|----------------|--------------|-----------------------------|--------------------------|-------------------------|-------------|-------------|---------------|
| Revenue | \$118,609 | \$93,301 | \$107,273 | \$44,185 | \$7,445 | \$50 | \$82,121 | \$22,128 |
| Disbursements | \$221,236 | \$31,284 | \$0.00 | \$66,347 | \$0.00 | \$17,609 | \$137,710 | \$20,678 |
| Cash on Hand | \$188,227 | \$493,967 | \$514,408 | \$108,786 | \$76,578 | \$79,199 | \$43,244 | \$73,813 |
| TexPool | \$650,831 | \$84,634 | \$24,921 | \$247 | \$723,624 | \$134,286 | NA | NA |
| Money Market | \$350,000 | \$500,000 | NA | NA | \$129,000 | \$1,090,000 | NA | NA |

3. Staff Updates:

- A. Kevin Reaves, Chief of Police
- B. Nader Jeri, Building Official
- C. Joseph Alvarez, Public Works Director
- D. Mike Krsnak, Hawk Creek Golf Pro

4. Mayor's Report *(A recap of the mayors previous 30 days in office.)*

5. Advisory Board and Committee Updates *(No meetings were held in the prior 30 days; no reports will be given.)*

6. Public Information:

A. Announcements and Proclamations

- Declaring the month of May 2020, as Military Appreciation Month
- Declaring May 8, 2020 as Anne Lanford Day, in recognition of her 100th birthday.
- Declaring National Police Week, May 10-16, 2020
- Declaring National Public Works Week, May 17-23, 2020
- Volunteer Committee Service applications are available online or by contacting Brandy Barrett.

B. Meetings

- Crime Control and Prevention District meeting, June 2nd at 5:30pm
- Ordinance Committee meeting, June 2nd, at 6:30pm
- Golf and Parks Advisory Board meeting, June 2nd at 7:00pm
- Public Safety Committee meeting, June 4th at 5:30pm
- Long Range Planning Advisory Board meeting, June 4th at 6:30pm
- Finance Committee meeting, June 9th at 6:00pm
- Regular Council meeting, June 9th at 7:00pm

C. Citizen Comments

As permitted by the Governor's disaster declaration, citizens will only be allowed to listen to the meeting, all call-in numbers will be muted and there will be no verbal citizen comments during the meeting. However, the mayor and council value your opinion and encourage comments related to the action items posted on this agenda be sent to the City Secretary prior to 3:00p.m. on the day of the meeting via email to: bbarrett@cityofwestworth.com or call to 817-710-2526. Any comments submitted must include the item number to which it pertains. All comments submitted are subject to being included in the council packet and/or read aloud during the Citizen Comments portion of the meeting.

7. Action Items:

A. Mayor Jones

Discuss and take action **on Ordinance 461-A to extend the Declaration of Local Disaster and Public Health Emergency originally issued by Mayor Jones on March 7th and extended by the council on April 14th.** *(The City participates in the Tarrant County Hazard Mitigation Action and Emergency Management Plans and must also comply with the State and County orders during a disaster. The mayor/council can also declare a city disaster, which requires council. The current city disaster declaration will expire at midnight on May 13th.)*

B. Mayor Jones

Discuss and take action **on May utility billing services.** *(Council took action in April to waive fees and terminations on utility invoices due in April. Approximately 40 accounts were not paid by the due date and 27 accounts remained outstanding totaling \$2,100 as of May 1st. Per section 13.02.034 of the City's Code of Ordinances, "Utility bills not paid in full by the sixth calendar day following the due date will be considered delinquent and utilities services will be subject to termination." Utility bills are mailed/emailed by the last day of each month and are due by the 15th of each month. Accounts not paid in full by the due date are deemed delinquent and assessed a late payment fee of a minimum of \$7.50 or 10% of the outstanding balance. If the account is not paid in full by the 21st of each month a service termination fee of \$25.00 is assessed and utility services are shut off. No fees are assessed for the restoration of a shut off account.)*

C. Mayor Jones

Discuss and take action **on Ordinance 463 amending Chapter 3, section 3.02.081 of Code of Ordinances, modifying the 2018 Edition of the International Residential Code previously adopted to provide regulations governing roof drainage.** *(If approved as presented, the recommended changes will require a controlled method of water disposal from roofs such as a rain gutter system on all new residential dwellings, additions to existing residential dwellings, and any roof structure modifications/alterations that require a building permit. Water from those systems cannot flow toward buildings or onto adjacent private property.)*

D. Mayor Jones

Discuss and take action on **Ordinance 464 amending the Code of Ordinances, Article 6.04, Food Sanitation, to update references to applicable provisions of state law governing food establishments located in the city.** *(The state's referenced provisions were amended and moved to a different chapter of the Administrative Code, by the Health and Human Services Commission.)*

E. Mayor Jones

Discuss and take action on **Ordinance 465 to reduce the speed limit on all residential streets to 25 mile per hour, excluding alleyways, school zone on Burton Hill Road, Burton Hill Road, White Settlement Road East of Roaring Springs Road to the city limit, Roaring Springs Road, Pumphrey, and Highway 183/Westworth Blvd city limit to city limit.** *(This will cost approximately \$18,000 to purchase and install the required traffic signs and educational materials to inform the public.)*

F. Mayor Jones

Discuss **amending the Code of Ordinances, Article 13.04, amending the storm drainage rate calculation for both commercial and residential properties, and consider adding the fees to the Fee Schedule as A06.009.** *(The current fees were implemented in 2011, residential is billed a flat rate of \$4.00 per month and commercial properties are billed \$4.00 per every 4100 square feet of impervious surface. This fee is collected to raise funds to maintain and improve the storm drainage system throughout the city. An ordinance will be drafted based on council's direction and a public hearing will be schedule, as required prior to its approval, at the June council meeting.)*

G. Mayor Jones

Discuss and take action on **the restated and amended Interlocal Cooperative Agreement with other stakeholders in the Metropolitan Area EMS Authority (MAEMSA).** *(Approval is necessary as this program provides the required medical oversight in the Police Departments Emergency Care Attendant ECA program. Approval authorizes the mayor to sign the agreement, which continues our relationship with MAEMSA. This agreement was last approved in 2018. Changes include the defining and expanding the Board of Directors, updating voting rights, increasing stipulations for the Emergency Physicians Advisory Board (EPAB), adopting a Director conflict of interest policy, and clarifying the ability for member jurisdictions to govern EMS standby care at special events in their own jurisdictions. Approval of this agreement is recommended by the Fort Worth Fire Chief and MedStar Directors.)*

H. Mayor Jones

Discuss and take action on **the selection of a planning/design consultant to design parks/recreational areas and produce an implementation plan, for the green space behind city hall, Kaster Korner and Airfield Falls.** *(The Request for Proposal was released on March 13, 2020 and due on May 1, 2020, two firms submitted responses. The Golf and Parks Advisory Board will work with the selected firm, utilizing the results from the city-wide survey, town hall meeting and future public hearings.)*

ADJOURN:

The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act. A quorum of other committee, board and commission members may be present at this meeting; no action will be taken by them.

This facility is wheelchair accessible and handicapped parking spaces are available. Requests for accommodations for the hearing impaired must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (817) 710-2526 for assistance.

I certify that the above notice was posted on the bulletin board at the Westworth Village City Hall, 311 Burton Hill Road, Westworth Village, Texas, and city website, on this, the 8th day of May 2020, at 5pm, in accordance with Chapter 551 of the Texas Government Code.



Brandy G. Barrett, City Secretary





Westworth Village

City Council Regular Session Meeting Minutes

Municipal Complex
311 Burton Hill Road
Westworth Village, TX 76114
cityofwestworth.com

Tuesday, April 14, 2020

7:00 PM

Council Chambers

| | | |
|-------------------|---|--|
| ATTENDEES: | Mayor Council Member Council Member Council Member Council Member Council Member City Secretary Police Chief City Attorney Public Works Director Building Official HCGC Head Pro | L. Kelly Jones Tiffany Aller Rosa Mendez John Davies Sharon Schmitz Christina Cowden Brandy Barrett Kevin Reaves Ashley Dierker Joey Alvarez Nader Jeri Mike Krsnak |
|-------------------|---|--|

ABSENT:

REGULAR SESSION:

CALL TO ORDER: Due to the COVID-19 pandemic, state, county and local disaster declarations, the meeting was called at 7:00pm by Mayor Jones via a GoToMeeting teleconference. Members of the public joined electronically by dialing toll free 1-877-309-2073 using access code 462 860 845#.

INVOCATION was given by Nathan Keller.

PLEDGE OF ALLEGIANCE led by Mayor Jones.

REGULAR SESSION:

1. MOTION to approve the Agenda.

- **MADE BY:** Christina Cowden. **SECOND:** Rosa Mendez.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

2. Approval of the Consent Agenda

Mayor Jones explained the purpose of the consent agenda, noting that a council member must request an item be removed from the consent agenda if it was to be discussed, otherwise, a single motion would approve all items on the consent agenda.

A. Approval of the Minutes:

- Council Meeting – March 10, 2020

B. Ratify the mayor's action to spend \$49,300 for the emergency replacement of a collapsed 30" storm drain line which caused a 15' sinkhole on the golf course. *This item was not budgeted and will be funded by a WRA year-end fund transfer.*

C. Approval of the Financial Reports:

- TexPool Report
- A/P Disbursements

| FUND BALANCES March 2020 | GENERAL | WATER | CAPITAL PROJECTS | CRIME CONTROL | DEBT SERVICE | WRA | HCGC | STREET |
|-----------------------------|-----------|-----------|---------------------|------------------|-----------------|-------------|-----------|----------|
| Revenue | \$306,118 | \$108,453 | \$348,341 | \$40,549 | \$9,496 | \$114 | \$116,381 | \$20,320 |
| Disbursements | \$272,959 | \$96,402 | \$87,905 | \$46,247 | \$0.00 | \$16,707 | \$131,034 | \$18,276 |
| Cash on Hand | \$174,485 | \$422,013 | \$10,547 | \$144,278 | \$76,578 | \$118,736 | \$138.506 | \$74,528 |
| TexPool | \$724,577 | \$84,503 | \$24,890 | \$247 | \$696,512 | \$134,121 | NA | NA |
| Money Market | \$350,000 | \$500,000 | NA | NA | \$129,000 | \$1,090,000 | NA | NA |

MOTION to approve the Consent Agenda.

- **MADE BY:** Tiffany Aller. **SECOND:** Rosa Mendez.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

3. **STAFF UPDATES:** *Mayor Jones thanked the staff for their extraordinary work during the disaster and announced that due to the circumstances no staff reports would be provided. However, he explained that department directors were on the teleconference and would be able to answer any questions the council members had regarding the reports in the council packet.*

- There were no questions regarding staff reports.

4. MAYOR'S REPORT:

Mayor Jones provided a brief recap of his prior 30 days, including:

- He secured the state comptroller's office approval to extend the September 30, 2020 expiration of the street maintenance tax to December 31, 2020 to allow the citizens time to vote on its reauthorization. He expressed his gratitude to our state representatives, specifically Charlie Geren, who was instrumental in discussions with the Governor's office, who ultimately requested the comptroller work with us to resolve this issue.
- In addition to a national/statewide disaster, the area received a record amount of rainfall in the month of March. This caused two large sink holes, one on the golf course and one on Kaye Lane. He thanked the staff for their quick response and resolution of the problems.
- The COVID-19 disaster has affected the golf course, which was originally closed on March 23rd. It was reopened on a very limited basis the second week of April and some of the full-time staff were called back to work.
- The May 2nd election, for which he commended staff on doing a wonderful job of planning for the safety of our citizens, has been postponed, and he noted that the council must take action tonight on this issue.
- Construction on the citywide trail project was stopped 41 days ago, pending a TxDOT decision on the two submitted change orders. He announced that this week, TxDOT denied change order #2 to move the trail crossing location. TxDOT also approved change order #1, pending a final environmental study which must be completed in less than 2 weeks. However, construction may not resume in the park area because the easement provided by the property owner was terminated. He is working with the property owner to secure an unconditional easement to proceed. However, if the property owner is not agreeable, the original trail design will be constructed.

5. **ADVISORY BOARD AND COMMITTEE UPDATES:** *(No meetings were held in the prior 30 days; no reports were provided.)*

6. PUBLIC INFORMATION/ANNOUNCEMENTS – Brandy Barrett, City Secretary

A. Announcements and Proclamations

- Pending tonight's vote, the general election will be postponed to earliest lawful date.
- Declaring the month of April 2020 as Child Abuse Prevention Month
- Declaring National Public Safety Telecommunicators Week, April 12-18, 2020

B. Meetings

- Finance Committee meeting, May 12th at 6:15pm
- Regular Council meeting, May 12th at 7:00pm

C. CITIZEN COMMENTS: *(As permitted by the Governor's disaster declaration, citizens will only be allowed to listen to the meeting, all call-in numbers were muted and there were no verbal citizen comments during the meeting. The mayor and council value citizen opinions and encouraged comments be sent to the City Secretary prior to 3:00p.m. on the day of the meeting.)*

- No citizen comments were submitted.

7. ACTION ITEMS:

A. Mayor Jones

Discuss and take action on Ordinance 461 to extend the Declaration of Local Disaster and Public Health Emergency issued by Mayor Jones on March 7th. *(The City participates in the Tarrant County Hazard Mitigation Action and Emergency Management Plans and must comply with the County Judges orders during a disaster. The mayor can also declare a disaster, which requires council approval to extend beyond 7 days. The current city disaster declaration will expire at midnight on March 14th.)*

MOTION to approve Ordinance 461 extending the Declaration of Local Disaster and Public Health Emergency to 11:59pm on May 13, 2020.

- **MADE BY:** Sharon Schmitz. **SECOND:** Tiffany Aller.

DISCUSSION:

- There was a brief discussion on the expiration date and a general consensus on the proposed date and time.

Motion passed by a vote of 5 Ayes and 0 Nays.

B. Mayor Jones

Discuss and take action on Resolution 2020-05 postponing the general election for the offices of council Place 2, Place 3 and Place 4 and postponing the special election for the office of council Place 5 to November 3, 2020.

MOTION to approve Resolution 2020-05 postponing the general election for the offices of council Place 2, Place 3 and Place 4 and postponing the special election for the office of council Place 5 to November 3, 2020.

- **MADE BY:** John Davies. **SECOND:** Tiffany Aller.

DISCUSSION:

- A discussion took place regarding the desire to hold the election at the earliest possible date, and it was noted that if an earlier date is authorized by the Governor, the council will be requested to take action.

Motion passed by a vote of 5 Ayes and 0 Nays.

C. Mayor Jones

Discuss and take action on Ordinance 462 calling an election to be held on November 3, 2020 to submit a proposition on reauthorization of the local sales and use tax at the rate of one fourth of 1 percent (1/4 of 1%) to continue providing revenue for the maintenance and repair of municipal streets. *(Per Texas Tax Code 327.007, an election to reauthorize the sale tax is required every four years. Current authority has been extended to expire on December 31, 2020.)*

MOTION to approve on Ordinance 462 calling an election to be held on the earliest possible date, likely November 3, 2020, to submit a proposition on reauthorization of the local sales and use tax at the rate of one fourth of 1 percent (1/4 of 1%) to continue providing revenue for the maintenance and repair of municipal streets.

- **MADE BY:** Tiffany Aller. **SECOND:** Christina Cowden.

DISCUSSION:

- A brief discussion took place regarding the cost to hold an election. Mayor Jones reported that it typically costs approximately \$7000, however it depends on the number of cities participating in the shared costs through Tarrant County Election office.

Motion passed by a vote of 5 Ayes and 0 Nays.

D. Mayor Jones

Discuss and take action on April utility billing services. *(Per section 13.02.034 of the City's Code of Ordinances, "Utility bills not paid in full by the sixth calendar day following the due date will be considered delinquent and utilities services will be subject to termination." Utility bills are mailed/mailed by the last day of each month and are due by the 15th of each month. Accounts not paid in full by the due date are deemed delinquent and assessed a late payment fee of a minimum of \$7.50 or 10% of the outstanding balance. If the account is not paid in full by the 21st of each month a service termination fee of \$25.00 is assessed and utility services are shut off. No fees assessed for the restoration of a shut off account.)*

MOTION to waive the assessment of all delinquent utility account fees and cease utility shut-offs for non-payment in the month of April.

- **MADE BY:** Sharon Schmitz. **SECOND:** Tiffany Aller.

DISCUSSION:

- Mayor Jones lead a discussion on the need to balance the rights of those who pay timely against those who are truly in need during this time and others who just take advantage of the opportunity.
- It was the hope that the disaster will be over soon, and this would not be an issue in the month of May. Therefore, it was noted that all accounts not paid by May 15th would be subject to further action. As such, this item will also be on the May 12th council agenda.

Motion passed by a vote of 5 Ayes and 0 Nays.

E. Mayor Jones

Discuss and take action on Ordinance 463 amending Chapter 3, section 3.02.081 of Code of Ordinances, modifying the 2018 Edition of the International Residential Code previously adopted to provide regulations governing roof drainage.

- Mayor Jones noted that this was in response to citizen concerns about water drainage. Mr. Jeri was not available for further explanation on how it would affect existing homes. Based on the discussion, Mayor Jones requested a motion be made, excluding remodeling if that was the desire of the council, so that existing homeowners would receive some immediate relief. No motion was proposed; therefore, no action was taken on this item. He added that this item would be on the May agenda.

F. Mayor Jones

Discuss and take action on the selection of the City Administrator Search Firm. (*The Request for Proposals was released on March 11, 2020 and due on April 6, 2020. One response was received with a not to exceed price of \$26,500, excluding optional supplemental services.*)

MOTION to authorize the mayor to retain Strategic Government Resources for services to locate a new city administrator in an amount not to exceed \$26,500 excluding optional services.

- **MADE BY:** Rosa Mendez. **SECOND:** Christina Cowden.

Motion passed by a vote of 5 Ayes and 0 Nays

The meeting was adjourned at 8:22pm by Mayor Jones.

MINUTES APPROVED BY:

L. Kelly Jones, Mayor

SIGNATURE ATTESTED BY:

Brandy G. Barrett, City Secretary



Westworth Village

RESOLUTION 2020-06

Municipal Complex
311 Burton Hill Road
Westworth Village, TX 76114
cityofwestworth.com

Tuesday, May 12, 2020

Council Chambers

**A RESOLUTION OF THE CITY OF WESTWORTH VILLAGE, TEXAS,
UPDATING & ADOPTING THE CITY'S WRITTEN INVESTMENT POLICY.**

- WHEREAS,** Section 2256.005 of the Texas Government Code, known as the Public Investment Act (the "Act"), directs that a governing body of an investing entity shall adopt by rule, order, ordinance, or resolution, as appropriate, a written investment policy regarding the investment of its funds and funds under its control; and
- WHEREAS,** The Act requires an annual review of the City's existing Investment Policy; and
- WHEREAS,** Section 2256.005(f) of the Texas Government Code, known as the Public Investment Act (the "Act"), directs that an investing entity shall designate, by rule, order, ordinance, or resolution, as appropriate, one or more officers or employees of the state agency, local government, or investment pool as Investment Officer, to be responsible for the investment of its funds consistent with the investment policy adopted by the entity; and
- WHEREAS,** The City has previously appointed the Mayor, City Administrator and City Secretary, and
- WHEREAS,** The City Council finds it in the best interest to review this appointment annually in conjunction with the Investment Policy Review.

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

- Section 1.** The City Council approves and adopts the attached Investment Policy.
- Section 2.** The City Council hereby confirms the reappoints of the Mayor, City Administrator, and City Secretary, as Investment Officers of the City of Westworth Village, Texas.
- Section 3.** The Council further charges that the Investment Officers will diligently carry out such duties in compliance with the City's Investment Policy and other applicable state and local guidelines and statutes. Said appointments shall remain in effect until rescinded by the City Council or upon termination of the Officer's employment with the City of Westworth Village.

AND IT IS SO RESOLVED. PASSED, APPROVED, AND ADOPTED on this, the 12th day of May 2020.

CITY OF WESTWORTH VILLAGE

L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Ashley D. Dierker, City Attorney

CITY OF WESTWORTH VILLAGE, TEXAS

INVESTMENT POLICY

I. POLICY

It is the policy of the City of Westworth Village that after allowing for the anticipated cash flow requirements of the Entity and giving due consideration to the safety and risk of investment, all available funds shall be invested in conformance with these legal and administrative guidelines, seeking to optimize interest earnings while maintaining appropriate oversight of all investments.

Effective cash management is recognized as essential to good fiscal management. Investment interest is a source of revenue to Entity funds. The Entity's investment portfolio shall be designed and managed in a manner designed to maximize this revenue source, to be responsive to public trust, and to be in compliance with legal requirements and limitations.

Investments shall be made with the primary objectives of:

- **Safety** and preservation of principal;
- Maintenance of sufficient **liquidity** to meet operating needs;
- **Public trust** from prudent investment activities;
- Optimization of **interest earnings** on the portfolio;

II. PURPOSE

The purpose of this investment policy is to comply with the City of Westworth Village requirements and Chapter 2256 of the Government Code ("Public Funds Investment Act"), which require each Entity to adopt a written investment policy regarding the investment of its funds and funds under its control. The Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of the Entity's funds.

III. SCOPE

This Investment Policy shall govern the investment of all financial assets of the Entity. These funds are accounted for in the Entity's annual audited financial statements and include:

- General Fund;
- Water Fund;
- Capital Projects Fund;
- Special Revenue Funds such Court Technology and Security
- Debt Service Funds, including reserves and sinking funds, to the extent not required by law or existing contract to be kept segregated and managed separately;
- Westworth Redevelopment Authority/Economic Development 4-B funds;
- Hawks Creek Golf Course Fund

Any new fund created by the Entity, unless specifically exempted from this Policy by the Board of Trustees (Board) or by law. This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the foregoing funds. However, this policy does not apply to the asset administered for the benefit of the Entity by outside agencies under deferred compensation programs.

IV. INVESTMENT OBJECTIVES

The Entity shall manage and invest its cash with four primary objectives, listed in order of priority: **safety, liquidity, public trust, and yield, expressed as optimization of interest earnings**. The safety of the principal invested always remains the

primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

The Entity shall maintain a comprehensive cash management program, which includes collection of account receivables, vendor payments in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to insure maximum cash availability and maximum earnings on short-term investment of idle cash.

Safety [PFIA 2256.005(b)(2)]

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit and interest rate risk.

- **Credit Risk:** The Entity will minimize credit risk, the risk of loss due to the failure of the issuer or backer of the investment, by:
 - Limiting investments to the safest types of investments;
 - Pre-qualifying the financial institutions and broker/dealers with which the Entity will do business;
 - Diversifying the investment portfolio so that potential losses on individual issuers will be minimized.
- **Interest Rate Risk:** The Entity will minimize the risk that the interest earnings and the market value of investments in the portfolio will fall due to changes in general interest rates, by:
 - Structuring the investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to liquidate investments prior to maturity.
 - Investing operating funds primarily in certificates of deposit, shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds.
 - Diversifying maturities and staggering purchase dates to minimize the impact of market movements over time.

Liquidity [PFIA 2256.005(b)(2)]

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that investments mature concurrent with cash needs to meet anticipated demands. Because all possible cash demands cannot be anticipated, a portion of the portfolio will be invested in shares of money market mutual funds or local government investment pools that offer same-day liquidity. In addition, a portion of the portfolio will consist of securities with active secondary or resale markets.

Public Trust

All participants in the Entity's investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the Entity's ability to govern effectively.

Yield (Optimization of Interest Earnings) [PFIA 2256.005(b)(3)]

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, considering the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

V. RESPONSIBILITY AND CONTROL

Delegation of Authority [PFIA 2256.005(f)]

In accordance with the City of Westworth Village requirements and the Public Funds Investment Act, the City Council designates the Mayor, City Administrator/Director of Finance, and City Secretary as the Entity's Investment Officers. An Investment Officer is authorized to execute investment transactions on behalf of the Entity. No person may engage in an investment transaction or the management of Entity funds except as provided under the terms of this Investment Policy as approved by the City Council. The investment authority granted to the investing officer is effective until rescinded by the City Council.

Quality and Capability of Investment Management [PFIA 2256.005(b)(3)]

The Entity shall provide periodic training in investments for the designated investment officers and other investment personnel through courses and seminars offered by professional organizations, associations, and other independent sources

in order to ensure the quality and capability of investment management in compliance with the Public Funds Investment Act.

Training Requirement (PFIA 2256.008)

In accordance with the City of Westworth Village requirements and the Public Funds Investment Act, designated Investment Officers shall attend an investment training session no less often than once every two years and shall receive not less than 8 hours of instruction relating to investment responsibilities. A newly appointed Investment Officer must attend a training session of at least 10 hours of instruction within twelve months of the date the officer took office or assumed the officer's duties. The investment training session shall be provided by an independent source. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institution of higher education or any other sponsor other than a business organization with whom the Entity may engage in an investment transaction.

Internal Controls (Best Practice)

The Director of Finance is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the Director of Finance shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points.

- Control of collusion.
- Separation of transactions authority from accounting and record keeping.
- Custodial safekeeping.
- Avoidance of physical delivery securities.
- Clear delegation of authority to subordinate staff members.
- Written confirmation for telephone (voice) transactions for investments and wire transfers.
- Development of a wire transfer agreement with the depository bank or third-party custodian.

Prudence (PFIA 2256.006)

The standard of prudence to be applied by the Investment Officer shall be the "prudent investor" rule. This rule states that "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- The investment of all funds, or funds under the Entity's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment.
- Whether the investment decision was consistent with the written approved investment policy of the Entity.

Indemnification (Best Practice)

The Investment Officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific investment's credit risk or market price changes, provided that these deviations are reported immediately, and the appropriate action is taken to control adverse developments.

Ethics and Conflicts of Interest [PFIA 2256.005(i)]

Officers and employees involved in the investment process shall refrain from personal business activity that would conflict with the proper execution and management of the investment program, or that would impair their ability to make impartial decisions. Employees and Investment Officers shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with which business is conducted on behalf of the Entity.

An Investment Officer of the Entity who has a personal business relationship with an organization seeking to sell an investment to the Entity shall file a statement disclosing that personal business interest. An Investment Officer who is

related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the Entity shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the City of Westworth Village.

VI. SUITABLE AND AUTHORIZED INVESTMENTS

Portfolio Management

The Entity currently has a “buy and hold” portfolio strategy. Maturity dates are matched with cash flow requirements and investments are purchased with the intent to be held until maturity. However, investments may be liquidated prior to maturity for the following reasons:

- An investment with declining credit may be liquidated early to minimize loss of principal.
- Cash flow needs of the Entity require that the investment be liquidated.

Investments [PFIA 2256.005(b)(4)(A)]

Entity funds governed by this policy may be invested in the instruments described below, all of which are authorized by Chapter 2256 of the Government Code (Public Funds Investment Act). Investment of Entity funds in any instrument or security not authorized for investment under the Act is prohibited. The Entity will not be required to liquidate an investment that becomes unauthorized subsequent to its purchase.

A. Authorized

1. Obligations of the United States of America, its agencies and instrumentalities.
2. Certificates of Deposit, including CDAR’s, issued by a bank organized under Texas law, the laws of another state, or federal law, that has its main office or a branch office in Texas, or by a savings and loan association or a savings bank organized under Texas law, the laws of another state, or federal law, that has its main office or a branch office in Texas and that is guaranteed or insured by the Federal Deposit Insurance or its successor or secured by obligations in a manner and amount provided by law for deposits of the Entity.
3. Money Market Mutual funds that are 1) registered and regulated by the Securities and Exchange Commission, 2) have a dollar weighted average stated maturity of 90 days or less, 3) rated AA by at least one nationally recognized rating service, and 4) seek to maintain a net asset value of \$1.00 per share.
4. Local government investment pools, which 1) meet the requirements of Chapter 2256.016 of the Public Funds Investment Act, 2) are rated no lower than AA or an equivalent rating by at least one nationally recognized rating service, and 3) are authorized by resolution or ordinance by the Board.

All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating. (PFIA 2256.021)

B. Not Authorized [PFIA 2256.009(b)(1-4)]

Investments including interest-only or principal-only strips of obligations with underlying mortgage-backed security collateral, collateralized mortgage obligations with an inverse floating interest rate or a maturity date of over 10 years are strictly prohibited.

VII. INVESTMENT PARAMETERS

Maximum Maturities [PFIA 2256.005(b)(4)(B)]

The longer the maturity of investments, the greater their price volatility. Therefore, it is the Entity’s policy to concentrate its investment portfolio in shorter-term securities in order to limit principal risk caused by changes in interest rates.

The Entity attempts to match its investments with anticipated cash flow requirements. The Entity will not directly invest in securities maturing more than two (2) years from the date of purchase; however, the above described obligations, certificates, or agreements may be collateralized using longer dated investments.

The composite portfolio will have a weighted average maturity of 365 days or less. This dollar-weighted average maturity will be calculated using the stated final maturity dates of each security. [PFIA 2256.005(b)(4)(C)]

Diversification [PFIA 2256.005(b)(3)]

The Entity recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification that shall be achieved by the following general guidelines:

- Limiting investments to avoid overconcentration in investments from a specific issuer or business sector (excluding U.S. Treasury securities and certificates of deposit that are fully insured and collateralized in accordance with state and federal law);
- Limiting investment in investments that have higher credit risks (example: commercial paper);
- Investing in investments with varying maturities, and;
- Continuously investing a portion of the portfolio in readily available funds such as local government investment pools (LGIPs), or money market funds to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

The following maximum limits, by instrument, are established for the Entity's total portfolio:

| | |
|-----------------------------------|------|
| 1. U.S. Treasury Securities | 85% |
| 2. Agencies and Instrumentalities | 85% |
| 3. Certificates of Deposit | 85% |
| 4. Money Market Mutual Funds | 85% |
| 5. Authorized Pools | 100% |

VIII. SELECTION OF BANKS AND DEALERS

Depository

At least every 10 years a Depository shall be selected through the Entity's banking services procurement process, which shall include a formal request for proposal (RFP). The selection of a depository will be determined by competitive bid and evaluation of bids will be based on the following selection criteria:

- The ability to qualify as a depository for public funds in accordance with state law.
- The ability to provide requested information or financial statements for the periods specified.
- The ability to meet all requirements in the banking RFP.
- Complete response to all required items on the bid form
- Lowest net banking service cost, consistent with the ability to provide an appropriate level of service.
- The credit worthiness and financial stability of the bank.

Authorized Brokers/Dealers (PFIA 2256.025)

The Entity shall, at least annually, review, revise, and adopt a list of qualified broker/dealers and financial institutions authorized to engage in securities transactions with the Entity. Westworth Village does not utilize broker/dealers and currently chooses to deal only with depositories that qualify for public funds investments and authorized pools. Those firms that request to become qualified bidders for securities transactions will be required to provide a completed broker/dealer questionnaire that provides information regarding creditworthiness, experience and reputation and a certification stating the firm has received, read and understood the Entity's investment policy and agree to comply with the policy. Authorized firms may include primary dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (Uniform Net Capital Rule), and qualified depositories. All investment providers, including financial institutions, banks, money market mutual funds, and local government investment pools, must sign a certification acknowledging that the organization has received and reviewed the Entity's investment policy and that reasonable procedures and controls have been implemented to preclude investment transactions that are not authorized by the Entity's policy. [PFIA 2256.005(k-l)]

Competitive Bids (Best Practice)

It is the policy of the Entity to require competitive bidding for all individual security purchases and sales except for: a) transactions with money market mutual funds and local government investment pools and b) treasury and agency securities purchased at issue through an approved broker/dealer or financial institution.

Delivery vs. Payment [PFIA 2256.005(b)(4)(E)]

Securities shall be purchased using the **delivery vs. payment** method with the exception of investment pools and mutual funds. Funds will be released after notification that the purchased security has been received.

IX. SAFEKEEPING OF SECURITIES AND COLLATERAL

Safekeeping and Custodian Agreements (Best Practice)

The Entity shall contract with a bank or banks for the safekeeping of securities either owned by the Entity as part of its investment portfolio or held as collateral to secure demand or time deposits. Securities owned by the Entity shall be held in the Entity's name as evidenced by safekeeping receipts of the institution holding the securities.

Collateral for deposits will be held by a third-party custodian designated by the Entity and pledged to the Entity as evidenced by safekeeping receipts of the institution with which the collateral is deposited. Original safekeeping receipts shall be obtained. Collateral may be held by the depository banks trust department, a Federal Reserve Bank or branch of a Federal Reserve Bank, a Federal Home Loan Bank, or a third-party bank approved by the Entity.

Collateral Policy (PFCA 2257.023)

Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the Entity to require full collateralization of all Entity funds on deposit with a depository bank, other than investments. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 100% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC. At its discretion, the Entity may require a higher level of collateralization for certain investment securities. Securities pledged as collateral should be held by an independent third party with which the Entity has a current custodial agreement. The City Administrator or Director of Finance is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the Entity and retained. Collateral shall be reviewed at least quarterly to assure that the market value of the pledged securities is adequate.

Collateral Defined

The Entity shall accept only the following types of collateral:

- Obligations of the United States or its agencies and instrumentalities;
- Direct obligations of the state of Texas or its agencies and instrumentalities;
- Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;
- Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized rating firm not less than A or its equivalent with a remaining maturity of ten (10) years or less;
- A surety bond issued by an insurance company rated as to investment quality by a nationally recognized rating firm not less than A;
- A letter of credit issued to the Entity by the Federal Home Loan Bank.

Subject to Audit

All collateral shall be subject to inspection and audit by the City Administrator, Director of Finance or the Entity's independent auditors.

X. PERFORMANCE

Performance Standards

The Entity's investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio shall be designed with the objective of obtaining a rate of return through budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow requirements of the Entity.

Performance Benchmark (Best Practice)

It is the policy of the Entity to purchase investments with maturity dates coinciding with cash flow needs. Through this strategy, the Entity shall seek to optimize interest earnings utilizing allowable investments available on the market at that time. Market value will be calculated on a quarterly basis on all securities owned and compared to current book value.

XI. REPORTING (*PFIA 2256.023*)

Methods

The Investment Officer shall prepare an investment report on a quarterly basis that summarizes investment strategies employed in the most recent quarter and describes the portfolio in terms of investment securities, maturities, and shall explain the total investment return for the quarter.

The quarterly investment report shall include a summary statement of investment activity prepared in compliance with generally accepted accounting principals. This summary will be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report provided to the City Council will include the following:

- A listing of individual securities held at the end of the reporting period.
- Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period.
- Additions and changes to the market value during the period.
- Average weighted yield to maturity of portfolio as compared to applicable benchmark.
- Listing of investments by maturity date.
- Fully accrued interest for the reporting period
- The percentage of the total portfolio that each type of investment represents.
- Statement of compliance of the City's investment portfolio with state law and the investment strategy and policy approved by the City Council.

An independent auditor will perform a formal annual review of the quarterly reports with the results reported to the governing body [*PFIA 2256.023(d)*].

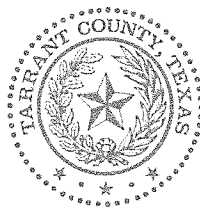
Monitoring Market Value [*PFIA 2256.005(b)(4)(D)*]

Market value of all securities in the portfolio will be determined on a quarterly basis. These values will be obtained from a reputable and independent source and disclosed to the governing body quarterly in a written report.

XII. INVESTMENT POLICY ADOPTION [*PFIA 2256.005(e)*]

The Entity's investment policy shall be adopted by ordinance/resolution of the City Council. It is the Entity's intent to comply with state laws and regulations. The Entity's investment policy shall be subject to revisions consistent with changing laws, regulations, and needs of the City. The City Council shall adopt an ordinance/resolution stating that it has reviewed the policy and investment strategies annually, approving any changes or modifications.

Last approved: May 14, 2019



TARRANT COUNTY COMMISSIONERS COURT

ADMINISTRATOR'S OFFICE
COMMUNITY DEVELOPMENT DIVISION
Patricia Ward, Director

April 7, 2020

Honorable L. Kelly Jones
311 Burton Hill Rd.
Westworth Village, TX, 76114-4222

RE: Urban County Re-qualification for CDBG, HOME and ESG programs 2021-2023.

Dear Mayor:

In order to continue to receive Community Development Block Grant (CDBG), HOME Investment Partnership and Emergency Solutions Grant (ESG) Entitlement funding through 2023, Tarrant County must once again qualify as an Urban County under the CDBG, HOME and ESG programs. Entitlement counties, such as Tarrant County must re-qualify every three years for funding. Tarrant County is eligible to receive entitlement grant funds by having a combined population of 200,000 or more from unincorporated areas and participating municipalities.

By **April 17, 2020**, Tarrant County must notify units of general local government (participating municipalities) the option to be excluded from the urban county or remain in the consortium.

- ☐ Any included unit of general local government that elects to be excluded from the Tarrant County urban county consortium and intends to terminate the existing agreement at the end of the current qualification period, must notify the County and HUD in writing that it elects to be excluded by **May 15, 2020**. Please contact us for address information.
- ☒ If the City chooses to remain in the consortium, please **sign and return all 5 original Cooperation Agreements, to Tarrant County by June 19, 2020**. After review of CPD Notice 20-3 by the Tarrant County District Attorney's office, new language has prompted the need for a new agreement with more robust automatic renewal language. One original signed agreement will be returned to you upon completion.

Participating municipalities are also reminded that they are not eligible to apply for grants under the State CDBG program while they are part of the urban county, and that, in

becoming a part of the urban county; they automatically participate in the HOME and ESG program as Tarrant County receives both HOME and ESG funding. This does not preclude Tarrant County or your city from applying to the state for HOME or ESG funds, if the State of Texas allows. State CDBG program is managed by NCTCOG for the 16 county region where applications for state funds are released every two years and are limited to specific priority projects and applicants may only be funded every 5 years.

We appreciate the continued collaboration with each city. If you have further questions or concerns regarding this notice, please contact me or Susan Au, Community Development Planner, at 817-850-7940.

Sincerely,



Patricia Ward, Director

cc: Honorable B. Glen Whitley, Tarrant County Judge

RESOLUTION # 2020-07

RESOLUTION REGARDING CITY OF WESTWORTH VILLAGE PARTICIPATION IN TARRANT COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP AND EMERGENCY SOLUTIONS GRANT CONSORTIUM FOR THE THREE PROGRAM YEAR PERIOD, FISCAL YEAR 2021 THROUGH FISCAL YEAR 2023.

WHEREAS, Title I of the Housing and Community Act of 1974, as amended through the Housing and Community Act of 1992, establishes a program of community development block grants for the specific purpose of developing viable communities by providing decent housing and suitable living environment and expanding economic opportunities principally for persons of low and moderate income, and

WHEREAS, Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, establishes the HOME Investment Partnership Act to expand the supply of decent, safe, sanitary and affordable housing for very low-income and low-income Americans, and

WHEREAS, Tarrant County has been designated an "Urban County" by the Department of Housing and Urban Development entitled to a formula share of Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Solutions Grant (ESG) program funds provided said County has a combined population of 200,000 persons in its unincorporated areas and units of general local government with which it has entered into cooperative agreements, and

WHEREAS, Article III, Section 64 of the Texas Constitution authorizes Texas counties to enter into cooperative agreements with local governments for essential Community Development and Housing Assistance activities, and

WHEREAS, the City of Westworth Village may not apply for grants under the State CDBG Program from appropriations for fiscal years during the period in which it is participating in Tarrant County's CDBG program, and

WHEREAS, the City of Westworth Village shall not participate in a HOME consortium except through Tarrant County; however, does not preclude Tarrant County or the City of Westworth Village from applying to the State for HOME Investment Partnership (HOME) funds, if the State allows, and

WHEREAS, City of Westworth Village may receive Emergency Solutions Grant (ESG) programming through Tarrant County; however, does not preclude Tarrant County or the City of Westworth Village from applying to the State for Emergency Solutions Grant (ESG) funds, if the State allows, and

WHEREAS, through cooperative agreements Tarrant County has authority to carry out activities funded from annual Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Solutions Grant (ESG) Program Allocation from Federal Fiscal Years 2021, 2022, and 2023, from any program income generated from the expenditure of such funds and any successive qualification periods under automatic renewal, and

WHEREAS, this cooperative agreement covers Federal Fiscal Years 2021, 2022, and 2023, it will automatically be renewed for participation in successive three-year qualification periods, unless the County or the City of Westworth Village informs HUD with written notice to elect to not participate in a new qualification period, and

WHEREAS, the cooperative agreement will be automatically renewed by the date specified in HUD's urban county qualification notice for the next qualification period, Tarrant County will notify City of Westworth Village in writing of its right not to participate, and

WHEREAS, with automatic renewal, Tarrant County and City of Westworth Village will be required to adopt and submit to HUD any amendment to the agreement incorporating changes necessary to meet the requirements set forth in an Urban County Qualification Notice, and

WHEREAS, Tarrant County and the City of Westworth Village agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, and

WHEREAS, Tarrant County and City of Westworth Village will take all actions necessary to assure compliance under section 104(b) of Title I of the Housing and Community Development Act of 1974, Title VI of the Civil Rights Act of 1964 and the Fair Housing Act, and

WHEREAS, Tarrant County will not fund activities in, or in support of City of Westworth Village that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with the county's fair housing certification, and

WHEREAS, Tarrant County and City of Westworth Village will comply with section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, of Title II of the Americans with Disabilities Act, Age Discrimination Act of 1975, Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws, and

WHEREAS, the City of Westworth Village has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations and

WHEREAS, the City of Westworth Village has adopted and is enforcing a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions, and

WHEREAS, in accordance with 24 CFR 570.501(b), Tarrant County is responsible for ensuring that CDBG, HOME and ESG funds are used in accordance with all program requirements, including monitoring and reporting to U.S. Department of Housing and Urban Development, on the use of program income, and

WHEREAS, pursuant to 24 CFR 570.501(b), the City of Westworth Village is subject to the same requirements applicable to sub recipients, including the requirement of a written agreement as described in 24 CFR 570.503, and

WHEREAS, Tarrant County and City of Westworth Village may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014, Pub. L. 113-76.

NOW, THEREFORE, BE IT RESOLVED, by the City of Westworth Village, that the City Council of Westworth Village, Texas supports the application of Tarrant County for funding from Housing and Community Development Act of 1974, as amended, and Cranston-Gonzalez National Affordable Housing Act, as amended, and asks that its population be included for three successive years with that of Tarrant County, Texas to carry out Community Development Program Activities Eligible for Assistance under Public Law 93-383, and Affordable Housing activities under Public Law 101-625, and authorizes the Mayor of Westworth Village, Texas to sign such additional forms as requested by the Department of Housing and Urban Development pursuant to the purposes of the Resolution, and further that the City of Westworth Village, Texas understands that Tarrant County will have final responsibility for selecting projects and filing annual grant requests.

BE IT FURTHER RESOLVED, this cooperative agreement will automatically be renewed for participation in successive three-year qualification periods, unless Tarrant County or the City of Westworth Village provides written notice it elects not to participate in a new qualification period. Tarrant County will notify the City of Westworth Village in writing of its right to make to such election on the date specified by the U.S. Department of Housing and Urban Development in HUD's urban county qualification notice for the next qualification period. Any amendments or changes contained within the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period must be adopted by Tarrant County and the City of Westworth Village, and submitted to HUD. Failure by either party to adopt such an amendment to the agreement will void the automatic renewal of this agreement.

This agreement remains in effect until CDBG, HOME, ESG funds and income received to the fiscal 2021, 2022, 2023 programs, and to any successive qualification periods provided through the automatic renewal of this agreement, are expended and the funded activities completed, neither Tarrant County nor the City of Westworth Village may terminate or withdraw from the agreement while the agreement remains in effect.

Official notice of amendments or changes applicable for a subsequent three-year urban county agreement shall be in writing and be mailed by certified mail to the City Secretary of the City of Westworth Village. Any notice of changes or amendments to this agreement by the City of Westworth Village to Tarrant County shall be in writing to the Tarrant County Community Development Division Director.

ATTEST:

APPROVED:

CITY SECRETARY Brandy G. Barrett

MAYOR L. Kelly Jones

PASSED AND APPROVED THIS 12th day of May, 2020

Commissioners Court Clerk

County Judge

PASSED AND APPROVED THIS _____ day of _____, 2020
Approval Form for District Attorney

Approved as to Form*

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

My Budget Report

For Fiscal: 2019-2020 Period Ending: 04/30/2020

Group Summary

| Fun... | Original Total Budget | Current Total Budget | Period Activity | Fiscal Activity | Variance Favorable (Unfavorable) | Percent Remaining |
|---|--------------------------|-------------------------|--------------------|---------------------|--|----------------------|
| Fund: 01 - GENERAL FUND | | | | | | |
| Revenue | | | | | | |
| 01 - GENERAL FUND | 3,576,656.93 | 3,576,656.93 | 49,974.04 | 2,253,289.47 | -1,323,367.46 | 37.00 % |
| Revenue Total: | 3,576,656.93 | 3,576,656.93 | 49,974.04 | 2,253,289.47 | -1,323,367.46 | 37.00 % |
| Expense | | | | | | |
| 01 - GENERAL FUND | 3,551,665.00 | 3,551,665.00 | 221,235.53 | 1,721,067.03 | 1,830,597.97 | 51.54 % |
| Expense Total: | 3,551,665.00 | 3,551,665.00 | 221,235.53 | 1,721,067.03 | 1,830,597.97 | 51.54 % |
| Fund: 01 - GENERAL FUND Surplus (Deficit): | 24,991.93 | 24,991.93 | -171,261.49 | 532,222.44 | 507,230.51 | -2,029.58 % |
| Fund: 02 - WATER FUND | | | | | | |
| Revenue | | | | | | |
| 02 - WATER FUND | 1,367,200.00 | 1,367,200.00 | 93,300.69 | 758,825.26 | -608,374.74 | 44.50 % |
| Revenue Total: | 1,367,200.00 | 1,367,200.00 | 93,300.69 | 758,825.26 | -608,374.74 | 44.50 % |
| Expense | | | | | | |
| 02 - WATER FUND | 1,369,002.00 | 1,369,002.00 | 31,284.21 | 596,341.26 | 772,660.74 | 56.44 % |
| Expense Total: | 1,369,002.00 | 1,369,002.00 | 31,284.21 | 596,341.26 | 772,660.74 | 56.44 % |
| Fund: 02 - WATER FUND Surplus (Deficit): | -1,802.00 | -1,802.00 | 62,016.48 | 162,484.00 | 164,286.00 | 9,116.87 % |
| Fund: 03 - CRIME CONTROL | | | | | | |
| Revenue | | | | | | |
| 03 - CRIME CONTROL | 568,873.96 | 568,873.96 | 44,184.75 | 338,337.53 | -230,536.43 | 40.53 % |
| Revenue Total: | 568,873.96 | 568,873.96 | 44,184.75 | 338,337.53 | -230,536.43 | 40.53 % |
| Expense | | | | | | |
| 03 - CRIME CONTROL | 562,598.00 | 562,598.00 | 66,347.12 | 345,047.59 | 217,550.41 | 38.67 % |
| Expense Total: | 562,598.00 | 562,598.00 | 66,347.12 | 345,047.59 | 217,550.41 | 38.67 % |
| Fund: 03 - CRIME CONTROL Surplus (Deficit): | 6,275.96 | 6,275.96 | -22,162.37 | -6,710.06 | -12,986.02 | 206.92 % |
| Fund: 04 - CAPITAL PROJECTS | | | | | | |
| Revenue | | | | | | |
| 04 - CAPITAL PROJECTS | 786,897.00 | 786,897.00 | 175,907.06 | 575,517.07 | -211,379.93 | 26.86 % |
| Revenue Total: | 786,897.00 | 786,897.00 | 175,907.06 | 575,517.07 | -211,379.93 | 26.86 % |
| Expense | | | | | | |
| 04 - CAPITAL PROJECTS | 786,897.00 | 786,897.00 | 0.00 | 873,873.40 | -86,976.40 | -11.05 % |
| Expense Total: | 786,897.00 | 786,897.00 | 0.00 | 873,873.40 | -86,976.40 | -11.05 % |
| Fund: 04 - CAPITAL PROJECTS Surplus (Deficit): | 0.00 | 0.00 | 175,907.06 | -298,356.33 | -298,356.33 | 0.00 % |
| Fund: 05 - DEBT SERVICING | | | | | | |
| Revenue | | | | | | |
| 05 - DEBT SERVICING | 968,235.00 | 968,235.00 | 7,445.44 | 803,201.79 | -165,033.21 | 17.04 % |
| Revenue Total: | 968,235.00 | 968,235.00 | 7,445.44 | 803,201.79 | -165,033.21 | 17.04 % |
| Expense | | | | | | |
| 05 - DEBT SERVICING | 951,918.00 | 951,918.00 | 0.00 | 163,769.07 | 788,148.93 | 82.80 % |
| Expense Total: | 951,918.00 | 951,918.00 | 0.00 | 163,769.07 | 788,148.93 | 82.80 % |
| Fund: 05 - DEBT SERVICING Surplus (Deficit): | 16,317.00 | 16,317.00 | 7,445.44 | 639,432.72 | 623,115.72 | -3,818.81 % |
| Fund: 06 - STREET FUND | | | | | | |
| Revenue | | | | | | |
| 06 - STREET FUND | 284,434.98 | 284,434.98 | 22,128.20 | 170,053.14 | -114,381.84 | 40.21 % |
| Revenue Total: | 284,434.98 | 284,434.98 | 22,128.20 | 170,053.14 | -114,381.84 | 40.21 % |
| Expense | | | | | | |
| 06 - STREET FUND | 253,370.00 | 253,370.00 | 20,677.86 | 108,682.72 | 144,687.28 | 57.11 % |
| Expense Total: | 253,370.00 | 253,370.00 | 20,677.86 | 108,682.72 | 144,687.28 | 57.11 % |
| Fund: 06 - STREET FUND Surplus (Deficit): | 31,064.98 | 31,064.98 | 1,450.34 | 61,370.42 | 30,305.44 | -97.55 % |

My Budget Report

For Fiscal: 2019-2020 Period Ending: 04/30/2020

| Fun... | Original Total Budget | Current Total Budget | Period Activity | Fiscal Activity | Variance Favorable (Unfavorable) | Percent Remaining |
|--|--------------------------|-------------------------|--------------------|--------------------|--|----------------------|
| Fund: 08 - WRA FUND | | | | | | |
| Revenue | | | | | | |
| 08 - WRA FUND | 288,285.00 | 288,285.00 | 50.24 | 50,586.36 | -237,698.64 | 82.45 % |
| Revenue Total: | 288,285.00 | 288,285.00 | 50.24 | 50,586.36 | -237,698.64 | 82.45 % |
| Expense | | | | | | |
| 08 - WRA FUND | 367,585.00 | 367,585.00 | 17,609.37 | 114,126.28 | 253,458.72 | 68.95 % |
| Expense Total: | 367,585.00 | 367,585.00 | 17,609.37 | 114,126.28 | 253,458.72 | 68.95 % |
| Fund: 08 - WRA FUND Surplus (Deficit): | -79,300.00 | -79,300.00 | -17,559.13 | -63,539.92 | 15,760.08 | 19.87 % |
| Fund: 09 - HAWKS CREEK GOLF COURSE | | | | | | |
| Revenue | | | | | | |
| 09 - HAWKS CREEK GOLF COURSE | 1,740,586.00 | 1,740,586.00 | 82,120.69 | 739,362.83 | -1,001,223.17 | 57.52 % |
| Revenue Total: | 1,740,586.00 | 1,740,586.00 | 82,120.69 | 739,362.83 | -1,001,223.17 | 57.52 % |
| Expense | | | | | | |
| 09 - HAWKS CREEK GOLF COURSE | 1,740,586.00 | 1,740,586.00 | 137,800.17 | 807,284.19 | 933,301.81 | 53.62 % |
| Expense Total: | 1,740,586.00 | 1,740,586.00 | 137,800.17 | 807,284.19 | 933,301.81 | 53.62 % |
| Fund: 09 - HAWKS CREEK GOLF COURSE Surplus (Deficit): | 0.00 | 0.00 | -55,679.48 | -67,921.36 | -67,921.36 | 0.00 % |
| Report Surplus (Deficit): | -2,452.13 | -2,452.13 | -19,843.15 | 958,981.91 | 961,434.04 | 39,208.12 % |

Fund Summary

| Fund | Original Total Budget | Current Total Budget | Period Activity | Fiscal Activity | Variance Favorable (Unfavorable) |
|----------------------------------|--------------------------|-------------------------|--------------------|--------------------|--|
| 01 - GENERAL FUND | 24,991.93 | 24,991.93 | -171,261.49 | 532,222.44 | 507,230.51 |
| 02 - WATER FUND | -1,802.00 | -1,802.00 | 62,016.48 | 162,484.00 | 164,286.00 |
| 03 - CRIME CONTROL | 6,275.96 | 6,275.96 | -22,162.37 | -6,710.06 | -12,986.02 |
| 04 - CAPITAL PROJECTS | 0.00 | 0.00 | 175,907.06 | -298,356.33 | -298,356.33 |
| 05 - DEBT SERVICING | 16,317.00 | 16,317.00 | 7,445.44 | 639,432.72 | 623,115.72 |
| 06 - STREET FUND | 31,064.98 | 31,064.98 | 1,450.34 | 61,370.42 | 30,305.44 |
| 08 - WRA FUND | -79,300.00 | -79,300.00 | -17,559.13 | -63,539.92 | 15,760.08 |
| 09 - HAWKS CREEK GOLF COURSE | 0.00 | 0.00 | -55,679.48 | -67,921.36 | -67,921.36 |
| Report Surplus (Deficit): | -2,452.13 | -2,452.13 | -19,843.15 | 958,981.91 | 961,434.04 |

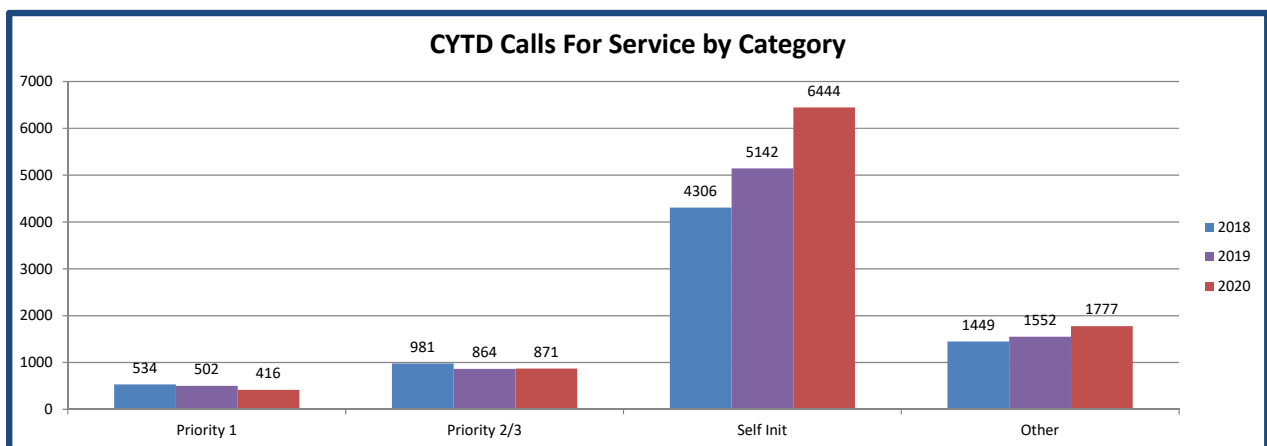
Westworth Village Police Department
Monthly Calls-For-Service Report By Call-Type
Apr-20

[illegible]

Westworth Village Police Department
Calls-For-Service Report By Call-Type
Calendar Year to Date- APRIL 2020

[illegible]

Westworth Village Police Department
Calls-For-Service Report By Call-Type
Calendar Year to Date - APRIL 2020

[illegible]

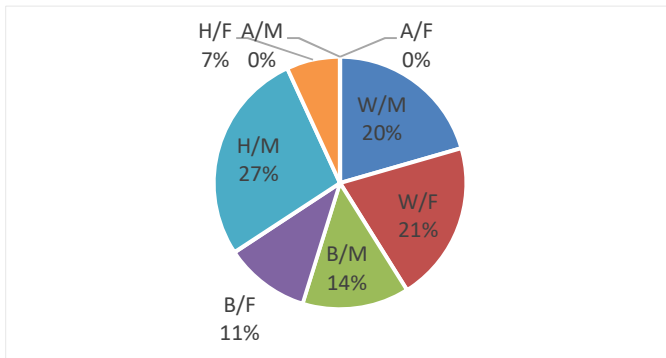
Westworth Village Police Department

Jail Population - Race/Sex Makeup

Jail Annual Statistics - Calendar Year

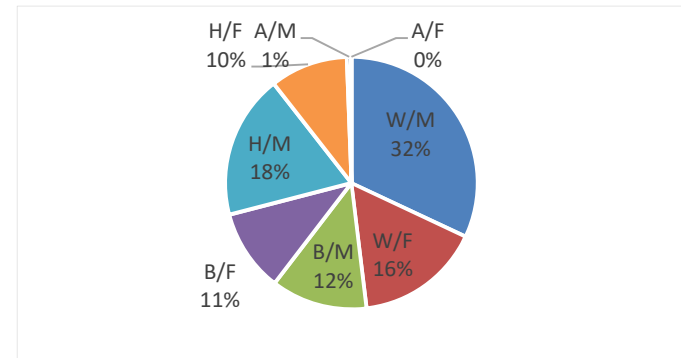
2020

| | White | Black | Hispanic | Asian | Oth/Unk | Totals | Percent |
|---------|-------|-------|----------|-------|---------|--------|---------|
| Male | 15 | 10 | 20 | 0 | 0 | 45 | 61.6% |
| Female | 15 | 8 | 5 | 0 | 0 | 28 | 38.4% |
| Totals | 30 | 18 | 25 | 0 | 0 | 73 | |
| Percent | 41.1% | 24.7% | 34.2% | 0.0% | 0.0% | | |



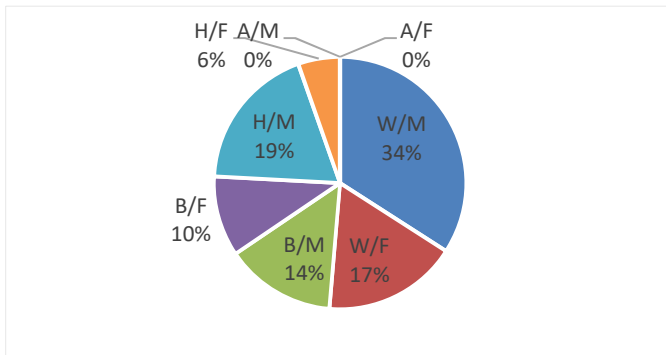
2019

| | White | Black | Hispanic | Asian | Oth/Unk | Totals | Percent |
|---------|-------|-------|----------|-------|---------|--------|---------|
| Male | 109 | 42 | 63 | 2 | 2 | 218 | 63.6% |
| Female | 55 | 36 | 34 | 0 | 0 | 125 | 36.4% |
| Totals | 164 | 78 | 97 | 2 | 2 | 343 | |
| Percent | 47.8% | 22.7% | 28.3% | 0.6% | 0.6% | | |



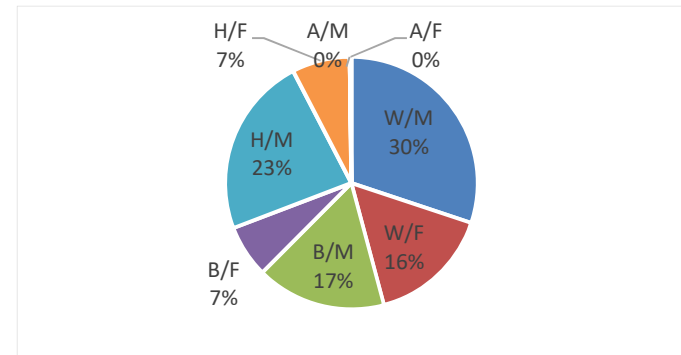
2018

| | White | Black | Hispanic | Asian | Oth/Unk | Totals | Percent |
|---------|-------|-------|----------|-------|---------|--------|---------|
| Male | 89 | 37 | 49 | 0 | 3 | 178 | 67.4% |
| Female | 45 | 27 | 14 | 0 | 0 | 86 | 32.6% |
| Totals | 134 | 64 | 63 | 0 | 3 | 264 | |
| Percent | 50.8% | 24.2% | 23.9% | 0.0% | 1.1% | | |



2017

| | White | Black | Hispanic | Asian | Oth/Unk | Totals | Percent |
|---------|-------|-------|----------|-------|---------|--------|---------|
| Male | 134 | 74 | 103 | 0 | 0 | 311 | 69.9% |
| Female | 70 | 30 | 33 | 1 | 0 | 134 | 30.1% |
| Totals | 204 | 104 | 136 | 1 | 0 | 445 | |
| Percent | 45.8% | 23.4% | 30.6% | 0.2% | 0.0% | | |



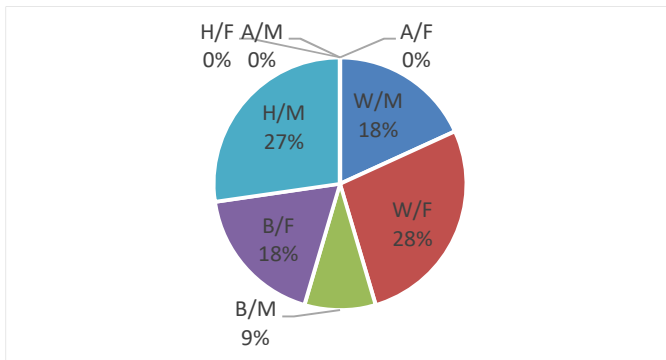
Westworth Village Police Department

Jail Population - Race/Sex Makeup

Jail Monthly Statistics

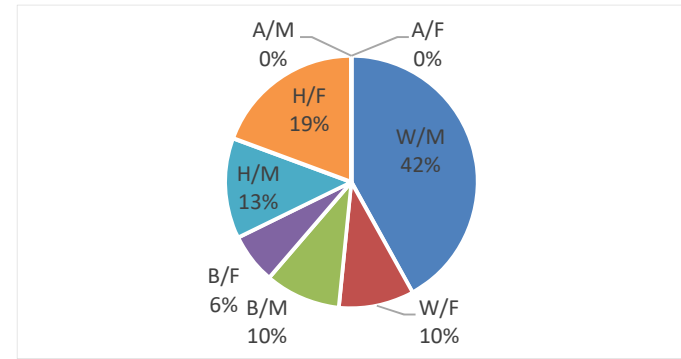
Apr '20

| | White | Black | Hispanic | Asian | Oth/Unk | Totals | Percent |
|---------|-------|-------|----------|-------|---------|--------|---------|
| Male | 2 | 1 | 3 | 0 | 0 | 6 | 54.5% |
| Female | 3 | 2 | 0 | 0 | 0 | 5 | 45.5% |
| Totals | 5 | 3 | 3 | 0 | 0 | 11 | |
| Percent | 45.5% | 27.3% | 27.3% | 0.0% | 0.0% | | |



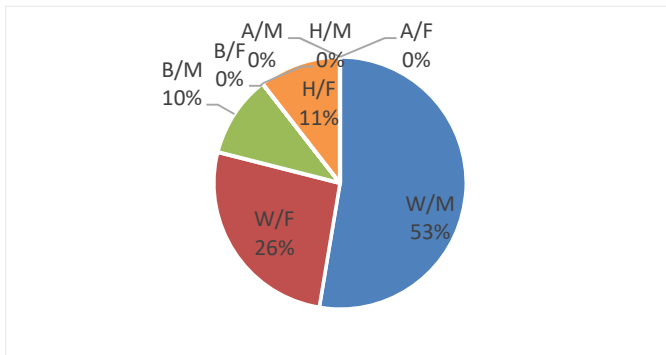
Apr '19

| | White | Black | Hispanic | Asian | Oth/Unk | Totals | Percent |
|---------|-------|-------|----------|-------|---------|--------|---------|
| Male | 13 | 3 | 4 | 0 | 0 | 20 | 64.5% |
| Female | 3 | 2 | 6 | 0 | 0 | 11 | 35.5% |
| Totals | 16 | 5 | 10 | 0 | 0 | 31 | |
| Percent | 51.6% | 16.1% | 32.3% | 0.0% | 0.0% | | |



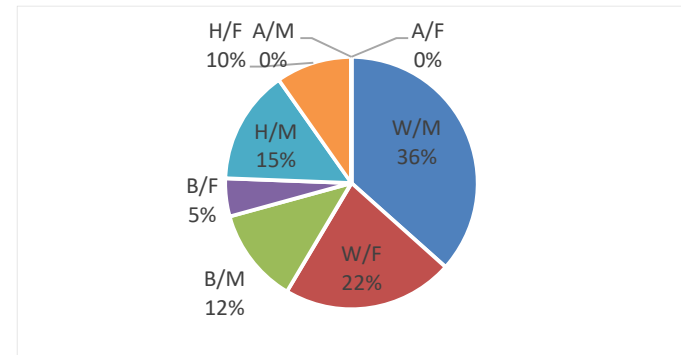
Apr '18

| | White | Black | Hispanic | Asian | Oth/Unk | Totals | Percent |
|---------|-------|-------|----------|-------|---------|--------|---------|
| Male | 10 | 2 | 0 | 0 | 0 | 12 | 63.2% |
| Female | 5 | 0 | 2 | 0 | 0 | 7 | 36.8% |
| Totals | 15 | 2 | 2 | 0 | 0 | 19 | |
| Percent | 78.9% | 10.5% | 10.5% | 0.0% | 0.0% | | |



Apr '17

| | White | Black | Hispanic | Asian | Oth/Unk | Totals | Percent |
|---------|-------|-------|----------|-------|---------|--------|---------|
| Male | 15 | 5 | 6 | 0 | 0 | 26 | 63.4% |
| Female | 9 | 2 | 4 | 0 | 0 | 15 | 36.6% |
| Totals | 24 | 7 | 10 | 0 | 0 | 41 | |
| Percent | 58.5% | 17.1% | 24.4% | 0.0% | 0.0% | | |



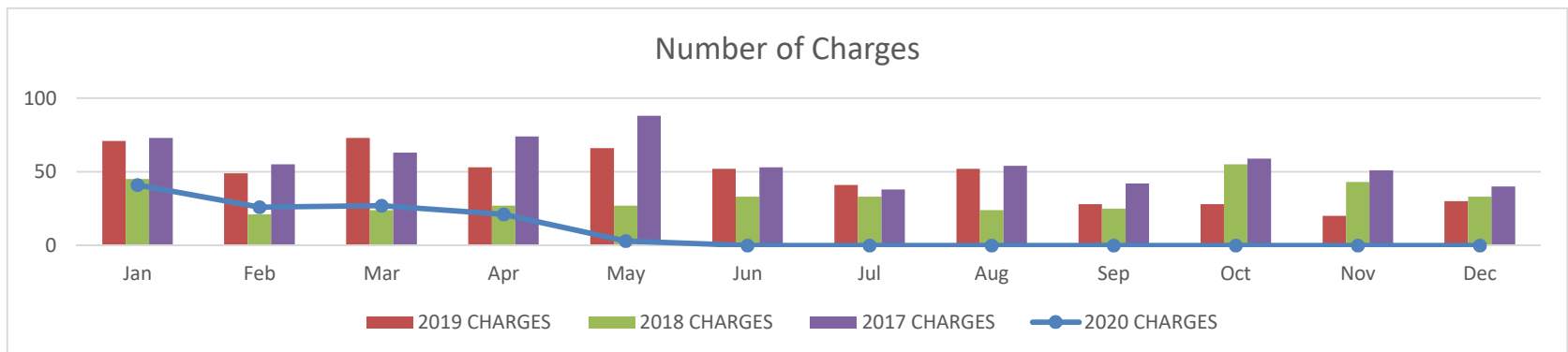
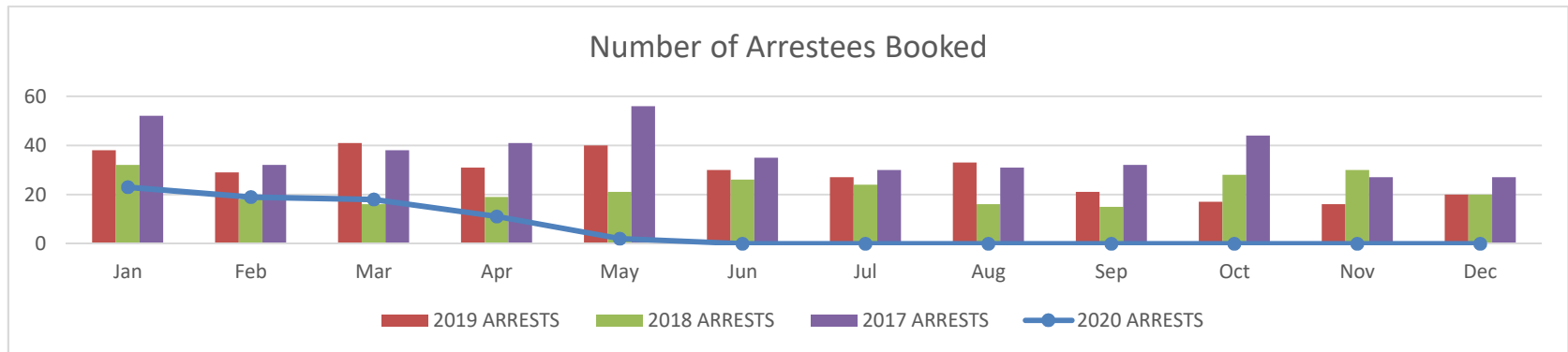
Westworth Village Police Department

Jail Population - Charges

Monthly Statistics

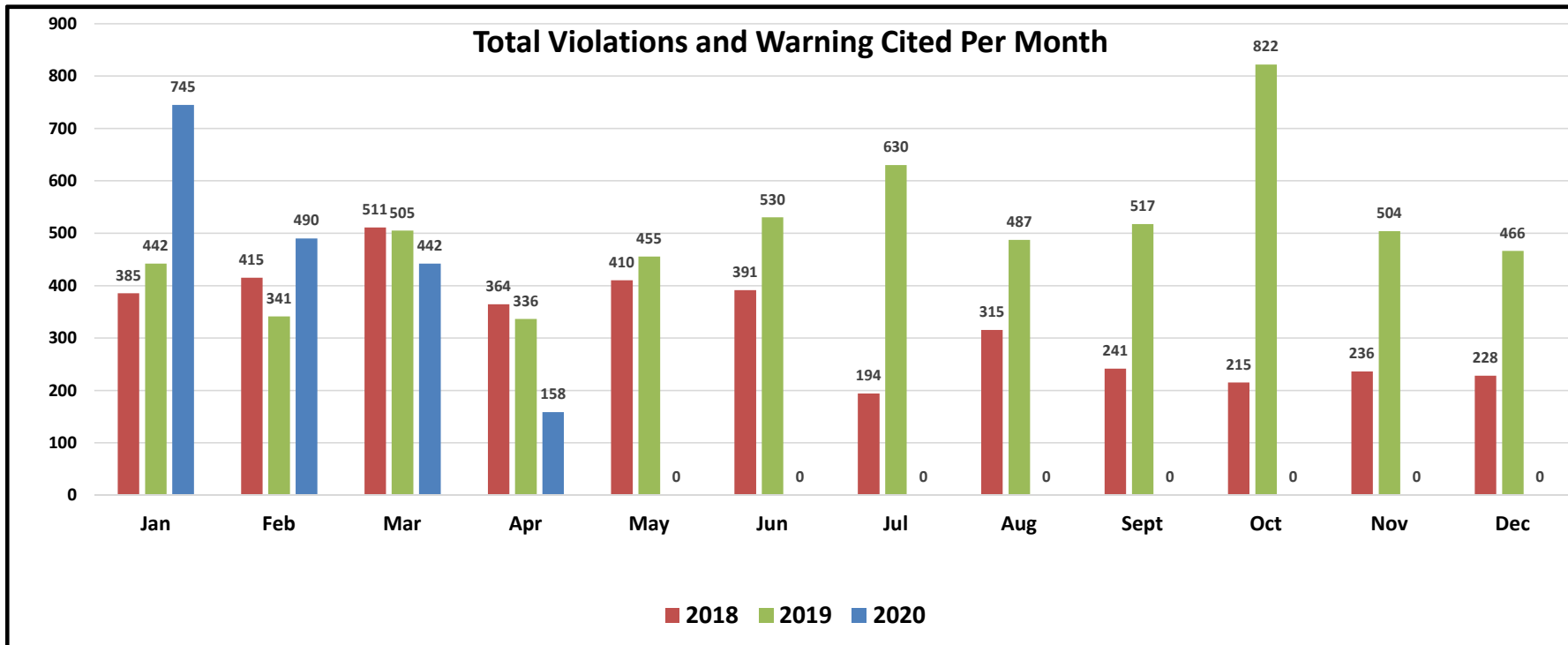
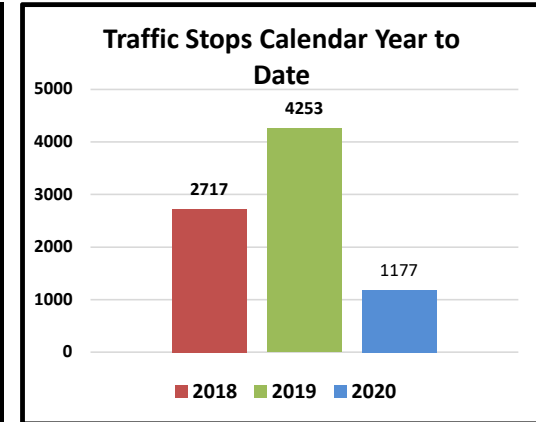
| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|--------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| 2020 ARRESTS | 23 | 19 | 18 | 11 | 2 | | | | | | | | 73 |
| 2019 ARRESTS | 38 | 29 | 41 | 31 | 40 | 30 | 27 | 33 | 21 | 17 | 16 | 20 | 343 |
| 2018 ARRESTS | 32 | 18 | 16 | 19 | 21 | 26 | 24 | 16 | 15 | 28 | 30 | 20 | 265 |
| 2017 ARRESTS | 52 | 32 | 38 | 41 | 56 | 35 | 30 | 31 | 32 | 44 | 27 | 27 | 445 |

| | | | | | | | | | | | | | |
|--------------|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| 2020 CHARGES | 41 | 26 | 27 | 21 | 3 | | | | | | | | 118 |
| 2019 CHARGES | 71 | 49 | 73 | 53 | 66 | 52 | 41 | 52 | 28 | 28 | 20 | 30 | 563 |
| 2018 CHARGES | 45 | 21 | 24 | 27 | 27 | 33 | 33 | 24 | 25 | 55 | 43 | 33 | 390 |
| 2017 CHARGES | 73 | 55 | 63 | 74 | 88 | 53 | 38 | 54 | 42 | 59 | 51 | 40 | 690 |



Traffic Stops, Cited Violations, and Warnings per Month

| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Totals |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
| 2018 Traffic Stops | 245 | 272 | 437 | 237 | 264 | 248 | 119 | 187 | 194 | 149 | 188 | 177 | 2717 |
| 2018 Cited Violations | 219 | 213 | 330 | 183 | 188 | 182 | 98 | 168 | 145 | 154 | 103 | 133 | 2116 |
| 2018 Warnings | 166 | 202 | 181 | 181 | 222 | 209 | 96 | 147 | 96 | 61 | 133 | 95 | 1789 |
| 2019 Traffic Stops | 306 | 205 | 348 | 241 | 322 | 374 | 450 | 355 | 363 | 577 | 400 | 312 | 4253 |
| 2019 Cited Violations | 222 | 169 | 235 | 161 | 201 | 239 | 307 | 268 | 285 | 404 | 275 | 178 | 2944 |
| 2019 Warnings | 220 | 172 | 270 | 175 | 254 | 291 | 323 | 219 | 232 | 418 | 229 | 288 | 3091 |
| 2020 Traffic Stops | 491 | 316 | 281 | 89 | | | | | | | | | 1177 |
| 2020 Cited Violations | 350 | 203 | 203 | 98 | | | | | | | | | 854 |
| 2020 Warnings | 395 | 287 | 239 | 60 | | | | | | | | | 981 |





PUBLIC WORKS REPORT APRIL 2020

Water

- ❖ All bacteriological water samples passed
- ❖ Continued monthly dead-end flushing
- ❖ Continued water sampling for Nitrification Action Plan for TCEQ
- ❖ Performed construction and alleyway inspections
- ❖ Performed Line Locates for utility services
- ❖ Completed DLQOR
- ❖ Started window project at Golf Course
- ❖ Started water loss audit

Sewer

- ❖ Performed weekly sewer line flushes on Pecan Drive
- ❖ Performed preventative maintenance on sewer lines in commercial area
- ❖ Repaired sewer service on Coleman St (5800 block)

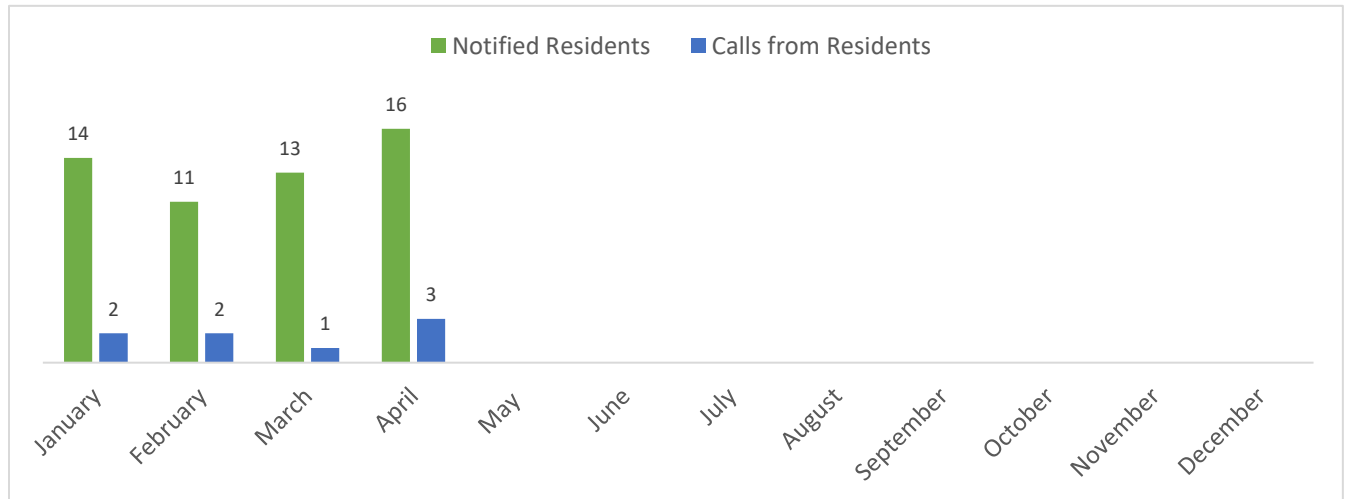
Stormwater

- ❖ Cleaned storm drains on Pumphrey Drive and White Settlement Road
- ❖ Performed stormwater inspections

AMA-Beacon Alerts 2020:

Objective- Notify residents at first alert of a water leak through phone call, email, and face to face notification.

Goal- Provide proactive customer service.



Leak Alert

| | | Total Completed |
|--|----|-----------------|
| <u>Notified Customer within 24 hours of 1st alert</u> | | 54 |
| • Leak detected | 43 | |
| • No Leak Detected | 11 | |
| <u>Calls from Residents</u> | | |
| • Leak Detected | 5 | 8 |
| • No Leak Detected | 3 | |
| Grand Totals | | 62 |

Residents who called in were alerted through their Eye on Water account

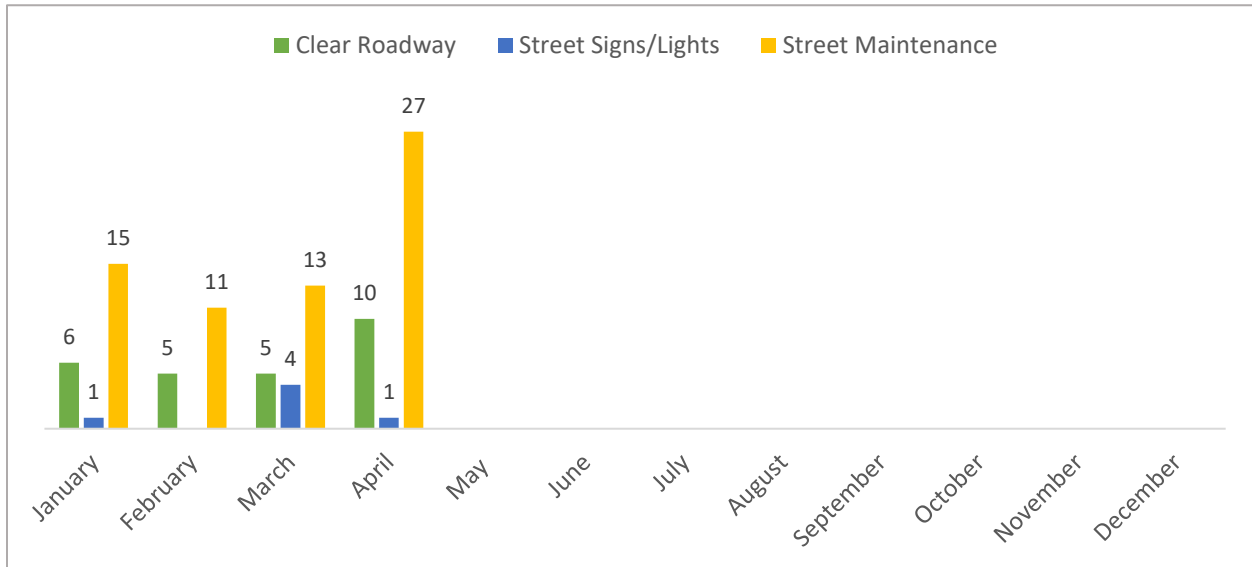


Westworth Village

Street Maintenance 2020:

Objective- Develop a Crack Sealing Program and Street Sign/Light Maintenance Program throughout the City.

Goal- Extend the longevity of City streets while implementing a quarterly inspection procedure.



Street Repair

| | | Total Completed |
|----------------------------|----|-----------------|
| <u>Clear Roadway</u> | | 26 |
| • Trash | 13 | |
| • Dead Animals | 11 | |
| • Tree Limbs/Debris | 2 | |
| <u>Street Signs/Lights</u> | | 6 |
| • Street Signs | 6 | |
| • Street Lights | | |
| <u>Street Maintenance</u> | | 66 |
| • Repair Potholes | 27 | |
| • Manhole Maintenance | 3 | |
| • Graffiti | | |
| • Alleyway | 36 | |
| Grand Total: | | 98 |

April 2020 Service Order Report

Group Summary

| Group | Total Completed | Total New | Total Void | Total Open |
|-----------------------|-----------------|-----------|------------|------------|
| Mobile Service Orders | 116 | 0 | 0 | 0 |
| Grand Totals | 116 | 0 | 0 | 0 |

Job Code Summary

| Job Code | Total Completed | Total New | Total Void | Total Open |
|-----------------------------------|-----------------|-----------|------------|------------|
| AMA – Beacon Leak Alert | 19 | 0 | 0 | 0 |
| CAP- Sewer Cap | 1 | 0 | 0 | 0 |
| LOC- Line Locate | 1 | 0 | 0 | 0 |
| MI – Meter Information | 62 | 0 | 0 | 0 |
| OCC – Read and Leave On | 3 | 0 | 0 | 0 |
| OFF – Turn Off Service | 4 | 0 | 0 | 0 |
| ON – Turn On Service | 6 | 0 | 0 | 0 |
| PULL- Meter Pull | 3 | 0 | 0 | 0 |
| REINS – Turn Back on Service | 5 | 0 | 0 | 0 |
| SET- New Connect | 1 | 0 | 0 | 0 |
| SEWER- Check Sewer Lines | 1 | 0 | 0 | 0 |
| SWAP- Meter Exchange | 1 | 0 | 0 | 0 |
| TRASH – Replace Trash/Recycle Bin | 9 | 0 | 0 | 0 |
| Grand Totals | 116 | 0 | 0 | 0 |



April 2020 Work Order Report

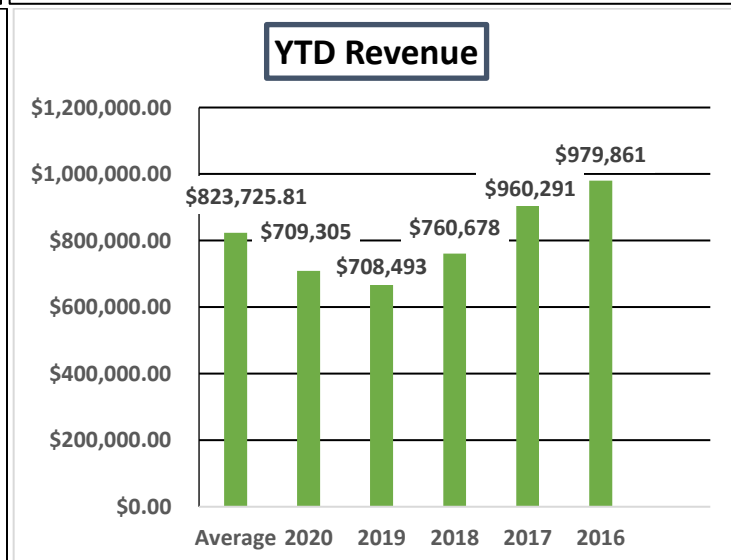
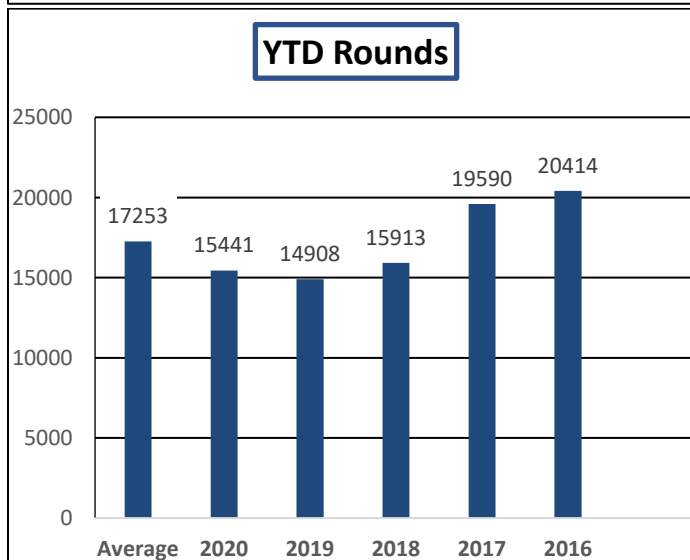
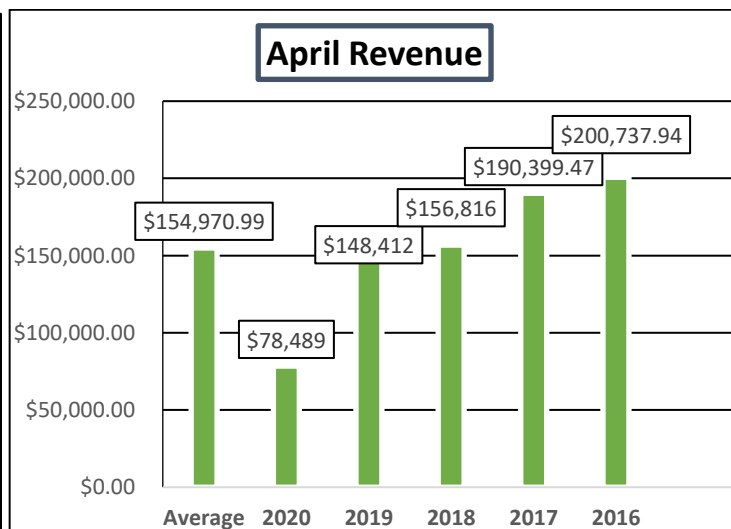
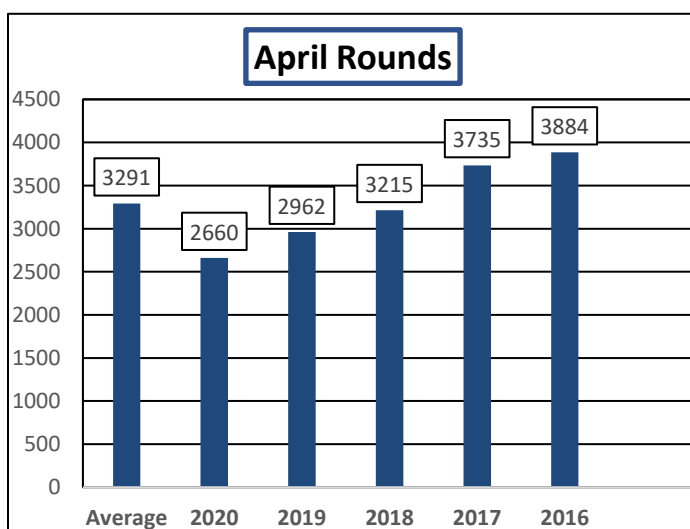
| Job Code | Total Completed | Total New | Total Void | Total Open |
|-----------------------|-----------------|-----------|------------|------------|
| CITY HALL | 8 | 0 | 0 | 0 |
| HCGC | 0 | 0 | 0 | 0 |
| POLICE DEPARTMENT | 0 | 0 | 0 | 0 |
| COURT | 0 | 0 | 0 | 0 |
| PUBLIC WORKS BUILDING | 1 | 0 | 0 | 0 |
| ROADWAY | 13 | 0 | 0 | 0 |
| PARK | 0 | 0 | 0 | 0 |
| ALLEYWAY | 20 | 0 | 0 | 0 |
| EASEMENT | 1 | 0 | 0 | 0 |
| INTERSECTION | 1 | 0 | 0 | 0 |
| SCHOOL ZONE | 0 | 0 | 0 | 0 |
| STORMWATER | 1 | 0 | 0 | 0 |
| WATER LINES | 1 | 0 | 0 | 0 |
| SEWER LINES | 0 | 0 | 0 | 0 |
| Grand Totals | 46 | 0 | 0 | 0 |

HAWKS CREEK GOLF CLUB: APRIL 2020 MONTHLY REPORT



| Monthly Overview | | | | |
|--------------------------|-----------------------|-------------------------|---------------------------------|-------------------------------------|
| Rounds | Total: 2660 | Daily Fee Paid: 2078 | | |
| Revenue | Total: \$78,489.16 | Per Round: \$29.50 | D/F G/F Revenue: \$66,015.00 | Avg. \$ per Round G/F: \$24.83 |
| Closures | 3 Days Closed | | | |
| Preferred Players | Total: 29 | Monthly: 17 | Annual: 12 | Total Monthly Billing: \$2450.00 |

| Category | Revenue | \$ Per Round |
|------------------------------------|--------------|--------------|
| Green Fees & Membership | \$ 66,015.00 | \$ 24.83 |
| Cart Fees | \$ 388.08 | \$.14 |
| Range | \$ 0.00 | \$ 0.00 |
| Pro-Shop Merchandise | \$ 6,455.66 | \$ 2.43 |
| Club Rentals-Hdcp-Lessons | \$ 280.00 | \$.10 |
| Food | \$ 522.15 | \$.19 |
| Beer | \$ 3,192.45 | \$ 1.20 |
| Beverages | \$ 1,635.82 | \$.61 |
| Liquor | \$ 0 | \$.00 |



Food and Beverage Monthly Promotions

- Monthly Westworth Village Resident discount coupon:
 - No coupons were sent out due to kitchen being closed.

Summary/Overview

- **WEATHER:** The weather in April was great; only 2 Saturday's were closed due to rain.
- **FINANCE:** 98% of the 2660 rounds were all walking rounds with a reduced rates \$40.00 weekend, \$30.00 weekday and \$25.00 for seniors during the week. This was only 282 rounds short of last April. I know most courses employed a straight \$25.00 rate 7 days a week. I felt good about our pricing structure.
 - **COVID-19:** We operated with minimal staff with the clubhouse closed off for the safety of our staff and golfers. Kitchen and driving range were closed for the month.
 - **TOURNAMENTS:** We lost 5 tournaments for the month of April roughly totaling roughly \$17,500.00

**Westworth Village****PROCLAMATION**

Municipal Complex
311 Burton Hill Road
Westworth Village, TX 76114
cityofwestworth.com

Tuesday, May 12, 2020

Council Chambers

National Military Appreciation Month

WHEREAS, the freedom and security that citizens of the United States enjoy today are direct results of the continued vigilance given by the United States Armed Forces over the history of our great nation; and

WHEREAS, the sacrifices endured by members of the United States Armed Forces and the family members that support them, have preserved the liberties that enrich this nation making it unique in the world community; and

WHEREAS, the United States Congress, in two thousand and four, passed a resolution proclaiming May as National Military Appreciation Month, calling all Americans to remember those who gave their lives in defense of freedom and to honor the men and women of our Armed Services who have served and are now serving our country, together with their families; and

WHEREAS, the month of May was selected to display our patriotism as we celebrate Victory in Europe (VE) Day, Military Spouse Day, Loyalty Day, Armed Forces Day/Week, and Memorial Day;

NOW, THEREFORE, BE IT RESOLVED, that I, Kelly Jones, Mayor of the City of Westworth Village, do hereby proclaim the month of May as a special time to show appreciation for our military and encourage all citizens to join me in showing our gratitude through the appropriate display of flags and ribbons during this designated period.

PASSED AND APPROVED ON THIS 12th DAY OF MAY, 2020.

CITY OF WESTWORTH VILLAGE

L. Kelly Jones, Mayor**ATTEST:**

Brandy G. Barrett, City Secretary



Friday, May 8, 2020

Council Chambers

ANNE LANFORD DAY
100TH BIRTHDAY CELEBRATION

WHEREAS, on May 8, 1920, Anne Graves was born in Hutchins, Texas, and

WHEREAS, in 1942, she met the love of her life, Edwin Lanford in Midland, Texas, while he was in bombardier training and the two of them married before his WWII deployment; and

WHEREAS, she faithfully supported him and his fellow airmen in the 391st Bomb Group, 575th Bombardment Squadron based in Matching Green, England, sending encouraging letters and updates from home, which included the pending arrival of their first child; and

WHEREAS, upon his return, she continued to support him and their growing family, by managing the family owned construction and painting company; and

WHEREAS, she has spent her life engaged in the pursuit of knowledge, obtaining a Spanish degree from the University of Texas, studying history and archaeology, taking countless trips abroad, becoming one of the oldest people to climb to the top of Machu Picchu at the age of 89; and

WHEREAS, she is a valued citizen of the State of Texas and resident of the City of Westworth Village; setting the example for those around her, including her three children, two grandchildren, and two great grandchildren; and

WHEREAS, she will celebrate her 100th birthday on May 8, 2020.

NOW THEREFORE BE IT RESOLVED, that as mayor of the City of Westworth Village, I do hereby proclaim May 8, 2020 as Anne Lanford day.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused the Seal of the City Westworth Village hereto, on this the 8th day of May 2020.

Mayor

L. Kelly Jones

ATTEST:

Brandy G. Barrett, City Secretary



National Police Week May 10-16, 2020

WHEREAS, the members of the law enforcement agency of the City of Westworth Village play an essential role in safeguarding the rights and freedoms of the City of Westworth Village; and

WHEREAS, it is important that all citizens know and understand the problems, duties, and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the Police Department of Westworth Village has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service;

NOW THEREFORE, BE IT RESOLVED, that as Mayor of the City of Westworth Village, I call all patriotic, civil and educational organizations to observe the week of May 10-16, 2020 as Police Week with appropriate ceremonies in which all may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

PASSED AND APPROVED ON THIS 12th DAY OF MAY 2020.

CITY OF WESTWORTH VILLAGE

L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, City Secretary



National Public Works Week, May 17 – 23, 2020

“It Starts Here”

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Westworth Village; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Westworth Village to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2020 marks the 60th annual National Public Works Week sponsored by the American/Canadian Public Works Association be it now,

NOW THEREFORE, BE IT RESOLVED, that as Mayor of the City of Westworth Village, I do hereby designate the week May 17 – 23, 2020 as National Public Works Week; I urge all citizens to join with representatives of the American/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

PASSED AND APPROVED ON THIS 12th DAY OF MAY 2020.

CITY OF WESTWORTH VILLAGE

L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, City Secretary

**Westworth Village****ORDINANCE 461-A**

Municipal Complex
311 Burton Hill Road
Westworth Village, TX 76114
cityofwestworth.com

Tuesday, May 12, 2020Council Chambers

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTWORTH VILLAGE, TEXAS, APPROVING THE SECOND EXTENSION OF THE MAYOR'S DECLARATION OF PUBLIC HEALTH EMERGENCY UNTIL _____; ALLOWING FOR THE AUTOMATIC ADOPTION OF ALL RULES, REGULATIONS AND LIMITATIONS ISSUED BY TARRANT COUNTY AND THE STATE OF TEXAS CONTAINED IN EXECUTIVE ORDERS OR DISASTER DECLARATIONS ISSUED BY THOSE ENTITIES FOR THE CORONAVIRUS 2019 PUBLIC HEALTH EMERGENCY AS APPLICABLE TO THE CITY OF WESTWORTH VILLAGE; AND PROVIDING FOR A PENALTY FOR VIOLATIONS AS ALLOWED UNDER STATE LAW.

WHEREAS, the City of Westworth Village, Texas is a Type A general-law municipality located in Tarrant County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, on April 7, 2020, the Mayor issued a Declaration of Local Disaster and Public Health Emergency for the City of Westworth Village, Texas resulting from a determination that extraordinary and immediate measures must be taken to quickly respond, prevent, and alleviate the suffering of people exposed to and those infected with the COVID-19 virus, as well as those that could potentially be infected or impacted by COVID-19; and

WHEREAS, on April 14, 2020, the City Council adopted Ordinance 461, which extend the Mayor's Declaration until 11:59 pm on May 13, 2020; and

WHEREAS, Ordinance 461 also provided for the automatic adoption of all rules, regulations and limitations issued by Tarrant County and the State of Texas contained in executive orders or disaster declarations issued by those entities for the Coronavirus 2019 public health emergency as applicable to the City of Westworth Village; and

WHEREAS, the conditions necessitating a declaration of a state of disaster continue to exist; and

WHEREAS, the City of Westworth Village, Texas, and Tarrant County, Texas have in place an interjurisdictional Emergency Management Plan (the Plan) adopted under Chapter 6 of the Code of Ordinances and Chapter 418 of the Texas Government Code (the Texas Disaster Act); and

WHEREAS, the City Council desires to extend the declaration of local disaster a second time and expressly provide for penalties of violations of the plan and rules, regulations or directives adopted under the Plan and state or local disaster declarations;

WHEREAS, the City Council finds that this ordinance is in the best interest of the City and furthers the public health and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTWORTH VILLAGE, TEXAS, THAT:

SECTION 1: The Declaration of Local Disaster and Public Health Emergency issued for the City of Westworth Village by the Mayor on April 7, 2020, and extended on April 14, 2020 by Ordinance 461 until 11:59 pm on May 13, 2020 shall continue further until _____, and this Ordinance specifically adopts the rules and regulations contained in said Declaration of Local Disaster and Public Health Emergency pursuant to §122.005 of the Health and Safety Code.

SECTION 2: This ordinance shall further adopt for the City of Westworth Village, Texas all rules, regulations and limitations issued by Tarrant County and the State of Texas contained in executive orders or disaster declarations issued by those entities for the Coronavirus 2019 public health emergency as applicable to the City of Westworth Village. In the event of a conflict between the rules, regulations and limitations issued by Tarrant County and the State of Texas, the more restrictive of the rules, regulations and limitations shall be adopted.

SECTION 3: The Tarrant County and City of Westworth Village interjurisdictional Emergency Management Plan shall continue to be implemented. Any violation of rules, regulations, or directives adopted pursuant to the Emergency Management Plan or a Declaration of Local Disaster is an offense. Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of the Emergency Management Plan or a Declaration of Disaster shall be fined in accordance with §418.173 of the Texas Government Code or §122.005 of the Health and Safety Code, as applicable.

SECTION 4: That the City Secretary of the City of Westworth Village is hereby directed to publish this ordinance as required by law.

SECTION 5: This ordinance shall be in full force and effect from and after the date of its passage and publication as required by law and is so ordained.

PASSED AND APPROVED ON THIS 12th DAY OF MAY, 2020.

CITY OF WESTWORTH VILLAGE

L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, City Secretary



Westworth Village

ORDINANCE 463

Municipal Complex
311 Burton Hill Road
Westworth Village, TX 76114
cityofwestworth.com

Tuesday, April 14, 2020

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WESTWORTH VILLAGE, TEXAS AMENDING THE 2018 EDITION OF THE *INTERNATIONAL RESIDENTIAL CODE* PREVIOUSLY ADOPTED TO PROVIDE REGULATIONS GOVERNING ROOF DRAINAGE; PROVIDING FOR A PENALTY FOR VIOLATION; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING THE EFFECTIVE DATE.

- WHEREAS,** the City of Westworth Village is a Type A General Law city located in Tarrant County, Texas; and,
- WHEREAS,** the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known as the "International Codes"); and
- WHEREAS,** the 2018 edition of the *International Residential Code*, was prepared by the ICC, and reviewed by the NCTCOG and by City staff; and
- WHEREAS,** the 2018 edition of the *International Residential Code* was adopted on March 10, 2020 along with local amendments thereto; and
- WHEREAS,** the City Council of the City of Westworth Village desires to adopt certain local amendments to the 2018 edition of the *International Residential Code* governing roof drainage as outlined herein to reflect the unique needs of the City of Westworth Village;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTWORTH VILLAGE, TEXAS:

SECTION 1: That Chapter 3, "Building Regulations," Article 3.02, "Technical and Construction Codes and Standards," Section 3.02.081, "Adoption; amendments," of the Code of Ordinances, City of Westworth Village, Texas, is hereby amended to read as follows:

"Section 3.02.081. Adoption of Residential Code and Amendments, Additions, and Deletions.

- (a) The International Residential Code, 2018 Edition, including Appendix Chapters as recommended by NCTOG, as published by the International Code Council, a copy of which is on file in the office of the City Secretary, is hereby adopted, and designated as the residential code of the City of Westworth Village, Texas, and is made a part hereof, as amended. Amendments, additions, and deletions to the International Residential Code, 2018 Edition, are hereby adopted and attached as Exhibit "E" to this ordinance. Exhibit "E" shall be maintained as a public record in the office of the City Secretary. In the event a conflict is determined to exist between the International Residential Code as adopted and the other provisions of this Chapter, the latter provisions shall be construed as controlling and take precedence over the former.
- (b) In addition to the local amendments adopted as Exhibit "E" to Ordinance 457, the following amendments are hereby adopted:

*"Add the following definition to **R202 Definitions**."*

Approved Drainage or Collection system: V- Trench, Ditch, Pervious Surface, Impervious Surface, Rainwater Harvesting System, French Drain, or vegetated landscape area

Rain Gutter System: A trough or collection channel that runs around the perimeter of a roof, and collects rainwater runoff from the roof, discharging it to rainwater downpipes which convey it to a drainage system.

*Modify **R801.3 Roof drainage**. to read as follows:*

~~In areas where expansive or collapsible soils are known to exist,~~ All dwellings (including new residential, additions, and roof structure modifications/alterations that require a building permit) shall have a controlled method of water disposal from roofs such as a rain gutter system that will collect and discharge all roof drainage to the ground surface at least 5 feet (1524 mm) from foundation walls or to an approved drainage or collection system. Roof drainage shall not flow toward buildings or onto adjacent neighboring private property."

SECTION 2: VIOLATIONS AND PENALTIES. Any person violating any provision of this ordinance shall be fined for each and every day during which any violation of any provision of this ordinance is committed, continued, or permitted in an amount not to exceed \$500.00.

SECTION 3: CUMULATIVE This Ordinance shall be cumulative of all provisions of ordinances of the City of Westworth Village, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting ordinances are hereby repealed.

SECTION 4: SEVERABILITY It is hereby declared to be the intention of the City Council of the City of Westworth Village, Texas, that the terms and conditions of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance.

SECTION 5: SAVINGS All rights and remedies of the City of Westworth Village, Texas, are expressly saved as to any and all violations of the provisions of any ordinances affecting building construction, building codes, fire codes, plumbing codes, mechanical codes, electrical codes, residential codes, energy conservation codes, fuel gas codes, permit issuance, or contractor registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6: PUBLICATION The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance as an alternative method of publication provided by law.

SECTION 7: EFFECTIVE DATE This ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED AND APPROVED this 14th day of April 2020.

CITY OF WESTWORTH VILLAGE

By: _____
L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Ashley D. Dierker, Attorney



Westworth Village

ORDINANCE 464

Municipal Complex
311 Burton Hill Road
Westworth Village, TX 76114
cityofwestworth.com

Tuesday, May 12, 2020

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WESTWORTH VILLAGE, TEXAS AMENDING ARTICLE 6.04, "FOOD SANITATION;" TO UPDATE REFERENCES TO APPLICABLE PROVISIONS OF STATE LAW GOVERNING FOOD ESTABLISHMENTS LOCATED IN THE CITY; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING THE EFFECTIVE DATE.

WHEREAS, the City of Westworth Village is a Type A General Law city located in Tarrant County, Texas; and,

WHEREAS, the City Council has previously adopted by reference the provisions of current rules regulating food establishments as amended by the executive commissioner of the Health and Human Services Commission; and

WHEREAS, the referenced provisions were amended and moved to a different chapter of the Administrative Code which necessitates an update to the City's regulations; and

WHEREAS, the City Council of the City of Westworth Village desires to update the references in the City's Code of Ordinances to conform with the latest regulations of the Health and Human Services Commission related to food establishments as outlined herein; and

WHEREAS, the City Council finds that the provisions adopted herein are in the best interest of the health, safety, and general welfare of the citizens of the City of Westworth Village; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTWORTH VILLAGE, TEXAS:

SECTION 1: That Chapter 6, "Health and Sanitation," Article 6.04, "Food Sanitation," of the Code of Ordinances, City of Westworth Village, Texas, is hereby amended to read as follows:

"ARTICLE 6.04 FOOD SANITATION

Section 6.04.001. Adoption of State Food Establishment Rules. The city adopts by reference the provisions of the current rules or rules as amended by the executive commissioner of the health and human services commission found in 25 Texas Administrative Code, Chapter 228, regarding the regulation of food establishments in this jurisdiction.

Section 6.04.002. Definitions.

Authorized agent or employee. The employees of the regulatory authority.

Food establishment. A food service establishment, a retail food store, a temporary food establishment, a mobile food unit, and/or a roadside food vendor.

Municipality. In this article shall be understood to refer to the City of Westworth Village.

State rules. The state rules found at 25 Texas Administrative Code, Chapter 228. These rules are also known as the Texas Food Establishment Rules.

Regulatory authority. The county public health department.

Section 6.04.003. Permits and Exemptions.

- (a) A person may not operate a food establishment without a permit issued by the regulatory authority. Permits are not transferrable from one person to another or from one location to another location, except as otherwise permitted by this ordinance. A valid permit must be posted in or on every food establishment regulated by this ordinance.
- (b) A food establishment operated solely by a nonprofit organization is exempt from the permitting requirements of this ordinance, but is not exempt from compliance with state rules. The regulatory authority may require any information necessary to determine whether an organization is nonprofit for purposes of this exemption.

Section 6.04.004. Application for Permit and Fees.

- (a) Any person desiring to operate a food establishment must make a written application for a permit on forms provided by the regulatory authority. The application must contain the name and address of each applicant, the location and type of the proposed food establishment and the applicable fee. An incomplete application will not be accepted. Failure to provide all required information, or falsifying information required may result in denial or revocation of the permit. Renewals of permits are required on an annual basis and the same information is required for a renewal permit as for an initial permit.
- (b) Prior to the approval of an initial permit or the renewal of an existing permit, the regulatory authority shall inspect the proposed food establishment to determine compliance with state laws and rules. A food establishment that does not comply with state laws and rules will be denied a permit or the renewal of a permit.
- (c) The fee schedule applicable to permits issued pursuant to this ordinance shall be as listed in the fee schedule.

Section 6.04.005. Review of Plans.

- (a) Whenever a food establishment is constructed or extensively remodeled and whenever an existing structure is converted to use as a food establishment, properly prepared plans and specifications for such construction, remodeling or conversion shall be submitted to the regulatory authority for review before work is begun. Extensive remodeling means that 20% or greater of the area of the food establishment is to be remodeled. The plans and specifications shall indicate the proposed layout, equipment arrangement, mechanical plans and construction of materials of work areas, and the type and model of proposed fixed equipment and facilities. The plans and specifications will be approved by the regulatory authority if they meet the requirements of the rules adopted by this ordinance. The approved plans and specifications must be followed in construction, remodeling or conversion.
- (b) Failure to follow the approved plans and specifications will result in a permit denial, suspension, or revocation.

Section 6.04.006. Suspension of Permit.

- (a) The regulatory authority may, without warning, notice, or hearing suspend any permit to operate a food establishment if the operation of the food establishment constitutes an imminent hazard to public health. Suspension is effective upon service of the notice required by Section 6.04.006(b). When a permit is suspended, food operations shall immediately cease. Whenever a permit is suspended, the holder of the permit shall be afforded an opportunity for a hearing within 20 days of receipt of a request for a hearing.
- (b) Whenever a permit is suspended, the holder of the permit or the person in charge shall be notified in writing that the permit is, upon service of the notice, immediately suspended and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the regulatory authority by the holder of the permit within ten days. If no written request for hearing is filed within ten days, the suspension is sustained. The regulatory authority may end the suspension at any time if reasons for suspension no longer exist.

Section 6.04.007. Revocation of Permit.

- (a) The regulatory authority may, after providing opportunity for a hearing, revoke a permit for serious or repeated violations of any of the requirements of these rules or for interference with the regulatory authority in the performance of its duties. Prior to revocation, the regulatory authority shall notify the holder of the permit or the person in charge, in writing, of the reason for which the permit is subject to revocation and that the permit shall be revoked at the end of the ten days following service of such notice unless a written request for a hearing is filed with the regulatory authority by the holder of the permit within such ten day period.
- (b) If no request for hearing is filed within the ten-day period, the revocation of the permit becomes final.

Section 6.04.008. Administrative Process.

- (a) A notice as required in these rules is properly served when it is delivered to the holder of the permit or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit. A copy of the notice shall be filed in the records of the regulatory authority.
- (b) The hearings provided for in these rules shall be conducted by the regulatory authority at a time and place designated by it. Based upon the recorded evidence of such hearing, the regulatory authority shall make final findings, and shall sustain, modify or rescind any notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the holder of the permit by the regulatory authority.

Section 6.04.009. Remedies.

- (a) Any person who violates a provision of these rules and any person who is the permit holder of or otherwise operates a food service establishment that does not comply with the requirements of these rules and any responsible officer of that permit holder or those persons shall be fined the maximum amount allowed by law as provided in section 1.01.009 of this code. Each and every day any such violation continues shall be deemed a separate offense and is punishable as such hereunder.
- (b) The regulatory authority may seek to enjoin violations of these rules.

Section 6.04.010-6.04.030 Reserved."

SECTION 2: CUMULATIVE. This Ordinance shall be cumulative of all provisions of ordinances of the City of Westworth Village, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting ordinances are hereby repealed.

SECTION 3: SEVERABILITY. It is hereby declared to be the intention of the City Council of the City of Westworth Village, Texas, that the terms and conditions of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance.

SECTION 4: VIOLATIONS AND PENALTIES. Any person violating any provision of this ordinance shall be fined for each and every day during which any violation of any provision of this ordinance is committed, continued, or permitted in the maximum amount allowed by law as provided in section 1.01.009 of the City Code.

SECTION 5: SAVINGS. All rights and remedies of the City of Westworth Village, Texas, are expressly saved as to any and all violations of the provisions of any ordinances affecting food establishments within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending

litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6: PUBLICATION. The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance as an alternative method of publication provided by law.

SECTION 7: EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED this 12th day of May 2020.

CITY OF WESTWORTH VILLAGE

By: _____
L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Ashley D. Dierker, Attorney



Tuesday, May 12, 2020

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WESTWORTH VILLAGE, TEXAS BY AMENDING THE SPEED LIMIT APPLICABLE TO ALL STREETS WITHIN CITY LIMITS; PROVIDING THE MAXIMUM PRIMA FACIE SPEED LIMIT FOR SAID STREET; PROVIDING A PENALTY NOT TO EXCEED \$500 FOR VIOLATIONS HEREOF; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Westworth Village is a Type A General Law city located in Tarrant County, Texas; and,

WHEREAS, Section 545.356 of the Texas Transportation Code authorizes a municipality to establish prima facie maximum reasonable and prudent speeds for vehicles on streets and highways within its corporate boundaries; and,

WHEREAS, the City of Westworth Village has conducted an engineering and traffic investigation and studies to determine a prima facie maximum speed limit which is reasonable and safe on the roadways that are the subject of this ordinance; and,

WHEREAS, the City Council hereby finds and determines based upon said engineering and traffic investigation and studies that the existing speed limits on are unreasonable and unsafe and the City Council hereby declares that the speed limits should be changed as set forth in this Ordinance; and

WHEREAS, the City Council finds that an amendment to the speed limits throughout the city is in the best interest of the City and will promote the health, safety, and general welfare of the citizens of Westworth Village and the general public; and

WHEREAS, pursuant to Section 12.03.003(c) of the City's Code of Ordinances, a copy of this Ordinance shall be kept on file in the City Secretary's office;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTWORTH VILLAGE, TEXAS:

Section 1: THAT all of the above premises are found to be true and correct factual and legislative determinations of the City and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

Section 2: THAT the speed limit applicable to the following street within the City is hereby amended by adopting the referenced maximum prima facie speed limit:

| <i>Location</i> | <i>Speed (mph)</i> |
|--|--------------------|
| All residential and commercial streets, unless otherwise listed herein | 25 |
| Alleyways | 15 |
| School Zone on Burton Hill Road as posted | 20 |
| Burton Hill Road | 30 |
| White Settlement Road, East of Roaring Springs to city limit | 35 |
| Roaring Springs Road | 35 |
| Pumphrey | 35 |
| Highway 183/Westworth Blvd, city limit to city limit | 40 |

- Section 3: The speed limit set forth in Section 2, above, is effective when the Chief of Police, or his designee, erects signs giving notice of the new speed limit. The Chief of Police is directed to take such action necessary to ensure that such new speed limit signs are erected and installed.
- Section 4: Any person, firm or corporation violating any term or provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed \$200.
- Section 5: All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Westworth Village, Texas are hereby repealed to the extent that said ordinances, orders, or resolutions, or parts thereof, are in conflict herewith.
- Section 6: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section, and said remaining portions shall remain in full force and effect.
- Section 7: The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clauses of this ordinance as an alternative method of publication provided by law.
- Section 8: This Ordinance shall take effect and be in full force and effect immediately after passage and publication.

AND IT IS SO ORDAINED. PASSED AND APPROVED this 12th day of May 2020.

CITY OF WESTWORTH VILLAGE

By: _____
L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Ashley D. Dierker, Attorney



Westworth Police Department
311 Burton Hill Road
Westworth Village, Texas 76114
Phone 817-738-3675 fax 817-738-0535



MEMORANDUM

DATE: 5-6-2020

TO: Mayor Jones et al;

FROM: Chief K.C. Reaves

SUBJECT: Residential Streets Traffic Study

In response to the citizens survey, which was conducted in late 2019, the Westworth Village Police Department conducted traffic studies of the residential streets in the 5700 and 5800 blocks of the City of Westworth Village in order to determine the daily volume of traffic and speed of vehicles. The scope of the study was to evaluate daily vehicular traffic as well as the speed of vehicles. The study collected traffic data in 2019 and 2020.

Below is the data set outlining the residential streets surveyed for a minimum of 7 days.

| Street | Speed Limit | Average Speed | 85 th percentile | Min Speed | Max Speed | Average Daily Volume | Total Volume |
|------------------------|-------------|---------------|-----------------------------|-----------|-----------|----------------------|--------------|
| 5800 Straley Ave | 30 | 16.46 MPH | 19.56 MPH | 5 MPH | 38 MPH | 137 | 964 |
| 5800 Lyle St. E.B. | 30 | 13.74 MPH | 16.88 MPH | 5 MPH | 32 MPH | 175 | 1226 |
| 5800 Lyle St. W.B. | 30 | 13.63 MPH | 16.98 MPH | 5 MPH | 34 MPH | 261 | 1830 |
| 5800 Pollard St. W.B. | 30 | 12.13 MPH | 15.04 MPH | 5 MPH | 43 MPH | 195 | 1370 |
| 5800 Pollard St. E. B. | 30 | 14.25 MPH | 17.46 MPH | 5 MPH | 29 MPH | 152 | 1068 |
| 5800 Coleman St. E.B. | 30 | 18.96 MPH | 22.89 MPH | 5 MPH | 57 MPH | 432 | 3028 |
| 5800 Tracyne Dr. E.B. | 30 | 12.73 MPH | 17.73 MPH | 5 MPH | 47 MPH | 500 | 3506 |
| 5700 Aton Ave. E.B. | 30 | 10.61 MPH | 15.29 MPH | 5 MPH | 36 MPH | 446 | 3052 |

| | | | | | | | |
|-----------------------|----|--------------|--------------|----------|-----------|------|--------|
| 5800 Carb Dr. E.B. | 30 | 17.82 MPH | 22.92 MPH | 5 MPH | 40 MPH | 770 | 5391 |
| 5800 Carb Dr W.B. | 30 | 20.97 MPH | 26.04 MPH | 5 MPH | 45 MPH | 744 | 5214 |
| Popken Dr. | 30 | 17.15 MPH | 21.52 MPH | 5 MPH | 39 MPH | 385 | 2701 |
| Tanny St | 30 | 22.06 MPH | 28.82 MPH | 5 MPH | 59 MPH | 1746 | 12,222 |

Summary of the study:

Upon analyzing the data compiled for the traffic studies, the data indicted the average of vehicles per day for both directions on Straley, Lyle, and Pollard was constant with the number of residents which live on these roadways. This is based upon the number of vehicles per day as well the average number of trips from each residence per day. The average daily volume was consistent with the number of residences on each street.

After analyzing Coleman, Tracyne, Aton and Carb's daily traffic volume during the study dates and times, the data supported a significantly higher volume of traffic these streets. Based upon the traffic patterns of the area, the increased volume and times of traffic on these roadways is constant with residents commuting to and from work and school.

Burton Hill Elementary School has a significant number of parent drop off's and pick ups of children. The traffic counts in these streets is consistent with school traffic and cut through traffic for commuters accessing I-30 from SH-183 and or White Settlement Rd via Roaring Springs Road and vice versa.

The study indicated there was a small percentage of vehicles traveling in excess of the 30 MPH speed limit on residential streets. The study indicated the overall **AVERAGE 85th** percentile on the residential streets in Westworth Village of **15.31 MPH**.

Coleman, Tracyne and Carb had the highest residential vehicular traffic per day. The data on these streets indicated the **AVERAGE 85th** percentile was **22.39 MPH**. The study showed significant number of vehicles were traveling at 25 MPH to 30 MPH on these streets.

Tanny Street is by its very design is a residential collector street from White Settlement Rd to access the residential streets in Westworth Village as well as neighboring Fort Worth. However, this section of roadway has several driveway entrances as well as numerous intersections in a residential area. The daily volume of traffic which utilizes Tanny is consistent with a cut through street for vehicles to access neighborhoods in Fort Worth as well as a cut through access to I-30 from White Settlement and Westworth Blvd (SH-183). Tanny St. has been a concern expressed by numerous citizens regarding the volume and speed of vehicles utilizing this roadway. The **AVERAGE** speed was **22.06 MPH** and the 85th percentile for this roadway was **28.82 MPH**. The average daily traffic volume was **1,746** vehicles per day.

Recommendation:

Based upon the findings of the traffic study, I recommend the City of Westworth Village adopt an ordinance making all residential and commercial public streets 25 MPH. The speed limits on private property would not be affected by this change. The justification for this change from 30 MPH are as follows:

- The 85th percentile for the residential public streets in Westworth Village is 15.31 MPH
- The number of vehicles which utilize on street parking make 30 MPH an unsafe speed in a residential area.
- The length of the residential public streets in the 5800 blocks are approx. 1,190 ft to 1,300 ft long. The length of the roadways in the 5700 blocks average 1,048 ft in length.
- The length of the roadways in the commercial district varies from 250 ft minimum to the longest section just over 800 ft.

At this time, I have not conducted a traffic study of the volume and speed of vehicles on the city streets located in the commercial district such as Sherry Lane, Hawks Creek Ave, Drive or Ct as well as Mitchell Ave and the Fairways Drive. However, due to the daily traffic volumes of these roadways, location, and length of the roadways, 30 MPH is not a safe speed. My recommendation is to designate and post these as 25 MPH roadways as well.

The City of Westworth Village would be required to post 25 MPH signs on the roadways designated 25 MPH. This would require at least 60, 25 MPH speed limit signs as well as an undetermined number of signposts to be installed on all public residential streets in the City of Westworth Village. There may be an opportunity to utilize existing signposts on public streets. The costs associated with this would be a minimum of \$18,000 for signs, posts and labor for installation. These costs have not been budgeted for at this time.

The speed limits on commercial collectors, arterials, and state highways will not be changed by this proposed adoption and remain the speed as designated by statute or ordinance.

Professionally,

A handwritten signature in blue ink that reads "KEVIN REAVES". The signature is stylized with a large, looping initial "K".

Kevin C. Reaves
Chief of Police
Westworth Village TX



April 23, 2020

Mr. Sterling Naron
Westworth Village City Administrator
311 Burton Hill Road
Westworth Village, TX 76114

Subject: Review and adopt an updated Interlocal Cooperative Agreement

Dear City Administrator Naron,

As you may recall, in 2018, an opportunity arose for the various stakeholders in the Metropolitan Area EMS Authority (Authority) to convene an official working group to revise and update the Interlocal Cooperative Agreement (ILA) that creates and governs the Authority, to which ILA your City is a party. The goal was to come to consensus on improving the structure and operation of the Authority, and having an improved ILA that reflected those changes.

The stakeholders, including your fire chief, the Emergency Physicians Advisory Board (EPAB), and the First Responders Advisory Board (FRAB) have met multiple times, and I'm pleased to announce that after many months of work, the goal has been achieved.

Enclosed please find a new and much improved amended ILA, along with a chart of the changes. A few major changes to highlight:

- MAEMSA Board of Directors:
 - Expanded from 6 to 9 voting directors, giving EPAB an additional voting member and giving FRAB two voting directors, one of which is the Fort Worth Fire Chief.
 - EPAB's two appointments have a three-year term on the MAEMSA Board
 - Suburban City rep can be removed at any time with 2/3 vote of suburban cities
- Emergency Physicians Advisory Board (EPAB):
 - Provides independent medical oversight to the system and is an advisory board to the MAEMSA Board
 - Voting directors must live in, work, or have formerly worked in the service area, with preference to those who live or work in the service area
 - May add non-voting members with a 2/3 vote of its board
- First Responder Advisory Board (FRAB)
 - FRAB may add non-voting members with a 2/3 vote
- Medical Director
 - May be an employee or contractor of MAEMSA
 - Responsible for the employees in the Office of Medical Director
 - Duties updated to align with state law and current practice

CITY MANAGER'S OFFICE

City of Fort Worth * 200 Texas Street * Fort Worth, Texas 76102

(817) 392-6111 * Fax (817) 392-6134

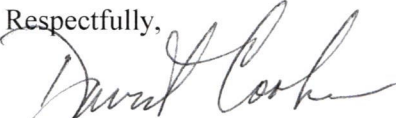
- Other language updates:
 - Annual Uniform Schedule of Pricing Options sent to the cities by MAEMSA will no longer be required
 - MAEMSA Board to adopt its own conflict of interest policy
 - Defines the executive personnel hired by the Board – the Medical Director, CEO, and General Counsel – and the reporting structure, duties, and procedures for hiring and firing these positions
 - Clarifies the ability of member jurisdictions to govern EMS standby care at special events in their jurisdiction

The Fort Worth City Council will receive a briefing on the proposed agreement in their Friday, April 24th council packets, and will be requested to provide approval at their May 19th city council meeting.

Please let me know if you have any questions or concerns. I am available to convene the member city managers via video conference to review and discuss the document, if needed.

I look forward to our continued partnership in one of the greatest prehospital emergency medical care and mobile healthcare systems in the country.

Respectfully,



David Cooke

Fort Worth City Manager

Enclosures: 1 - Draft Interlocal Agreement
2 – Chart outlining ILA changes

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SUMMARY OF CHANGES TO INTERLOCAL PROPOSED IN WORKING DRAFT

2-18-20 VERSION (changes from 1-17-20 version underlined)

ART. I: CONTINUATION

A. Definitions:

1. EMS Base Station Physician definition is deleted as obsolete.
2. Definition of "System" added here for clarification.

ART. II: MAEMSA BOARD OF DIRECTORS

B. Membership:

1. The Board of Directors will expand from 6 to 9 voting directors:

| Current | Proposed | Comment |
|--|--|---|
| Ft. Worth: 4 voting directors | 4 voting directors | |
| Suburban Cities: 1 voting director | 1 voting director | |
| EPAB: 1 voting director | 2 voting directors | Both selected by EPAB |
| FRAB: 2 non-voting (FTW Fire Chief and 1 Suburban City Fire Chief) | 2 voting directors (FTW Fire Chief and 1 suburban Fire Chief) | Suburban Chief elected by FRAB; Ft. Worth Fire Chief is ex-officio (voting) |
| Ex-officio non-voting: CEO and Medical Director | CEO and Medical Director | |
| | Non-voting community representatives appointed by MAEMSA Board | Requires 2/3 vote of MAEMSA Board |

2. The EPAB appointed directors will no longer have to reside in the Service Area if they have an active practice or are retired from active practice in the Service Area (active practice is not defined); preference is given to "those who live or practice medicine in the Service Area."
3. EPAB appointed directors no longer have to be members of EPAB Executive Committee.
4. All voting directors will serve 3 year terms. There is no longer a two term limit but the appointing body must reaffirm appointment for successive terms. Ft. Worth Fire Chief does not have a term limit because he/she is Ex-Officio. All directors will

continue to serve until successor is duly appointed. The Authority will send notice of expiring terms to the appointing body (Member Cities, FRAB and EPAB).

5. Appointing body may replace its representatives at any time. Suburban City representative can be removed at any time by vote of 2/3 of Suburban Cities.
6. Conflict of Interest provision now references state law. Board will adopt its own Conflict of Interest Policy.

C. Executive Personnel Hired by Board

1. The Board will hire the “Executive Personnel” – the CEO, Medical Director, and General Counsel (if Board elects to retain a General Counsel). Executive Personnel may be hired by majority vote but 2/3 vote of the entirety of the Board is required to terminate their employment/contract.
2. Executive Personnel report directly to the Board. Each is responsible for hiring, firing, directing and managing employees working under them and each is responsible for ensuring that those employees follow the written policies, rules and procedures applicable to all Authority Employees.
3. Contemplates the Medical Director becoming an employee. If the Medical Director is an independent contractor, the Board will ensure that employees in the Office of Medical Director still report directly to the Board and not to the CEO.

Articles III and IV: NEW MEMBERS AND RESPONSIBILITIES OF MEMBERS

- A. Pricing Offset Option is deleted. No cities currently elect to do this and can elect to directly subsidize residents’ bills if they so desire.

Article V: POWERS AND DUTIES OF AUTHORITY

- A. Pricing Offset Option is deleted.
- B. Provision regarding balance of funds allocated to EPAB is moved here from Article VI.
- C. Minor non-substantive clarifications regarding System Performance Committee
- D. Indemnification provisions clarified (no substantive change).
- E. System Performance Task Force renamed “System Performance Committee”
- F. Clarifies that Authority is not the sole provider of standby emergency medical services (non-ambulance). Member Jurisdictions retain the right to regulate, manage and govern standby emergency medical services in their jurisdictions.

Article VI: EPAB

- A. Membership – Emergency Department Medical Directors from each full service hospital and (or designee) and appointees from TCMS (up to one less appointee than number of ED medical directors). Absolute limit of 7 TCMS appointees is removed because the number of ED's may increase but TCMS appointees must still be 1 less than number of Hospital ED representatives. All voting members must be physicians licensed in Texas. Non-voting members may be appointed by EPAB, do not have to be licensed physicians.
- B. Officers – Chair, Vice-Chair, Secretary, Treasurer, and others created by EPAB bylaws.
- C. Powers and Duties of EPAB
 - 1. Statutory Duties of Medical Director are moved from EPAB to Medical Director to conform to state law.
 - 2. EPAB provides medical oversight to the System as an advisory board to the Board of the Authority and reports to Board of Authority and not the CEO.
 - 3. EPAB duties include participation in selection and review of Medical Director, recommending and reviewing research, medical oversight, advising Medical Director and Authority, etc.
 - 4. Duties also include serving as an advisory appeal board for credentialing actions of Medical Director

ART. VII. MEDICAL DIRECTOR

- A. Retained through contract with the Board. Selection process adopted by Board will include input and recommendations from FRAB and EPAB.
- B. Medical Director will be Chief Medical Officer of Authority and have statutory duties of Medical Director.
- C. Clarification that Medical Director is the medical director for all medical services provided by Authority and First Responders of Member Jurisdictions, including when they respond or provide services outside of the Service Area.
- D. Medical Director reports directly to Board and not to CEO.
- E. OMD employees are Authority employees and subject to all personnel rules and regulations of Authority but Medical Director is responsible for management of OMD employees, including enforcement of Authority rules and regulations.
- F. The Board may retain Associate Medical Directors who will report to Medical Director.
- G. Expenditure of OMD funds shall be in accordance with MAEMSA policies and procedures.
- H. Authority will adequately fund OMD to support Medical Director's duties.

ART. VIII. FIRST RESPONDER ADVISORY BOARD

- A. Executive Personnel are non-voting ex-officio Members (CEO, Medical Director, and General Counsel).

B. FRAB may add other non-voting members by 2/3 vote.

ART. IX. MISCELLANEOUS

A. Restates that Authority cannot impose financial obligations on Member Jurisdictions over their objection.

B. Adds severability clause

RESTATED AND AMENDED INTERLOCAL COOPERATIVE AGREEMENT

WHEREAS, the State of Texas, in the Interlocal Cooperation Act, has provided in Chapter 791 of the Tex. Government Code that this jurisdiction (hereinafter, "this Jurisdiction") may jointly exercise with other local governments the power to provide governmental services for the public health and welfare, and such services include Ambulance Services; and

WHEREAS, it is in the best interests of the public health and welfare of the people of this Jurisdiction to have available to them a regulated prehospital emergency medical services, mobile integrated healthcare, and medical transportation system which can provide quality clinical care with performance measures and standards, with the goal of facilitating the best possible outcomes for each patient;

WHEREAS, through the adoption of a Uniform EMS Ordinance and Interlocal Cooperative Agreement between local governments ("Member Jurisdictions"), the Area Metropolitan Ambulance Authority (the "Authority") was created in 1988 as a governmental administrative agency to administer and operate a prehospital emergency medical services, mobile integrated health, and medical transportation system in a service area comprised of the Member Jurisdictions ("Service Area"); and

WHEREAS, providing for a multi-jurisdictional emergency physicians advisory board will provide for professional oversight of the clinical performance of the prehospital emergency medical services, mobile integrated health, and medical transportation system; and

WHEREAS, establishing a multi-jurisdictional first responder advisory board will facilitate coordination and communication between first responder agencies in the service area, the Emergency Physicians Advisory Board and the Board of Directors of the Authority;

WHEREAS, due to the relatively low population and low population density of some portions of the Service Area and the extremely high, start-up and fixed operating costs of a state-of-the-art prehospital emergency medical services, mobile integrated health, and medical transportation system, it is necessary to designate a single provider of emergency and nonemergency ambulance transportation within this Jurisdiction in order to maximize clinical proficiency, enhance operational effectiveness, and maximize economies of scale for providing such services; and

WHEREAS, the Member Jurisdictions entered into a Restated Interlocal Cooperative Agreement effective June 19, 2017, which, among other things, changed the name of the Authority to the "Metropolitan Area EMS Authority"; and

WHEREAS, it is the desire of this Jurisdiction and the other Member Jurisdictions to amend and restate the Restated Interlocal Cooperative Agreement in its entirety as set forth herein; and

THEREFORE, be it resolved that this Jurisdiction, which has joined with the other Member Jurisdictions to adopt this Restated and Amended Interlocal Cooperative Agreement (the "Agreement"), to be effective as of the date of the last of the Member Jurisdictions to execute the Agreement, agrees as follows:

ARTICLE I. MEMBERSHIP/CONTINUATION

1.1 This Jurisdiction has elected to continue to be a member of the Authority by the adoption of this Agreement and the concurrent adoption of the Uniform EMS Ordinance (which is attached hereto as Exhibit A and incorporated herein by reference). Capitalized terms used in this Agreement shall have the same meaning as used in the Uniform EMS Ordinance unless otherwise defined. Other terms are defined in this Agreement as follows:

1.1.1 **Deleted by agreement of the parties.**

1.1.2 **Medical Protocol.** Any diagnosis-specific or problem-oriented written statement of standard procedure, or algorithm, promulgated by the Medical Director as the standard of care and course of treatment for a given clinical condition.

1.1.3 **Mobile Integrated Healthcare Provider (MIH Provider).** A person who has additional training in physiology, disease processes, injury and illness prevention, and medical system navigation; and who focuses on providing out-of-hospital services to clients who may benefit from effective management of out of hospital care (including without limitation the elderly, underserved, and chronic condition-patient populations); by providing primary care under the direction of a physician or by acting as the enrolled client's advocate to connect them to a variety of beneficial social and medical services outside the emergency department or hospital.

1.1.4 **System.** The regulated prehospital emergency medical services, mobile integrated healthcare, medical transportation system, and any other medical services provided by the Authority or the Member Jurisdictions' First Responders.

1.2 The existence of the Authority is perpetual unless and until all Member Jurisdictions withdraw. The withdrawal of less than all the Member Jurisdictions shall not cause the dissolution of the Authority.

1.3 The name of the Authority is the "Metropolitan Area EMS Authority."

1.4 A Member Jurisdiction may withdraw, for any reason, on (i) the renewal or termination date of a contract for Ambulance Service if a competitively selected contractor is the provider of Ambulance Services, or (ii) the last day of the fiscal year of the Authority, if the Authority is the operator of the Ambulance Service. Notice of such intention to withdraw shall not be effective unless given in writing to the Authority and to each Member Jurisdiction not less than twelve months before the proposed effective date of withdrawal.

1.5 To ensure the continuation of the Authority's services to other Member Jurisdictions, any Member Jurisdiction that withdraws from the Authority pursuant to Section 1.4 above forfeits all rights, title, interest or claim to any asset or combination of assets of the Authority except as specifically provided in Section 4.4 below.

ARTICLE II. BOARD OF DIRECTORS

2.1 The Authority shall be administered by a Board of Directors (the "Board") which shall provide overall direction with respect to all matters within the scope of this Agreement.

2.2 The Board shall be composed of nine voting members and two non-voting, *ex-officio* members, subject to Section 2.4 and 2.5 below. The Board receives no compensation for service.

2.3 Voting members of the Board are required to have knowledge or experience in healthcare, finance or accounting, business administration, law, or other relevant knowledge or experience.

2.4 The Board shall be constituted as follows:

2.4.1 The City of Fort Worth shall appoint four directors who are residents of Fort Worth. The four directors shall serve at the pleasure of the City of Fort Worth and may be replaced by the City of Fort Worth at any time, with or without cause.

2.4.2 One director who is a resident of the Service Area shall be elected by the combined vote of the other Member Jurisdictions as follows:

- (a) Whenever the term of the director is expiring or open, each Member Jurisdiction other than Fort Worth shall be entitled to nominate one candidate for the available position. The candidates nominated by the Member Jurisdictions shall be named on the "Candidates List."
- (b) The Candidates List shall be submitted to the governing body of each Member Jurisdiction, with the exception of Fort Worth.
- (c) Each Member Jurisdiction other than Fort Worth shall cast all of its votes for one (1) of the eligible candidates on the Candidates List. Each Member Jurisdiction shall be entitled to the number of votes which corresponds to the number of residents residing in that Member Jurisdiction, based on then-current population estimates reported by the North Central Texas Council of Governments.
- (d) The candidate for the available position receiving the most votes shall be certified by Chair of the Board as the winner of the election to that seat.
- (e) The director may be removed and replaced prior to the end of a term upon the vote of two-thirds of the Member Jurisdictions other than Fort Worth.

2.4.3 The Emergency Physicians Advisory Board (“EPAB”) shall elect two of its members who are residents of or actively or formerly practice in the Service Area, with a preference given to those who live or practice medicine in the Service Area, to serve as voting directors of the Board.

2.4.4 The First Responders Advisory Board shall appoint two voting directors of the Board, one of whom shall be the Fort Worth Fire Chief (or designee) and one of whom shall be a Fire Chief of one of the other Member Jurisdictions.

2.4.5 The Chief Executive Officer of the Authority and the Medical Director shall all be *ex-officio* members of the Board, without voting rights.

2.4.6 The Board may add other non-voting members as it deems appropriate by an affirmative vote of two-thirds of the Board, including members who are experienced in issues of community concern. By way of example and not for purposes of limitation, “issues of community concern” shall include homelessness, mental health, drug abuse, diversity and inclusion, and domestic violence. Non-voting members of the Board shall not be counted for purposes of determining a quorum.

2.5 The Board may add additional voting directors to provide additional representation of new Member Jurisdictions by unanimous vote and may provide the mechanism for electing or appointing the additional voting directors in the Authority’s bylaws; provided that the addition of any new director must maintain proportional representation among the Member Jurisdictions in accordance with their populations (based on the then-current population estimates reported by the North Central Texas Council of Governments). Any other changes to the number of voting members of the Board must be unanimously approved by the Member Jurisdictions.

2.6 Non-voting members of the Board do not have a fixed term. The terms of office of all voting members of the Board shall be three years, except for the Fort Worth Fire Chief (or designee), who shall not have a fixed term. No later than sixty days prior to the expiration of the three year term of a Board member appointed or elected by a Member Jurisdiction, EPAB, or FRAB, the Authority will send written notice to the Member Jurisdiction(s), EPAB, or FRAB, as the case may be, of the expiration of such Board member’s term with a request that the Member Jurisdiction(s), EPAB, or FRAB either re-appoint the existing director for an additional term or appoint a new director for the next three year term. Directors shall serve until their successors are duly appointed.

2.7 Members of the Board shall act in compliance with all laws applicable to service on the Board, including but not limited to conflict of interest laws.

2.8 Any voting member of the Board who fails to attend any three consecutive, regularly scheduled Board meetings or who fails to attend at least 50% of the regularly scheduled meetings in any twelve month period without good cause may be removed from the Board at the request of a majority of their

appointing jurisdiction(s) and their position will be filled for the remainder of their term as provided in by Section 2.4 above.

2.9 The Board shall hire, employ, direct, and discharge the Chief Executive Officer, the General Counsel, and the Medical Director (collectively, the “Executive Personnel”). Whenever, in the judgment of the Board, the best interests of the organization will be served, any Executive Personnel may be terminated or non-renewed by the affirmative vote of two-thirds of the entirety of the Board, not only of those present. The Board shall establish written protocols and procedures for the hiring and termination of Executive Personnel, subject to the requirements of Section 6.4(g).

2.9.1 The Chief Executive Officer shall:

- (i) be hired by a majority affirmative vote of the Board;
- (ii) have the responsibility of operating, managing, and directing the operations of the Authority, including the employment of individuals (except employees of the General Counsel and Medical Director) to carry out the purposes and operations of the Authority; and
- (iii) perform any other duties as assigned by the Board.

2.9.2 The General Counsel shall:

- (i) be hired by a majority affirmative vote of the Board;
- (ii) be the chief legal counsel for the Authority, and advise the Board, Executive Personnel, EPAB, FRAB, and the Authority employees on legal matters and compliance, new and existing laws, and risk mitigation; notwithstanding anything herein, the Board may retain outside counsel as needed.
- (iii) hire, employ, direct, manage, and discharge employees that report to the General Counsel in the performance of his or her duties, and, as applicable, ensure all such employees follow the written policies, rules, and procedures applicable to all Authority employees as set forth or approved by the Board; and
- (iii) perform other duties as assigned by the Board.

2.9.3 The Medical Director shall:

- (i) be hired by a majority affirmative vote of the Board.
- (ii) be the independent medical director for the System, in accordance with state law, and as further set forth in Article VII;

(iii) if an employee of Authority, hire, employ, direct, manage, and discharge employees who report to the Medical Director and assist the Medical Director in the performance of his or her duties, and ensure all such employees follow the written policies, rules, and procedures applicable to all Authority employees as set forth or approved by the Board; if a contractor of Authority, the Board shall, for the purpose of independent medical direction, ensure that the employees of the OMD report directly to the Board through an alternate structure adopted by the Board, and do not report to the Chief Executive Officer of the Authority; and

(iv) perform other duties as assigned by the Board.

ARTICLE III. NEW MEMBERS

3.1 Requirements for a new member ("New Member") to join the Authority shall be as follows:

3.1.1 The New Member must be a "Local Government" (as such term is defined in Chapter 791 of Tex. Government Code).

3.1.2 The New Member must be approved by the Board of the Authority. The Board shall set the terms and conditions of the New Member's admission based on the services required by the New Member and the fiscal and operational impact that providing such services would have on the Authority.

3.1.3 The New Member shall concurrently adopt this Agreement and the Uniform EMS Ordinance (attached hereto as Exhibit A).

ARTICLE IV. RESPONSIBILITIES OF MEMBERS

4.1 Each Member Jurisdiction agrees to the following as a condition of membership in the Authority:

4.1.1 To adopt and enforce the Uniform EMS Ordinance and this Agreement;

4.1.2 To establish, operate, and fund a First Responder program in support of the Uniform EMS Ordinance, which may be an Emergency Care Attendant program approved by the Authority.

4.1.3 To abide by the medical protocols, credentialing requirements, and medical policies for First Responders established by the Medical Director in consultation with EPAB.

4.1.4 Deleted by agreement of the parties.

4.1.5 Support Infrastructure: Each Member Jurisdiction agrees to provide a mechanism for transferring 911 calls requesting medical assistance from the Member's 911 center to the

Authority's designated EMS Communications Center and shall transfer 911 callers in accordance with System performance standards adopted by the Authority.

4.2 This Jurisdiction accepts no financial responsibility or commitment in exchange for its membership in the Authority except for the cost of furnishing a mechanism for transferring 911 callers requesting medical assistance from the Jurisdiction's 911 communications center to Authority's designated EMS Communications Center. Any decision by the Authority affecting the financial obligations of a Member Jurisdiction, contingent or otherwise, shall be subject to prior approval by the governing body of the affected Member. In no event shall this Agreement be construed to mandate the appropriation of specific funds by any Member Jurisdiction beyond the Member's next fiscal year without the annual approval of the Member's governing body.

4.3 A Member Jurisdiction is in default if it fails to substantially comply with any of its obligations under this Agreement and such failure continues for a period of six months without an ongoing good faith attempt to cure the default after it receives written notice of such failure from the Board of the Authority. If a Member Jurisdiction is in default under this Agreement, the Board may terminate that Member Jurisdiction's membership in the Authority and any services provided to that Member Jurisdiction by the Authority shall cease. In such event, the removed Member Jurisdiction forfeits any financial or other interest in the Authority.

4.4 In the event of repeated and chronic failure of the Authority to provide adequate Ambulance Service (whether directly or by contract) within a Member Jurisdiction, and after written notice to the Authority and reasonable opportunity to correct such deficiencies, that Member Jurisdiction may withdraw from the Authority, subject to the following terms:

4.4.1 The Member Jurisdiction must give written notice to the Authority that it intends to invoke this Section of this Agreement;

4.4.2 Upon a continued failure for the following three consecutive full calendar months, or four of the following six full calendar months, after receipt by the Authority of the written notice described above, the Member Jurisdiction may withdraw by giving written notice to the Authority, such notice to be effective ten days after receipt by the Authority.

4.4.3 Upon the effective date of the withdrawal, the Authority shall cease being the exclusive provider of Ambulance Service in the withdrawing Member Jurisdiction and the Authority shall remit to the withdrawing Member Jurisdiction its pro rata share of the Authority's Net Worth, as defined in Subsection 4.4.4 below. In the event that more than one Member Jurisdiction gives notice of its intent to withdraw under this Section 4.4 during a three month notice period and there are not sufficient cash reserves to remit the share of "Net Worth" of each withdrawing Member Jurisdiction in full, the available funds will be distributed pro rata to the withdrawing Member Jurisdictions. Notwithstanding the forgoing, any Member Jurisdiction who is admitted after the date of this Agreement and who does not pay to the Authority an initial fee for start-up of services,

shall not be entitled to Net Worth distributions as provided in Subsection 4.4.4 or to any other distribution of the assets of the Authority under any circumstances.

4.4.4 Net Worth shall be defined as the cash or cash equivalents of the Authority, exclusive of funds specifically allocated for operations or debt service, or budgeted for capital improvements by the Board, and exclusive of the amount of prudent operating reserves required under Subsection 5.5.2 below. Each Member Jurisdiction's pro-rata share of the Net Worth shall be calculated at least once every fiscal year based upon the current population estimate of each Member Jurisdiction compared to the total population of all Member Jurisdictions (as reported by the North Central Texas Council of Governments).

ARTICLE V: POWERS AND DUTIES OF AUTHORITY

5.1 To ensure delivery of quality Ambulance Service and prehospital emergency medical services, the Board shall determine whether the Authority shall directly provide Ambulance Service or engage a contractor to provide Ambulance Service or any part thereof by way of a request for proposals. The provider of Ambulance Service, be it the Authority or the Authority's private contractor, shall be required to provide all such service in each Member Jurisdiction, except for those services exempted in Section 7 of the Uniform EMS Ordinance adopted concurrently herewith.

5.2 Whether the Authority is providing Ambulance Service directly or through a contractor, the Authority shall:

5.2.1 Through its Board, set System performance standards for the Service Area and, if a competitively selected contractor is the operator of the Ambulance Service, enforce compliance therewith through contractually imposed financial penalties.

5.2.2 Provide each Member Jurisdiction with emergency and non-emergency Advanced Life Support and Basic Life Support Ambulance Service; such service to comply with all applicable laws, rules and regulations, and with the clinical standards, credentialing requirements and medical policies that may be promulgated from time to time by the Medical Director.

5.2.3 Fund the Authority's Office of the Medical Director ("OMD") in an amount approved by the Board that is sufficient to fulfill the Medical Director's powers and duties.

5.3 If the Authority is providing Ambulance Service directly, the Authority shall provide Member Jurisdictions' First Responders opportunity to participate in the Authority's continuing education training without charge to the Member Jurisdictions.

5.4 The Authority is authorized to enter into contracts to provide additional related services that the Board deems appropriate in its discretion to advance the public health and welfare or financial stability of the Authority, including without limitation:

5.4.1 Mobile integrated healthcare services (“MIH Services”) that are designed to enhance, coordinate, effectively manage, and integrate out of hospital care, in order to improve outcomes, enhance an enrolled client’s experience of care, and improve the efficiency and effectiveness of healthcare services provided to the client. MIH Services may include, but are not limited to, patient education and navigation services that promote patient self-management of disease processes, injury prevention programs, admission/readmission prevention programs, chronic disease management, a demand management system, and any other related services; and

5.4.2 Other services related to Ambulance Service, such as 911 nurse triage programs, event medical standby, nurse or physician-staffed critical transports, or wheelchair or ambulatory non-emergency transports.

5.5 To fund the Authority’s financial obligations and to ensure use of sound business controls and financial management practices, the Authority shall:

5.5.1 Adopt sound business practices and accounting methods, in accordance with generally accepted accounting standards applicable to independent enterprise agencies, as prescribed by the Governmental Accounting Standards Board;

5.5.2 Establish and maintain a prudent operating reserve of cash or cash equivalents in an amount set by the Board in the Authority’s Bylaws, which shall be at least three months of operating capital;

5.5.3 Adopt a fiscal year beginning October 1st;

5.5.4 Develop and implement a financial management plan designed to ensure long-range financial stability and reinvestment into the System; and

5.5.5 Secure annual audits of the Authority by an independent certified public accounting firm.

5.6 If the Authority is providing Ambulance Service directly, it shall:

5.6.1 Present written reports of the operational performance of the medical transportation, MIH, and prehospital emergency medical services at meetings of the Board and make the reports available to Authority members upon request;

5.6.2 For each fiscal year, prepare and provide to each Member Jurisdiction a comprehensive review and summary of the financial, clinical and operational performance of the Authority during such fiscal year. This report must be submitted to the Member Jurisdictions no later than 120 days after the end of the fiscal year; and

5.6.3 Upon the written request of a majority of Member Jurisdictions or the request of Member Jurisdiction(s) whose combined population exceeds 50% of the total population of all Member

Jurisdictions (based on the then-current population estimates reported by the North Central Texas Council of Governments), provide to each Member Jurisdiction an audit of the clinical and operational performance of the Authority during the preceding fiscal year prepared by a qualified and independent third party. This audit must be completed no later than one hundred twenty (120) days after the date of such written request.

5.7 The Authority shall manage accounts, subscriptions, payments and billing practices related to the services it provides as follows:

5.7.1 Deleted by agreement of the parties.

5.7.2 The Authority shall bill patients, third-party payers or other responsible parties, and collect the revenue from such bills, for all services provided.

5.7.3 The Authority shall implement an Ambulance Service subscription program (unless otherwise prohibited by law) and shall offer memberships in the program to all residents of the Member Jurisdictions.

5.7.4 The Authority shall maintain a separate account for the balance of funds allocated to EPAB prior to the enactment of the Restated and Amended Interlocal Cooperative Agreement. Those funds shall be expended upon the recommendation of EPAB and approval of the Board solely for the purposes of System enhancement, research, and medical direction.

5.8 The Authority is authorized to purchase, lease, acquire, accept, own or hold real or personal property, to operate or maintain the same, to borrow or incur debt in its own name, to accept gifts, grants or bequests, to insure itself and its Member Jurisdictions for any liabilities which might be incurred through performance of this Agreement, to contract in its own name and to sue or be sued in its own name; provided that nothing in this grant of authority shall be construed to waive any immunity otherwise afforded by law to the Authority and its officers, employees and agents or the Member Jurisdictions or their officers, employees and agents.

5.9 The Authority, through its Board, shall adopt performance goals and standards for the System and shall review such goals and standards on at least an annual basis, acting on recommendations from the Medical Director and a System performance committee as described below.

5.9.1 The Board shall appoint a System performance committee consisting of representatives of EPAB, FRAB, the Executive Personnel, and any other individuals the Board deems necessary in its discretion to develop performance standards for the System (the "System Performance Committee"). The proposed standards shall include but not be limited to: reasonable and medically appropriate response times for the Ambulance Service; response time goals for First Responders; call processing time goals for participating communication centers; clinical performance standards; standards for data collection and sharing; and standards for reporting

System performance. The proposed goals and standards shall be presented to the Board for review and approval.

5.9.2 The System Performance Committee shall thereafter meet as needed, but no less than on a semi-annual basis, to review System performance, address any deficiencies, and make appropriate recommendations for modification of the standards.

5.10 In addition to the powers set forth in this Agreement or the Uniform EMS Ordinance, the Authority shall have all of the powers allowed or provided by Chapter 791 of the Tex. Government Code, the "Interlocal Cooperation Act."

5.11 To the extent permitted by law, the Authority shall indemnify and hold harmless members of the Board, and FRAB, from liability for actual damages, including costs and attorney's fees, arising from any claim, lawsuit, or judgment resulting from their acts or omissions in the scope and course of their office, provided that such liability arises out of, or in connection with, the provision of any and all services through the Authority; provided that nothing in this Agreement shall limit or waive any defense or immunity as to claims by third parties that is otherwise available to the Authority and its officers, employees, and agents or to the Member Jurisdictions or their officers, employees, and agents.

5.12 To the extent permitted by law, the Authority shall indemnify and hold harmless members of EPAB, the Medical Director, and Associate Medical Directors, from liability for actual damages, including costs and attorney's fees, arising from any claim, lawsuit, or judgment resulting from their acts or omissions in the scope and course of their office, provided that such liability arises out of, or in connection with, the provision of any and all services through the System; provided that nothing in this Agreement shall limit or waive any defense or immunity as to claims by third parties that is otherwise available to the Authority and its officers, employees, and agents or to the Member Jurisdictions or their officers, employees, and agents.

5.13 This Agreement is not intended to designate MAEMSA as the single provider of standby emergency medical services for any Member Jurisdiction. Nothing herein prohibits any Member Jurisdiction from regulating, managing, and governing standby emergency medical services and the provider(s) thereof in its own jurisdiction.

ARTICLE VI: EMERGENCY PHYSICIANS ADVISORY BOARD

6.1 EPAB's membership shall be composed as follows:

(a) **Hospital Members:** From each full-service hospital located in the Service Area, the Medical Director of the Emergency Department (or their designee, who must actively practice at the hospital and have board certification in Emergency Medicine or Pediatric Emergency Medicine).

(b) **Community Physicians:** Upon the request of EPAB, additional physicians with currently or formerly active specialties or sub-specialties of benefit in developing standards for emergency pre-hospital care, all of whom shall be appointed by and serve at the pleasure of the Tarrant County Medical Society, provided that the number of physicians appointed by the Medical Society shall not exceed one less than the number of Hospital Members with voting rights under paragraph (a) above.

(c) **Non-Voting Members:** EPAB may add other non-voting members as it deems appropriate by an affirmative vote of two-thirds of EPAB. Non-voting members of EPAB shall not be counted for purposes of determining a quorum. Non-voting members of EPAB are not required to be a physician licensed to practice medicine in the State of Texas.

6.2 EPAB shall conduct meetings in compliance with Chapter 551 of the Tex. Government Code (the Open Meetings Act). The manner of determining a quorum shall be set forth in EPAB's bylaws.

6.3 The officers of EPAB shall be Chair, Vice-Chair, Secretary, and Treasurer, and such other officers as may be provided in EPAB's bylaws. All voting members of EPAB are required to be physicians licensed to practice medicine in the State of Texas.

6.4 The parties recognize that EPAB exists to provide independent medical oversight to the System, inclusive of the First Responders who are (i) Emergency Care Attendants, Emergency Medical Technicians, and Paramedics, (ii) employees of the parties, and (iii) not in any way controlled by the Authority. However, the parties have elected not to establish a framework for direct advising of and reporting to the governing bodies of the parties by EPAB with regard to independent medical oversight of the First Responders. Therefore, EPAB shall provide all independent medical oversight for the System as an advisory board to the Authority, and shall report directly to the Board of the Authority. EPAB shall provide independent medical advice and oversight for clinical matters by:

- a. advising the Authority about the clinical performance of the System and the Authority's MIH programs;
- b. reviewing and approving medical protocols for the System and making recommendations to the Medical Director;
- c. representing the interests of the medical community and providers by making recommendations for improvement of the System;
- d. promoting the System's programs to the medical community;
- e. serving as an advisory appeals board for credentialing actions of the Medical Director;
- f. recommending and reviewing research conducted within the System; and

g. participating in the selection of the Medical Director and review of the Medical Director's clinical performance through processes established by the Board, including matters related to the termination or non-renewal of all contracts for medical direction. The process established by the Board for the selection of the Medical Director and the review of the Medical Director's clinical performance shall include participation and input from the members of EPAB.

ARTICLE VII. MEDICAL DIRECTOR

7.1 The Medical Director for the System shall be retained through a contract with the Board of the Authority. The Medical Director must be a licensed physician who is board-certified in emergency medicine and meets all state requirements.

7.2 The Board shall adopt procedures for soliciting input and recommendations from EPAB and FRAB when selecting the Medical Director and reviewing the Medical Director's performance.

7.3 The Medical Director shall be the Chief Medical Officer of the Authority, shall report to the Board of the Authority, and shall have all the powers and duties afforded and required of EMS medical directors under state law. The parties recognize that the Medical Director provides independent medical direction to the System, inclusive of the First Responders who are (i) Emergency Care Attendants, Emergency Medical Technicians, and Paramedics, (ii) employees of the parties, and (iii) not in any way controlled by the Authority. However, the parties have elected not to establish a framework for direct reporting to the governing bodies of the parties by the Medical Director with regard to independent medical direction of the First Responders. The Medical Director shall provide all independent medical direction and is the exclusive source of medical direction and oversight for the System. The Medical Director and the OMD shall report directly to the Board and not to the Chief Executive Officer of the Authority. To the extent not in conflict with state law, the Medical Director shall have the following powers and duties:

- (a) To establish patient care standards for all medical services provided by the System;
- (b) To develop medical protocols, credentialing requirements, and medical policies, for all medical services for the System and periodically revise the same; and to provide necessary training to the System regarding the same;
- (c) To recommend to the Authority medically appropriate performance measures and standards for the Service Area, including but not limited to standards for equipment on ambulances and First Responder vehicles in the Service Area;
- (d) To direct the activities of the Authority's employees assigned to the OMD, subject to the provisions of Section 2.9.3;
- (e) To provide medical direction to the Authority's EMS Communication Center, including quality assurance and protocol review;

- (f) To provide medical direction to the System's clinical education and training programs;
- (g) To develop, direct, and conduct the System's quality assurance and medical review programs for Medical Transportation, MIH, and prehospital emergency medical service;
- (h) To develop, direct, and conduct the System's programs for the credentialing of Medical Transportation, MIH, and prehospital emergency medical service personnel in the Service Area, including ambulance personnel, MIH Providers, First Responders, and EMS Communication Center personnel; to provide training for purposes of credentialing, and to credential qualified personnel;
- (i) To monitor the clinical performance of the System;
- (j) To present written and oral reports of the clinical performance of the System at meetings of the Board and EPAB and to make the written reports available to Member Jurisdictions upon request;
- (k) To approve standards governing the operation of Specialized Mobile Intensive Care units within the Service Area, including standards limiting the types of Patients which may be transported thereby;
- (l) To approve standards governing the operation of Aeromedical Transportation Units within the Service Area, including standards defining the circumstances under which such units may be deployed to emergency scenes;
- (m) To credential First Responders, Medical Transportation providers, and ambulance standby providers through the Authority's permitting and credentialing process;
- (n) To the extent feasible, and in coordination and collaboration with the participating organization's administration, develop, implement and oversee an organized ongoing program of EMS research to improve the System and contribute to the EMS knowledge base;
- (o) To conduct inspections of System vehicles, equipment and supplies;
- (p) To periodically conduct intensive reviews of the System's performance relative to specific clinical modalities and to revise medical protocols and such other standards of the System as may be appropriate in light of the findings;
- (q) To serve as medical director for the Authority and for First Responders of Member Jurisdictions when they provide medical services outside the Service Area; and
- (r) To perform any other duties pursuant to the powers granted to the Medical Director pursuant to state law.

7.4 The Board of the Authority may retain Associate Medical Directors as it deems necessary to support the Medical Director and the System's programs. Associate Medical Directors shall report to the Medical Director.

7.5 The Board shall include funding for the OMD in its budget in an amount sufficient to carry out the power and duties of the Medical Director under this Agreement. Expenditure of budgeted OMD funds shall be in accordance with the Authority's policies and procedures.

ARTICLE VIII: FIRST RESPONDERS ADVISORY BOARD

8.1. The First Responder Advisory Board ("FRAB") shall advise the Authority and EPAB on matters related to first response and prehospital emergency medical services in the Service Area.

8.2 FRAB's membership shall include:

- (a) One First Responder agency representative from every Member Jurisdiction.
- (b) Executive Personnel, who shall be non-voting, *ex-officio* members.
- (c) Any other non-voting members added by FRAB by an affirmative vote of two-thirds of FRAB.

Non-voting members of FRAB shall not be counted for purposes of determining a quorum.

8.3 FRAB shall:

- (a) Participate in the System Performance Committee.
- (b) Facilitate the collection and reporting of information related to System performance by First Responders.
- (c) Coordinate training and credentialing activities for First Responder personnel with OMD.
- (d) Inform and advise the Board regarding issues related to medical first response in the Service Area.

ARTICLE IX: MISCELLANEOUS

9.1 Notwithstanding anything herein to the contrary, neither the Authority nor the Medical Director may require the Member Jurisdictions to expend funds for equipment purchases, training, implementation of protocols, or any other requirement necessitating an expenditure of funds, over the objection of the governing body of the Member Jurisdiction.

9.2 The provisions of this Agreement are severable. Should any provision of this Agreement be or become unenforceable or impossible of performance under current or future law, so long as applicable

law does not substantially impair the intent of the parties, the parties shall continue to be bound hereunder and shall perform consistent with the intent of this Agreement.

This Agreement shall become effective on the date it is executed by all of the Member Jurisdictions.

Agreed and entered into by the following Member Jurisdictions:

ARTICLE I.

§ __ STATUTORY AUTHORITY.

This chapter is enacted by the City of _____ (“this Jurisdiction”), pursuant to Tex. Health and Safety Code § 773.051, which provides that local governments may establish standards for ambulances, and pursuant to Tex. Government Code Chapter 791, which authorizes combinations of local governmental units to contract for the provision of governmental services, including the creation of administrative agencies to promote public health and welfare.

§ __ GENERAL PURPOSES AND INTENT OF ORDINANCE.

It is the purpose of this Ordinance:

- (a) To establish a regulated prehospital emergency medical services and medical transportation system which can provide quality clinical care with performance measures and standards, with the goal of facilitating the best possible outcomes for each patient;
- (b) To establish a mobile integrated healthcare program with effective medical direction and quality assurance and review;
- (c) To form an administrative agency to administer and operate the prehospital emergency medical services and medical transportation system in a service area comprised of member jurisdictions and to administer and operate the mobile integrated healthcare program;
- (d) To designate the administrative agency as the sole-provider of emergency and non-emergency ambulance service within this jurisdiction to maintain consistent, high-quality service while controlling costs through efficiencies and economies of scale;
- (e) To provide for effective medical direction by establishing a multi-jurisdictional emergency physicians advisory board to advise the administrative agency’s board and to provide independent medical oversight for all clinical aspects of prehospital emergency medical services, the administrative agency’s mobile integrated healthcare program, and medical transportation which affect patient care in the service area; and
- (f) To provide for effective coordination and communication between first responder agencies in the service area, the emergency physicians advisory board, and the board of the administrative agency by establishing a multi-jurisdictional first responder advisory board.

§ 5-3 DEFINITIONS.

For the purposes of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- (a) **Advanced Life Support.** Out-of-hospital care that uses invasive medical acts (as defined in Tex. Health and Safety Code § 773.003(1)).
- (b) **Aeromedical Transportation Unit.** Any rotary or fixed wing aircraft providing basic or advanced life support services and patient transportation that originates within the Service Area.
- (c) **Ambulance Mutual Aid Agreement.** A written agreement between the Authority and one or more entities whereby the signing parties agree to provide backup ambulance service to one another under the terms and conditions specified in the agreement.
- (d) **Ambulance Service.** The transportation of Patients by emergency or non-emergency ambulance.
- (e) **Associate Medical Director.** A licensed physician who assists the Medical Director in carrying out his or her duties under this Ordinance and the Restated and Amended Interlocal Cooperative Agreement.
- (f) **Authority (Metropolitan Area EMS Authority).** The public administrative agency established to administer and operate the Medical Transportation and prehospital emergency medical services system and the program for MIH (as hereinafter defined) established by this Ordinance.
- (g) **Basic Life Support.** Out-of-hospital care that uses noninvasive medical acts (as defined in § 773.003(2), Tex. Health and Safety Code).
- (h) **Board.** The Board of Directors of the Authority.
- (i) **Emergency Care Attendant.** A person certified as an "emergency care attendant" under § 773.046 of the Tex. Health and Safety Code.
- (j) **Emergency Medical Technician (EMT).** A person certified as an "emergency medical technician" under § 773.047 or an "advanced emergency medical technician" under § 773.048 of the Tex. Health and Safety Code, and any other class of EMT recognized by state law or regulation.
- (k) **EMS Communications Center.** The facility designated by the Authority as the central communications center from which all services offered by the Authority shall be dispatched and controlled.
- (l) **First Responder.** Any agency that provides first response to requests for emergency medical services and, in cooperation with the Ambulance Service, provides immediate on-scene care to ill or injured persons but does not transport those persons to healthcare facilities.
- (m) **Medical Director.** The licensed physician retained through a contract with or employed by the Board who is responsible for carrying out his or her duties

under this Ordinance and the Restated and Amended Interlocal Cooperative Agreement and for directing the Office of the Medical Director.

(n) **Medical Transportation.** The transportation of Patients by ambulance, Specialized Mobile Intensive Care Unit, Specialty Care Transport, or Aeromedical Transportation Unit, including both emergency and non-emergency transports, where such transportation originates within the Service Area.

(o) **Mobile Integrated Healthcare (MIH).** Services provided by the Authority that are designed to enhance, coordinate, effectively manage, and integrate out of hospital care, in order to improve outcomes, enhance the client's experience of care, and improve the efficiency and effectiveness of healthcare services provided to the enrolled clients.

(p) **Office of Medical Director.** The clinical office of the Authority through which the Medical Director carries out his/her rights and duties under this Ordinance and the Restated and Amended Interlocal Cooperative Agreement. The Office of the Medical Director is comprised of the Medical Director, and any Associate Medical Directors, and the employees of the Authority in the Office of the Medical Director to assist the medical directors in carrying out the Medical Director's rights and duties under this Ordinance and the Restated and Amended Interlocal Cooperative Agreement.

(q) **Paramedic.** A person qualified as a certified or licensed "paramedic" as defined by Tex. Health and Safety Code Sections 773.049 and 773.0495.

(r) **Patient.** An individual who is ill, sick, injured, wounded, or otherwise incapacitated, and in need of or at risk of needing medical care at the scene of a medical emergency or during transport to or from a healthcare facility.

(s) **Person.** Any individual, firm, association, partnership, corporation, governmental entity, or other group, or a combination of the same acting as a unit.

(t) **Restated and Amended Interlocal Cooperative Agreement.** The interlocal contract, as it may be amended from time to time, adopted by this Jurisdiction concurrently with the passage of this Ordinance pursuant to Chapter 791 of the Tex. Government Code (the Interlocal Cooperation Act).

(u) **Service Area.** That geographical area which is contained within the boundaries of all the jurisdictions which become members of the Authority by adopting this Uniform EMS Ordinance and executing the Restated and Amended Interlocal Cooperative Agreement.

(v) **Special Event.** Any public event located within the Service Area for which standby ambulance service is arranged in advance, and for which an ambulance is hired by the sponsor of the event or other interested party.

(w) **Specialty Care Transport.** The transportation of a critically injured or ill patient at a level of service beyond the scope of the EMT-Paramedic when the patient's condition requires ongoing care that must be furnished by one or more health professionals in an appropriate specialty area; for example, emergency or

critical care nursing, emergency medicine, respiratory care, cardiovascular care, or a paramedic with additional training.

(x) **Specialized Mobile Intensive Care Unit.** A vehicle which is specially constructed, equipped, staffed, and employed in the inter-facility transport of patients whose requirements for en route medical support are likely to exceed the clinical capabilities of an Advanced Life Support ambulance.

ARTICLE II: BOARDS; THE AUTHORITY

§ ____ EMERGENCY PHYSICIANS ADVISORY BOARD

(a) There is hereby created an Emergency Physicians Advisory Board ("EPAB") which shall, on behalf of this Jurisdiction, provide independent medical oversight for and advise and inform the Authority on all clinical aspects of Medical Transportation, the Authority's MIH program, and prehospital emergency medical services in this Jurisdiction, including such services provided by the Authority and First Responders, and shall exercise independent professional judgment in all matters related to Patient care.

(b) EPAB's membership and other matters relating to EPAB shall be set forth in the Restated and Amended Interlocal Cooperative Agreement and in the Bylaws adopted by EPAB.

§ ____ METROPOLITAN AREA EMS AUTHORITY

By adopting this Ordinance and executing and approving the Restated and Amended Interlocal Cooperative Agreement, this Jurisdiction has joined the Authority, which shall now be known as the Metropolitan Area EMS Authority.

§ ____ POWERS AND DUTIES OF METROPOLITAN AREA EMS AUTHORITY

The Authority shall have the following powers and duties:

(1) The Authority is hereby designated as the sole provider of Ambulance Service and Special Event ambulance standby service within this Jurisdiction, whether directly or indirectly through contractors, pursuant to the terms, conditions and provisions of the Restated and Amended Interlocal Cooperative Agreement, except for those services exempted by Section ____ (b).

(2) The Authority shall comply with all terms of the Restated and Amended Interlocal Cooperative Agreement and have all the powers and duties enumerated therein.

(3) The Authority is required to provide this Jurisdiction with Basic and Advanced Life Support Ambulance Service in accordance with system performance standards and all applicable law, rules and regulations, as well as all patient care standards that the Medical Director may from time to time promulgate;

(4) The Authority is authorized to operate an MIH program on a non-exclusive basis in this Jurisdiction.

(5) The Authority shall enter into a First Responder Agreement with this Jurisdiction and may issue, suspend, revoke, and renew permits for the delivery of First Responder services in this Jurisdiction by other agencies, subject to the credentialing process by the Medical Director and subject to rights of appeal to the Board.

(6) The Authority shall adopt standards approved by the Medical Director governing the operation of Specialized Mobile Intensive Care units and for Specialty Care Transport within the Service Area, including standards limiting the types of patients which may be transported thereby, and, subject to the credentialing process by the Office of the Medical Director, may issue, suspend, revoke, and renew permits for the operation of such units as required by this Ordinance.

(7) The Authority shall adopt standards approved by the Medical Director governing the operation of Aeromedical Transportation Units within the Service Area, including standards defining the circumstances under which such units may be deployed to emergency scenes and, subject to the credentialing process by the Office of the Medical Director, may issue, suspend, revoke, and renew permits for the operation of such units as required by this Ordinance.

(8) The Authority shall adopt standards approved by the Medical Director governing the provision of Special Event ambulance standby service within the Service Area, and, subject to the credentialing process by the Medical Director, may issue, suspend, revoke, and renew permits for the provision of such ambulance standby service; provided, however, nothing contained in this Chapter ___ establishes the Authority as the sole provider of non-ambulance standby emergency medical services, nor shall it limit the authority of the city to regulate, manage, or govern standby emergency medical services and the provider(s) thereof.

§ ___ MEMBERSHIP OF METROPOLITAN AREA EMS AUTHORITY

The Authority Board's membership and other matters relating to the Authority shall be set forth in the Restated and Amended Interlocal Cooperative Agreement and in the Bylaws adopted by the Authority's Board.

§ ___ FIRST RESPONDER ADVISORY BOARD

Ordinance No. _____

(a) There is hereby created a First Responder Advisory Board ("FRAB") which shall advise and inform the Authority and EPAB on matters related to first response and prehospital emergency medical services in the Service Area.

(b) The FRAB's membership and other matters relating to the board shall be set forth in the Restated and Amended Interlocal Cooperative Agreement and in the Bylaws adopted by the FRAB.

ARTICLE III: VIOLATIONS; PENALTIES; TRAFFIC LAW EXEMPTION

§ ____ VIOLATIONS.

(a) It shall be unlawful:

(1) To knowingly give false information to induce the dispatch of an ambulance or Aeromedical Transportation Unit.

(2) To perform duties as an ECA, EMT, Paramedic or emergency ambulance dispatcher without current credentials issued by the Office of the Medical Director, unless participating in a training program approved by Office of the Medical Director;

(3) To permit a person to work as an ECA, EMT, Paramedic or emergency ambulance dispatcher without current credentials issued by the Office of the Medical Director, unless participating in a training program approved by Office of the Medical Director;

(4) To use, or cause to be used, any Ambulance Service other than the Authority, except as permitted in subsection (b) below;

(5) For any person or entity other than the Authority to provide Ambulance Service within this Jurisdiction, unless pursuant to a written agreement with the Authority;

(6) For any person to provide Medical Transportation originating in the Service Area without a permit issued by the Authority;

(7) For any agency to provide First Responder services without a First Responder permit issued by the Authority, unless pursuant to a First Responder Agreement with the Authority or a written automatic aid or mutual aid agreement with this Jurisdiction;

(8) To use an ambulance for the transportation of persons other than in connection with the transportation of a Patient.

(b) It shall be a defense to any alleged violation of this section that a vehicle is being used or service is provided solely in any of the following manners:

- (1) As a privately owned vehicle not ordinarily used in the business of transporting persons who are sick, injured, wounded, incapacitated or helpless;
- (2) Rendering service as an ambulance at the request of the EMS Communications Center upon the declaration of a disaster by this Jurisdiction, the State of Texas, or the United States; or a declaration of a major catastrophe or extreme system overload by the Chief Executive Officer of the Authority;
- (3) Any ambulance owned or operated by the federal or state government;
- (4) Ambulance mutual aid calls when rendered pursuant to an Ambulance Mutual Aid agreement approved by the Authority;
- (5) Special Event ambulance standby coverage, so long as such service is provided without charge by an emergency medical services volunteer provider, as defined in Tex. Health and Safety Code § 773.003(13), or the Authority has first declined to provide coverage and the entity providing coverage has been issued a permit by the Authority;
- (6) Wheelchair transport services for persons other than Patients, when the service is not provided by ambulance; and
- (7) Medical Transportation of a Patient where the transport originates outside the Service Area.

§ ____ PENALTIES.

- (a) Any person convicted of violating the provisions of Section ____ shall be guilty of a Class C misdemeanor and shall be punished by a fine not to exceed \$500 (Tex. Penal Code §12.23).
- (b) This Section does not serve to limit any other remedies available to the Jurisdiction in law or equity.
- (c) Each violation of this Ordinance shall constitute a separate offense.

§ ____ TRAFFIC LAWS; EXEMPTION.

When the driver of an emergency medical response vehicle has reasonable grounds to believe that an emergency exists, as determined by the EMS Communication Center, the vehicle shall be treated as an "authorized emergency vehicle" within the meaning of Chapter 546 of the Tex. Transp. Code and shall be exempt from traffic laws as provided therein.