



CITY OF DALWORTHINGTON GARDENS

**NOTICE OF A MEETING
CITY COUNCIL**

April 17, 2025

EXECUTIVE SESSION AT 6:30 P.M.

WORK SESSION IMMEDIATELY FOLLOWING EXECUTIVE SESSION

REGULAR SESSION AT 7:00 P.M.

CITY HALL COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS

EXECUTIVE SESSION/WORK SESSION – 6:30 P.M.

1. CALL TO ORDER

2. WORK SESSION

- a. Work Session on listed agenda items, if time permits.

REGULAR SESSION – 7:00 P.M.

1. CALL TO ORDER

2. INVOCATION, AND PLEDGES OF ALLEGIANCE

3. PRESENTATIONS AND PROCLAMATIONS

4. ITEMS OF COMMUNITY INTEREST

DWG's Farmers Market 10-2 p.m. at ACA

- a. Annual Plant Swamp, Saturday, April 26, 2025 from 10-12 p.m. at the Gazebo
b. Park Work Day, Saturday, May 10, 2025 from 9-12 p.m.

5. CITIZEN COMMENTS

Citizens who wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and City Council members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.

6. MAYOR AND COUNCIL COMMENTS

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;

- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

7. DEPARTMENTAL REPORTS

Informational reports only; no action to be taken.

- DPS / City Administrator Report **(Tab A)**
- Finance Report **(Tab B)**
- Quarterly Investment Report **(Tab C)**

8. CONSENT AGENDA

All consent items are considered to be routine and will be enacted by one motion and vote.

- Approval of Ordinance No. 2025-06 allowable time for placement of residential waste containers for pickup. **(Tab D)**
- Approval of Resolution 2025-05 to adopt the investment policy with amended language to Section 4. Delegation of Authority pertaining to investment officers. **(Tab E)**
- Ratification of invoice over \$5,000.00 for a storm drain repair on Corzine in the amount of \$22,460.00 **(Tab F)**
- Approval of February 20, 2025 Minutes **(Tab G)**
- Approval of March 20, 2025 Minutes **(Tab H)**

9. REGULAR AGENDA

- Discussion and possible action to approve Ordinance No. 2025-05 for commercial properties requiring cross lot access when our existing ordinance regarding driveway separations cannot be met. **(Tab I)**
 - Conduct a public hearing
 - Discussion and action
- Discussion and possible action on an application for preliminary plat submitted by Aldriedge Building Corp for Lot 19, Block A, 1.01 acres of land located in The Joseph Pierce Survey, Abstract No. 1253 an addition to the City of Dalworthington Gardens, Tarrant County, Texas, and locally known as 3815 Kelly Perkins Road. **(Tab J)**
 - Conduct a public hearing
 - Discussion and possible action
- Discussion and possible action on an application for a final plat submitted by Aldriedge building Corp for Lot 19, Block A, 1.001 acres of land located in the Joseph Pierce Survey, Abstract No. 1253 an addition to the City of Dalworthington Gardens, Tarrant County, Texas, and locally known as 3815 Kelly Perkins Road. **(Tab K)**
 - Conduct a public hearing
 - Discussion and possible action
- Discussion and possible action for the FY 25/26 Budget Calendar. **(Tab L)**
- Discussion and possible action on entering into a public works consulting agreement with Kyle Sugg. **(Tab M)**
- Discussion and possible action regarding the fee structure for the City of Dalworthington Gardens water customer utilizing Pantego's sewer system. **(Tab N)**

- g. Discussion and possible action regarding amendments to the FY 2024-2025 budget in amounts not to exceed \$10,000.00.

10. TABLED ITEMS

11. FUTURE AGENDA ITEMS

In compliance with the Texas Open Meetings Act, Council Members may request that matters of public concern be placed on a future agenda. Council Members may not discuss non-agenda items among themselves. In compliance with the Texas Open Meetings Act, city staff members may respond to questions from Council members only with statements of factual information or existing city policy.

12. ADJOURN

The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development Negotiations).

Pursuant to Texas Government Code, Section 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

CERTIFICATION

This is to certify that a copy of the **April 17, 2025** City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofdwyer.net, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: _____ TIME OF POSTING: _____ TAKEN DOWN: _____

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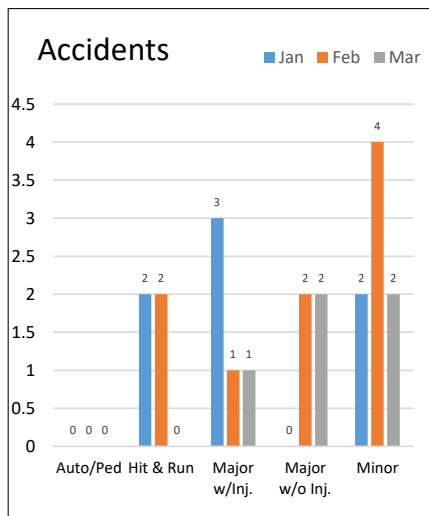
Sandra Ma, City Secretary



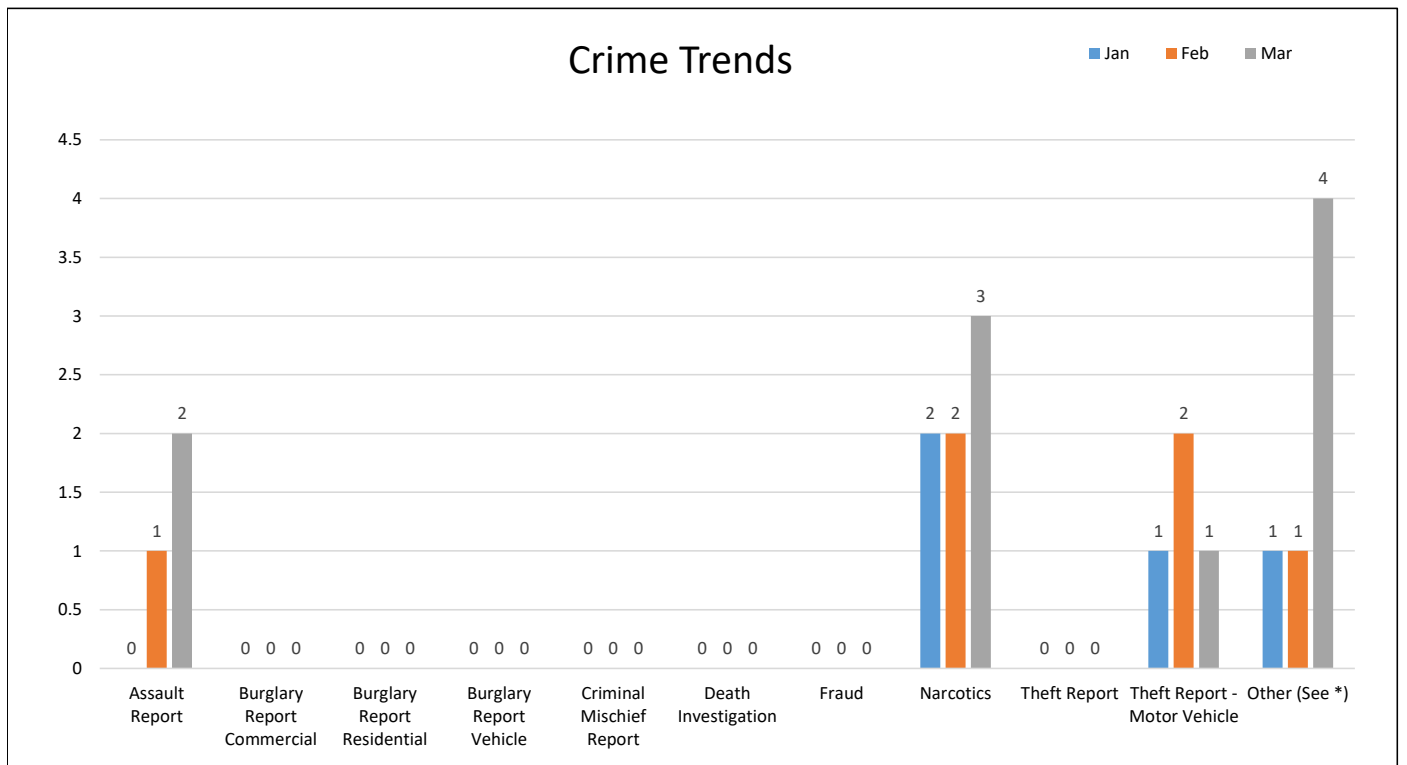
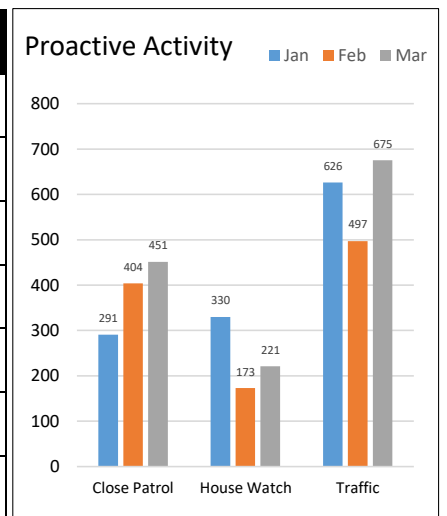
MONTHLY PUBLIC SAFETY REPORT

March 2025

Department News	
Residential Contacts	431 contacts
2024 Racial Profiling Report	Filed with TCOLE
Building Renovation Started	
Roosevelt Bridge Status	
Observation Deck / Baseball Field	
Corzine - Sewer Line Collapsed	



Activity	Jan	Feb	Mar	2025 YTD
DPS Activity	1951	1613	1923	6037
Police CFS	650	503	532	1839
EMS CFS	12	9	11	37
Fire CFS	9	7	10	29
Arrests	33	20	23	80
House Watches, Close Patrols, & Community Contacts	621	577	672	2059
Traffic Enforcement	626	497	675	1993



* Other offenses excluding traffic, warrants and "report only."

Racial Profiling Report | Full

Agency Name: DALWORTHINGTON GARDENS POLICE DEPT.

Reporting Date: 02/27/2025

TCOLE Agency Number: 439209

Chief Administrator: GREGORY R. PETTY

Agency Contact Information:

Phone: (817) 275-1234

Email: gpetty@cityofdmg.net

Mailing Address:

2600 ROOSEVELT DRIVE

DALWORTHINGTON GARDENS, TX 76016

This Agency filed a full report

DALWORTHINGTON GARDENS POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the DALWORTHINGTON GARDENS POLICE DEPT. from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the DALWORTHINGTON GARDENS POLICE DEPT. if the individual believes that a peace officer employed by the DALWORTHINGTON GARDENS POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the DALWORTHINGTON GARDENS POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the DALWORTHINGTON GARDENS POLICE DEPT. policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - a. the Commission on Law Enforcement; and
 - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The DALWORTHINGTON GARDENS POLICE DEPT. has satisfied the statutory data audit requirements as prescribed in Article 2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: JENNIFER BURKHART
Assistant to Chief of Police

Date: 02/27/2025

Total stops: 5418

Street address or approximate location of the stop

City street	4248
US highway	5
County road	0
State highway	131
Private property or other	1034

Was race or ethnicity known prior to stop?

Yes	19
No	5399

Race / Ethnicity

Alaska Native / American Indian	38
Asian / Pacific Islander	200
Black	1786
White	2305
Hispanic / Latino	1089

Gender

Female	2176
Alaska Native / American Indian	9
Asian / Pacific Islander	88
Black	813
White	910
Hispanic / Latino	356
Male	3242
Alaska Native / American Indian	29
Asian / Pacific Islander	112
Black	973
White	1395
Hispanic / Latino	733

Reason for stop?

Violation of law	201
Alaska Native / American Indian	1
Asian / Pacific Islander	15
Black	57
White	103

Hispanic / Latino	25
Preexisting knowledge	69
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	28
White	24
Hispanic / Latino	16
Moving traffic violation	2409
Alaska Native / American Indian	18
Asian / Pacific Islander	101
Black	744
White	1145
Hispanic / Latino	401
Vehicle traffic violation	2739
Alaska Native / American Indian	19
Asian / Pacific Islander	83
Black	957
White	1033
Hispanic / Latino	647
Was a search conducted?	
Yes	154
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	78
White	44
Hispanic / Latino	31
No	5264
Alaska Native / American Indian	37
Asian / Pacific Islander	200
Black	1708
White	2261
Hispanic / Latino	1058
Reason for Search?	
Consent	5
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	1

Hispanic / Latino	1				
Contraband	0				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	0				
White	0				
Hispanic / Latino	0				
Probable	36				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	21				
White	9				
Hispanic / Latino	6				
Inventory	12				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	5				
White	1				
Hispanic / Latino	6				
Incident to arrest	101				
Alaska Native / American Indian	1				
Asian / Pacific Islander	0				
Black	49				
White	33				
Hispanic / Latino	18				
Was Contraband discovered?					
Yes	47				
		Did the finding result in arrest?			
		(total should equal previous column)			
Alaska Native / American Indian	0	Yes	0	No	0
Asian / Pacific Islander	0	Yes	0	No	0
Black	22	Yes	13	No	9
White	12	Yes	10	No	2
Hispanic / Latino	13	Yes	8	No	5
No	107				
Alaska Native / American Indian	1				
Asian / Pacific Islander	0				
Black	56				
White	32				
Hispanic / Latino	18				

Description of contraband	
Drugs	34
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	15
White	10
Hispanic / Latino	9
Weapons	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	0
Hispanic / Latino	0
Currency	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	9
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	4
White	1
Hispanic / Latino	4
Stolen property	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Other	3
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	0
Hispanic / Latino	1
Result of the stop	
Verbal warning	2542

Alaska Native / American Indian	15
Asian / Pacific Islander	105
Black	916
White	1145
Hispanic / Latino	361
Written warning	234
Alaska Native / American Indian	0
Asian / Pacific Islander	11
Black	90
White	100
Hispanic / Latino	33
Citation	2452
Alaska Native / American Indian	22
Asian / Pacific Islander	83
Black	689
White	999
Hispanic / Latino	659
Written warning and arrest	5
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	5
White	0
Hispanic / Latino	0
Citation and arrest	66
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	34
White	18
Hispanic / Latino	13
Arrest	119
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	52
White	43
Hispanic / Latino	23
Arrest based on	
Violation of Penal Code	27
Alaska Native / American Indian	0
Asian / Pacific Islander	0

Black	9
White	13
Hispanic / Latino	5
Violation of Traffic Law	14
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	4
White	6
Hispanic / Latino	4
Violation of City Ordinance	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Outstanding Warrant	149
Alaska Native / American Indian	1
Asian / Pacific Islander	1
Black	78
White	42
Hispanic / Latino	27

Was physical force resulting in bodily injury used during stop?

Yes	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
Hispanic / Latino	0
Resulting in Bodily Injury To:	
Suspect	1
Officer	0
Both	0
No	5417
Alaska Native / American Indian	38
Asian / Pacific Islander	200
Black	1786
White	2304
Hispanic / Latino	1089

Number of complaints of racial profiling

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

Comparative Analysis

Use TCOLE's auto generated analysis	<input checked="" type="checkbox"/>
Use Department's submitted analysis	<input type="checkbox"/>

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement



FINANCIAL STATEMENTS

UNAUDITED DRAFT

City of Dalworthington Gardens, Texas

BALANCE SHEET GOVERNMENTAL FUNDS September 30, 2024

	General	Park and Recreation Facilities Development Corp.	Capital Projects	Debt Service
<u>Assets</u>				
Cash and cash equivalents	\$ 3,372,238	\$ 711,469	\$ 110,833	\$ -
Restricted cash	2,378	-	1,365,617	60,061
Receivables, net	167,235	20,876	-	10,059
Prepaid items	31,044	2,399	-	-
Due from other funds	-	-	-	-
Total Assets	\$ 3,572,895	\$ 734,744	\$ 1,476,450	\$ 70,120
<u>Liabilities</u>				
Accounts payable and accrued liabilities	\$ 195,147	\$ 2,706	\$ 25,241	\$ -
Unearned revenue	58,775	-	-	-
Due to other funds	-	-	0	-
Total Liabilities	253,922	2,706	25,241	-
<u>Deferred Inflows of Resources</u>				
Unavailable revenue - property taxes	52,784	-	-	10,059
oil and gas	3,469	-	-	-
Total Deferred Inflows	56,253	-	-	10,059
<u>Fund Balances</u>				
Nonspendable:				
Prepaid items	31,044	2,399	-	-
Restricted for:				
Parks and recreation	-	729,639	-	-
Special revenue	-	-	-	-
Capital improvements	-	-	739,008	-
Debt service	-	-	-	60,061
CARES Act Relief Fund	-	-	607,272	-
Opiod abatement trust	2,378	-	-	-
Committed for:				
Fire Truck	0	-	-	-
Capital reserve	0	-	-	-
DPS complex	-	-	104,929	-
Unassigned reported in:				
General fund	3,229,298	-	-	-
Total Fund Balances	3,262,720	732,038	1,451,209	60,061
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	\$ 3,572,895	\$ 734,744	\$ 1,476,450	\$ 70,120

See Notes to Financial Statements.

Nonmajor Governmental Funds	Total Governmental Funds
\$ -	\$ 4,194,540
503,598	1,931,654
61,924	260,094
4,032	37,475
-	-
<u>\$ 569,554</u>	<u>\$ 6,423,763</u>

\$ 7,779	\$ 230,873
-	58,775
-	-
<u>7,779</u>	<u>289,648</u>

-	62,843
-	3,469
<u>-</u>	<u>66,312</u>

4,032	37,475
-	729,639
557,743	557,743
-	739,008
-	60,061
-	607,272
-	2,378
-	-
-	-
-	104,929
-	3,229,298
<u>561,775</u>	<u>6,067,803</u>

<u>\$ 569,554</u>	<u>\$ 6,423,763</u>
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City of Dalworthington Gardens, Texas

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE GOVERNMENTAL FUNDS

For the Year Ended September 30, 2024

	General	Park and Recreation Facilities Development Corp.	Capital Projects	Debt Service
<u>Revenues</u>				
Property tax	\$ 2,279,047	\$ -	\$ -	\$ 356,420
Sales tax	517,771	128,397	-	-
Franchise and local taxes	273,617	-	-	-
License and permits	126,796	-	-	-
Fines and forfeitures	416,772	-	-	-
Oil and gas mineral rights	42,355	-	-	-
Interest income	244,490	25,310	42,836	7,176
Intergovernmental	3,158	-	36,789	-
Other revenues	79,782	6,022	-	-
Total Revenues	3,983,788	159,729	79,625	363,596
<u>Expenditures</u>				
Current:				
Community development	-	-	-	-
Municipal court	-	-	-	-
Administrative	370,174	-	-	-
Police	2,116,678	-	-	-
Fire	536,427	-	-	-
Public works	332,262	-	-	-
Parks and recreation	-	87,339	-	-
Theft	-	-	-	-
Capital outlay	109,059	-	148,239	-
Debt Service:				
Principal	57,138	-	-	180,000
Interest and fiscal charges	9,309	-	-	183,419
Bond costs	-	-	-	-
Total Expenditures	3,531,047	87,339	148,239	363,419
Excess of Revenues				
Over (Under) Expenditures	452,741	72,390	(68,614)	177
<u>Other Financing Sources (Uses)</u>				
Lease issuance	18,200	-	-	-
Transfers (out)	(39,770)	-	(20,532)	-
Transfers in	66,000	-	42,102	-
Total Other Financing (Sources)	44,430	-	21,570	-
Net Change in Fund Balances	497,171	72,390	(47,044)	177
Beginning fund balances	2,765,549	659,648	1,498,253	59,884
Ending Fund Balances	\$ 3,262,720	\$ 732,038	\$ 1,451,209	\$ 60,061

See Notes to Financial Statements.

Nonmajor Governmental Funds	Total Governmental Funds
\$ -	\$ 2,635,467
379,972	1,026,140
-	273,617
-	126,796
26,148	442,920
-	42,355
19,561	339,373
-	39,947
-	85,804
<u>425,681</u>	<u>5,012,419</u>
-	-
-	-
-	370,174
304,231	2,420,909
-	536,427
57,032	389,294
-	87,339
-	-
99,316	356,614
13,489	250,627
5,761	198,489
-	-
<u>479,829</u>	<u>4,609,873</u>
(54,148)	402,546
-	18,200
	(60,302)
18,200	126,302
<u>18,200</u>	<u>84,200</u>
(35,948)	486,746
597,723	5,581,057
<u>\$ 561,775</u>	<u>\$ 6,067,803</u>

City of Dalworthington Gardens, Texas

STATEMENT OF NET POSITION

PROPRIETARY FUND

September 30, 2024

	Water, Sewer & Sanitation
<u>Assets</u>	
Current Assets:	
Cash and cash equivalents	\$ 675,734
Prepaid expenses	38,730
Receivables, net	262,130
Total Current Assets	1,017,414
Noncurrent Assets:	
Capital assets:	
Non-depreciable	109,201
Net depreciable capital assets	1,945,625
Total Noncurrent Assets	2,054,826
Total Assets	3,072,240
<u>Deferred Outflows of Resources</u>	
Pension	112,770
OPEB	233
Total Deferred Outflows of Resources	113,003
<u>Liabilities</u>	
Current Liabilities:	
Accounts payable and accrued liabilities	215,014
Customer deposits	82,152
Accrued interest	1,955
Compensated absences, current	7,885
Long-term debt due within one year	87,381
Total Current Liabilities	394,387
Noncurrent Liabilities:	
Net pension liability	409,802
OPEB liability	12,763
Compensated absences, noncurrent	877
Long-term debt, noncurrent	3,013
Total Noncurrent Liabilities	426,455
Total Liabilities	820,842
<u>Deferred Inflows of Resources</u>	
OPEB	6,168
Total Deferred Inflows of Resources	6,168
<u>Net Position</u>	
Net investment in capital assets	1,970,955
Unrestricted	387,278
Total Net Position	\$ 2,358,233

See Notes to Financial Statements.

City of Dalworthington Gardens, Texas

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION PROPRIETARY FUND

For the Year Ended September 30, 2024

	Water, Sewer & Sanitation
<u>Operating Revenues</u>	
Water sales	\$ 1,455,328
Sewer revenue	746,023
Refuse collection	209,416
Other revenue	33,597
Total Operating Revenues	2,444,364
<u>Operating Expenses</u>	
Cost of water	650,474
Cost of sewer	415,910
Cost of refuse	192,965
Personnel	401,063
Material, utilities & maintenance	219,783
Contracted and other services	313,690
Depreciation	217,994
Total Operating Expenses	2,411,879
Operating Income (Loss)	32,485
<u>Nonoperating Revenues (Expenses)</u>	
Investment income	10,264
Interest expense	(4,260)
Total Nonoperating Revenues (Expenses)	(642)
Income (Loss) Before Capital Contributions and Transfers	31,843
Capital contributions	28,800
Transfers in	5,187
Transfers (out)	(71,187)
Change in Net Position	(5,357)
Beginning net position	2,363,590
Ending Net Position	\$ 2,358,233

See Notes to Financial Statements.

City Council

Staff Agenda Report

Agenda Item: 8a.

Agenda Subject: Approval of Ordinance No. 2025-06 allowable time for placement of residential waste container for pick-up.

Meeting Date: April 17, 2025	Financial Considerations: Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Strategic Vision Pillar: <input type="checkbox"/> Financial Stability <input checked="" type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade <input checked="" type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence
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Background Information:

Attorney has updated Section 13.03.006 Placement of Containers for residential customers

(4) Time of placement. All containers shall be placed at the hereinabove prescribed locations not earlier than 6:00 p.m. on the day preceding the day of scheduled collection.

Attachments:

Ordinance 2025-06

ORDINANCE NO. 2025-06

AN ORDINANCE AMENDING SECTION 13.03.006 “PLACEMENT OF CONTAINERS FOR RESIDENTIAL CUSTOMERS” OF DIVISION 1 “GENERALLY,” OF ARTICLE 13.03 “SOLID WASTE,” OF CHAPTER 13, “UTILITIES,” OF THE CODE OF ORDINANCES, CITY OF DALWORTHINGTON GARDENS, TEXAS, TO CHANGE THE ALLOWABLE TIME FOR PLACEMENT OF RESIDENTIAL WASTE CONTAINERS FOR PICKUP; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING THAT THE TERMS OF THIS ORDINANCE SHALL BE SEVERABLE; PROVIDING A PENALTY FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council has previously adopted regulations relating to the allowable time and placement of refuse bins in designated areas for pickup; and

WHEREAS, the City Council now wishes to change the Code of Ordinances to amend the allowable time to place said refuse bins in their designated areas for pickup in order to protect the health, safety and welfare of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY DALWORTHINGTON GARDENS, TEXAS:

SECTION 1.

That Section 13.03.006 “Placement of containers for residential customers,” of the Code of Ordinances, City of Dalworthington Gardens, Texas is hereby amended to read as follows:

“Sec. 13.03.006 Placement of containers for residential customers.

It shall be the duty of each customer of residential premises in the city to place garbage and trash containers at locations as follows:

- (1) Premises on alleys. If the premises from which garbage and trash are to be collected are adjacent to a dedicated public alley, the customer shall place all containers adjacent to the alley at a location on the premises and easily accessible to the collector from outside said premises.

- (2) Other premises. In the event there is no alley adjacent to the premises, the customer shall place all containers for collection at curbside on the street on which said premises are addressed.
- (3) Designation of collection point. In the event it is not practical to place containers for collection at locations hereinabove provided, the city shall designate the point most easily accessible for collection in such instances.
- (4) Time of placement. All containers shall be placed at the hereinabove prescribed locations not earlier than 6:00 p.m. on the day preceding the day of scheduled collection.
- (5) Screening requirements. All containers shall be stored at locations outside of view of a public street or alley when the containers are not placed for collection.”

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and on the Code of Ordinances, City of Dalworthington Gardens, Texas as amended, except where the provisions are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION 3.

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 the valid judgment or degree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

The City Secretary of the City of Dalworthington Gardens is hereby directed to publish in the official newspaper of the City of Dalworthington, the caption, publication clause, and effective date clause of this ordinance in accordance with Section 52.011 of the Texas Local Government Code.

SECTION 6.

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

PASSED AND APPROVED ON THIS ____ DAY OF _____, 2025.

Laura Bianco, Mayor

ATTEST:

Sandra Ma, City Secretary

City Council
Staff Agenda Report

Agenda Item: 8b.

Agenda Subject: Approval of Resolution 2025-05 to adopt the investment policy with amended language to Section 4. Delegation of Authority pertaining to investment officers.		
Meeting Date: April 17, 2025	Financial Considerations: Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Strategic Vision Pillar: <input type="checkbox"/> Financial Stability <input checked="" type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence

Background Information:

Changes made to Section 4. Delegation of Authority
Authority to manage the City’s investment program are derived form a Resolution of the City Council, wherein, the City’s Administrator and their designee, with notification of the designee to the City Council, are designated as the Investment Officers of the City and are responsibility for all investment management decision and activities.

Attachments:
City of Dalworthington Gardens Investment Policy



CITY OF DALWORTHINGTON GARDENS

INVESTMENT POLICY

1. **Policy Statement**

It is the policy of the City of Dalworthington Gardens (City) that the investment of public funds shall be handled as its highest public trust. Investments shall be made in a manner which will provide the maximum security of principal invested through limitations and diversification while meeting the daily cash flow demands of the City and conforming to all applicable state and City statutes governing the investment of public funds. The receipt of a market rate of return will be secondary to the requirements for safety and liquidity.

It is the intent of the City to be in complete compliance with local law, the Public Funds Investment Act and the Public Funds Collateral Act. Specific investment parameters for the investment of public funds in Texas are stipulated in the Public Funds Investment Act ("PFIA"), Chapter 2256, Texas Government Code. The Public Funds Collateral Act, Chapter 2257, Texas Government Code, specifies collateral requirements for deposits of all public funds. The Interlocal Cooperation Act, Chapter 791, Texas Government Code, authorizes local governments in Texas to participate in a Texas investment pool established thereunder.

2. **Scope**

This investment policy applies to all financial assets and funds held by the City. These funds are accounted for in the City's Annual Financial Report.

- A. General Fund
- B. Special Revenue Funds
- C. Debt Service Funds
- D. Capital Project Funds
- E. Proprietary (Enterprise) Funds
- F. All Other Funds

Any new operating or bond funds created by the City will be managed under the provisions of this Policy unless specifically exempted by the City Council and this Policy.

3. **Objectives and Strategy**

It is the policy of the City that all funds shall be managed and invested with four primary objectives, listed in order of their priority: *safety, liquidity, diversification and yield*. These objectives encompass the following:

Safety [PFIA 2256.005(b)(2)]: Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Liquidity [PFIA 2256.005(b)(2)]: The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might 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 funds or local government investment pools that offer same-day liquidity.

Diversification [PFIA 2256.005(b)(3)]: Diversification is required in the portfolio's composition. Diversification of the portfolio will include diversification by maturity and market sector and will include the use of a number of broker/dealers or banks for diversification and market coverage.

Yield [PFIA 2256.005(b)(3)]: The City's investment portfolio shall be designed with the objective of attaining a reasonable market yield throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

4. Delegation of Authority [PFIA 2256.005(f)]

Authority to manage the City's investment program are derived from a Resolution of the City Council, wherein, the City Administrator ~~and Finance Director~~ **and their designee, with notification of the designee to the City Council**, are designated as the Investment Officers of the City and are responsible for all investment management decisions and activities. The investment authority granted to the investing officer(s) is effective until rescinded by the Council or termination of employment. No person may engage in an investment transaction or the management of City funds except as provided under the terms of this Investment Policy as approved by the City Council.

Procedures will be developed for the operation of the investment program which is consistent with this Investment Policy. Procedures will include safekeeping, wire transfer agreements, banking service contracts and collateral/depository agreements.

5. Prudence Person Standard [PFIA 2256.006]

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. This standard 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".

Limitation of Personal Liability - Investment officers and those delegated investment authorities, when acting in accordance with written procedures and this Policy and in accord with the Prudent Person Rule, shall be relieved of personal liability in the management of the portfolio provided that deviations from expectations for a specific security's credit risk or market price change are reported in a timely manner and that appropriate action is taken to control adverse developments.

6. Investment Training /PFIA 2256.008(1)(2)

The City shall provide periodic training in investments for the designated investment officer(s) in order to insure the quality and capability of investment management in compliance with the Public Funds Investment Act.

The investment officer shall:

- 1) within 12 months from the date the officer takes office or assumes the officer's duties, shall attend an initial training session of at least 10 hours of instruction relating to investment responsibilities in accordance with the Public Funds Investment Act; and
- 2) attend at least 8 hours of additional investment training not less than once within a 2-year period that begins on the first day of the City's fiscal year and consists of the 2 consecutive fiscal years after that date.

The investment training session shall be provided by an independent source approved by the Council. 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 City may engage in an investment transaction.

7. Ethics and Conflicts of Interest /PFIA 2256.005(i)

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution and management of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Council any material interests in or with financial institutions with which they conduct business. They shall further disclose any material personal financial/investment positions that could be related to the performance of the City's investment portfolio.

The Investment Officer(s) of the City who have a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An Investment Officer who is related within the second degree by affinity (Close relationship or kinship) or consanguinity (Blood relationship) to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the City Council.

8. Authorized Financial Dealers and Institutions [LOC GOV'T 105.017] & [PFIA 2256.025]

The City shall designate one banking institution through a competitive process as its central banking services provider at least once every (5) five years. This institution will be used for normal banking services including disbursements, collections and safekeeping of securities.

The City will maintain a list of financial institutions and/or broker/dealers which are authorized to provide investment services. This list will be reviewed at least annually and updated as needed by the investment officers, acting as the Council's investment committee. Time and demand deposits shall be made in qualified public depositories under a written agreement with the City.

All financial institutions, broker/dealers and pools who desire to provide investment services will be required to review the Investment Policy and to supply the City with the appropriate credentials, as determined by the Investment Officer, to qualify as an approved service provider. The firm will be required to return a signed copy of the Certification Form certifying that the Policy has been received and reviewed and only those securities approved by the Policy will be sold to the City. [PFIA 2256.005(k-l)]

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

Acceptable investments under this Policy shall be limited to the instruments listed below and as further described by the Public Funds Investment Act.

Authorized:

- A. Obligations of the United States Government, its agencies and instrumentalities, not to exceed five years to stated maturity, but excluding all mortgage backed securities. [PFIA 2256.009(1)]
- B. Direct obligations of the State of Texas or its agencies and instrumentalities. [PFIA 2256.009(2)]

- C. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the FDIC or by the explicit full faith and credit of the United States. *[PFIA 2256.009(4)]*
- D. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated not less than A or its equivalent. *[PFIA 2256.009(5)]*
- E. Certificates of Deposit which are fully FDIC insured or collateralized from a depository institution doing business in the State of Texas and under the terms of a written depository agreement with that bank, not to exceed five years to stated maturity. Collateral should equal 102% of principal and interest excluding FDIC insurance coverage. *[PFIA 2256.010]*
- F. No-load Money Market Mutual Funds that are 1) registered with and regulated by the Securities and Exchange Commission, 2) must provide a prospectus and other information required by federal law, 3) has a dollar-weighted average stated maturity of 90 days or fewer, 4) include in their investment objectives to maintain a stable net asset value of \$1.00 per share, and 5) investing entity may not own more than 10% of the fund's total assets. *[PFIA 2256.014(a)]*
- G. Texas Local Government Investment Pools defined to meet the requirements of the Public Funds Investment Act. An investment pool that is created to function as a money market mutual fund must mark its portfolio to market daily, and to the extent reasonably possible, stabilize at a constant \$1 net asset value. A Public Funds Investment Pool must be continuously rated no lower than AAA or AAAM or an equivalent rating by at least one nationally recognized rating service. *[PFIA 2256.019]*

Council approval by resolution is required for participation in any local government pool. An investigation of the pool/fund is necessary prior to investing and on a continual basis. If local government investment pools and/or money market mutual funds are utilized, each must provide confirmations on deposits/withdrawals, full monthly reporting and a prospectus (information statement) fully describing the pool/fund with information as listed in Chapter 2256.016(b-c) of the Public Funds Investment Act.

Delivery versus Payment - All security transactions entered into by the City, shall be conducted on a delivery versus payment (DVP) basis.

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

The City is specifically prohibited from investing in:

- A. An obligation whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
- B. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security and bears no interest.
- C. Collateralized mortgage obligations that have a stated final maturity of greater than 10 years.
- D. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

If additional types of securities are approved for investment by public funds by state statute, they will not be eligible for investment until this Policy has been amended and the amended version adopted by the City Council.

10. Maximum Maturities & Diversification [PFIA 2256.005(b)(4)(B-C)]

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than (2) two years from the date of purchase. At no time will more than 20% of the portfolio extend beyond (1) one year. This will be accomplished by purchasing high quality, short-term and intermediate securities in a laddered structure or utilizing constant dollar investment pools. The composite portfolio will have a dollar weighted average maturity (WAM) of no more than 365 days. This dollar-weighted average maturity will be calculated using the stated final maturity dates of each security. The portfolio shall be diversified to protect against market and credit risk in any one sector. Diversification requirements can be fully met through use of an authorized investment pool.

SECURITY TYPE	MAXIMUM ALLOWABLE PERCENTAGE OF PORTFOLIO
U.S. Treasury Obligations	100%
U.S. Government Agencies and Instrumentalities	50%
Fully insured or collateralized CD's	30%
Money Market Funds	100%
Local Government Investment Pools	100%
Maximum percent of pool ownership	20%

11. Safekeeping and Collateralization

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

Collateral for deposits will be held by the depository bank or a third-party custodian designated by the City and pledged to the City 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 bank's 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 City.

12. Collateral Policy /PFCA 2257.02/

Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require full collateralization of all City 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 102% of market value of principal and accrued interest on deposits or investments less an amount insured by the FDIC. At its discretion the City may require a higher level of collateralization for certain investment securities. Securities pledged as collateral shall be held by the depository bank or an independent third-party with which the City has a current custodial agreement. The Investment Officer(s) are responsible for entering into collateralization agreements with third-party custodian 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 City and retained. Collateral shall be reviewed at least annually to assure that the market value of the pledged securities is adequate.

Collateral Defined /PEIA 2256.009/

The City shall accept only the following types of collateral:

- FDIC and FSLIC insurance coverage.
- Letter of Credit issued by a federal home loan bank.
- Obligations, the principal and interest of which are unconditionally guaranteed or insured by the State of Texas.

- Direct obligations of the United States or other obligations of the United States, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of the United States.
- 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 with a remaining maturity often (IO) years or less
- 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

All collateral shall be **subject to inspection and audit** by the City's independent auditors.

13. Reporting /PFIA 2256.023/

The Investment Officer shall provide to the City Council investment reports no less than quarterly which provide a clear picture of the status of the current investment portfolio and conform to requirements of the Public Funds Investment Act. The management report should summarize investment strategies employed in the most recent quarter.

Schedules in the report should include detail and summary information including 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 Council.

The report will be prepared jointly by all involved in the investment activity and be signed by all Investment Officer(s) as in compliance with the PFIA and this Policy. Prices used for the calculation of market values shall be obtained from an independent source.

14. Investment Policy Adoption /PFIA 2256.005(e)/

The City's Investment Policy shall be adopted by resolution annually by the City Council. The City's investment policy shall be subject to revisions consistent with changing laws, regulations, and needs of the City. The Council shall adopt a resolution stating that it has

reviewed the policy and investment strategies annually, approving any changes or modifications.

ADOPTED BY COUNCIL APRIL 17, 2025

Mayor Laurie Bianco

Date

BROKER/DEALER CERTIFICATION FORM
As required by Texas Government Code 2256.005(k)

City of Dalworthington Gardens (the "City")

_____ (the "Firm")

I, as a registered principal or authorized representative for the Firm hereby certify that I and the broker covering this account have received and reviewed the Investment Policy of the City.

We acknowledge that this firm has implemented reasonable internal procedures and controls in an effort to preclude investment transactions conducted between this Firm and the City that are not authorized by the City's Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

Signature _____

Name: _____

Title: _____

Firm Name: _____

Date: _____

LIST OF FINANCIAL INSTITUTIONS AND/OR BROKER/DEALERS

Banks:

Susser Bank

CDARS-Certificate of Deposit Account Registry Service

Texas Public Funds Investment Pools:

LOGIC (Local Government Investment Cooperative)

TexSTAR

Broker/Dealers:

N/A



CITY OF DALWORTHINGTON GARDENS

INVESTMENT POLICY

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The investment officer shall:

- 1) within 12 months from the date the officer takes office or assumes the officer's duties, shall attend an initial training session of at least 10 hours of instruction relating to investment responsibilities in accordance with the Public Funds Investment Act; and
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9. Investments [PFIA 2256.005 (b)(4)(A)]

Acceptable investments under this Policy shall be limited to the instruments listed below and as further described by the Public Funds Investment Act.

Authorized:

- A. Obligations of the United States Government, its agencies and instrumentalities, not to exceed five years to stated maturity, but excluding all mortgage backed securities. [PFIA 2256.009(1)]
- B. Direct obligations of the State of Texas or its agencies and instrumentalities. [PFIA 2256.009(2)]

- C. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the FDIC or by the explicit full faith and credit of the United States. *[PFIA 2256.009(4)]*
- D. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated not less than A or its equivalent. *[PFIA 2256.009(5)]*
- E. Certificates of Deposit which are fully FDIC insured or collateralized from a depository institution doing business in the State of Texas and under the terms of a written depository agreement with that bank, not to exceed five years to stated maturity. Collateral should equal 102% of principal and interest excluding FDIC insurance coverage. *[PFIA 2256.010]*
- F. No-load Money Market Mutual Funds that are 1) registered with and regulated by the Securities and Exchange Commission, 2) must provide a prospectus and other information required by federal law, 3) has a dollar-weighted average stated maturity of 90 days or fewer, 4) include in their investment objectives to maintain a stable net asset value of \$1.00 per share, and 5) investing entity may not own more than 10% of the fund's total assets. *[PFIA 2256.014(a)]*
- G. Texas Local Government Investment Pools defined to meet the requirements of the Public Funds Investment Act. An investment pool that is created to function as a money market mutual fund must mark its portfolio to market daily, and to the extent reasonably possible, stabilize at a constant \$1 net asset value. A Public Funds Investment Pool must be continuously rated no lower than AAA or AAAM or an equivalent rating by at least one nationally recognized rating service. *[PFIA 2256.019]*

Council approval by resolution is required for participation in any local government pool. An investigation of the pool/fund is necessary prior to investing and on a continual basis. If local government investment pools and/or money market mutual funds are utilized, each must provide confirmations on deposits/withdrawals, full monthly reporting and a prospectus (information statement) fully describing the pool/fund with information as listed in Chapter 2256.016(b-c) of the Public Funds Investment Act.

Delivery versus Payment - All security transactions entered into by the City, shall be conducted on a delivery versus payment (DVP) basis.

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

The City is specifically prohibited from investing in:

- A. An obligation whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
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If additional types of securities are approved for investment by public funds by state statute, they will not be eligible for investment until this Policy has been amended and the amended version adopted by the City Council.

10. Maximum Maturities & Diversification [PFIA 2256.005(b)(4)(B-C)]

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than (2) two years from the date of purchase. At no time will more than 20% of the portfolio extend beyond (1) one year. This will be accomplished by purchasing high quality, short-term and intermediate securities in a laddered structure or utilizing constant dollar investment pools. The composite portfolio will have a dollar weighted average maturity (WAM) of no more than 365 days. This dollar-weighted average maturity will be calculated using the stated final maturity dates of each security. The portfolio shall be diversified to protect against market and credit risk in any one sector. Diversification requirements can be fully met through use of an authorized investment pool.

SECURITY TYPE	MAXIMUM ALLOWABLE PERCENTAGE OF PORTFOLIO
U.S. Treasury Obligations	100%
U.S. Government Agencies and Instrumentalities	50%
Fully insured or collateralized CD's	30%
Money Market Funds	100%
Local Government Investment Pools	100%
Maximum percent of pool ownership	20%

11. Safekeeping and Collateralization

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

Collateral for deposits will be held by the depository bank or a third-party custodian designated by the City and pledged to the City 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 bank's 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 City.

12. Collateral Policy /PFCA 2257.02/

Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require full collateralization of all City 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 102% of market value of principal and accrued interest on deposits or investments less an amount insured by the FDIC. At its discretion the City may require a higher level of collateralization for certain investment securities. Securities pledged as collateral shall be held by the depository bank or an independent third-party with which the City has a current custodial agreement. The Investment Officer(s) are responsible for entering into collateralization agreements with third-party custodian 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 City and retained. Collateral shall be reviewed at least annually to assure that the market value of the pledged securities is adequate.

Collateral Defined /PEIA 2256.009/

The City shall accept only the following types of collateral:

- FDIC and FSLIC insurance coverage.
- Letter of Credit issued by a federal home loan bank.
- Obligations, the principal and interest of which are unconditionally guaranteed or insured by the State of Texas.

- Direct obligations of the United States or other obligations of the United States, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of the United States.
- 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 with a remaining maturity often (IO) years or less
- 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

All collateral shall be **subject to inspection and audit** by the City's independent auditors.

13. Reporting /PFIA 2256.023/

The Investment Officer shall provide to the City Council investment reports no less than quarterly which provide a clear picture of the status of the current investment portfolio and conform to requirements of the Public Funds Investment Act. The management report should summarize investment strategies employed in the most recent quarter.

Schedules in the report should include detail and summary information including 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 Council.

The report will be prepared jointly by all involved in the investment activity and be signed by all Investment Officer(s) as in compliance with the PFIA and this Policy. Prices used for the calculation of market values shall be obtained from an independent source.

14. Investment Policy Adoption /PFIA 2256.005(e)/

The City's Investment Policy shall be adopted by resolution annually by the City Council. The City's investment policy shall be subject to revisions consistent with changing laws, regulations, and needs of the City. The Council shall adopt a resolution stating that it has

reviewed the policy and investment strategies annually, approving any changes or modifications.

ADOPTED BY COUNCIL APRIL 17, 2025

Mayor Laurie Bianco

Date

BROKER/DEALER CERTIFICATION FORM
As required by Texas Government Code 2256.005(k)

City of Dalworthington Gardens (the "City")

_____ (the "Firm")

I, as a registered principal or authorized representative for the Firm hereby certify that I and the broker covering this account have received and reviewed the Investment Policy of the City.

We acknowledge that this firm has implemented reasonable internal procedures and controls in an effort to preclude investment transactions conducted between this Firm and the City that are not authorized by the City's Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

Signature _____

Name: _____

Title: _____

Firm Name: _____

Date: _____

LIST OF FINANCIAL INSTITUTIONS AND/OR BROKER/DEALERS

Banks:

Susser Bank

CDARS-Certificate of Deposit Account Registry Service

Texas Public Funds Investment Pools:

LOGIC (Local Government Investment Cooperative)

TexSTAR

Broker/Dealers:

N/A

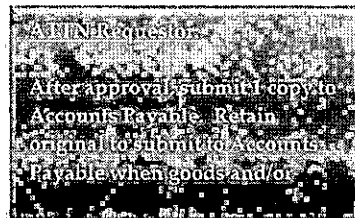


City of Dalworthington Gardens

Purchase Request Form

Vendor ID: 000655
Vendor Name: RUTS Constructions, LLC
Address 1: 1150 Blue Mound RD W, Suite 821
Address 2:
City, ST ZIP: Haslet, TX 76052
Phone: 512-944-2960

Date: 4/2/2025



If New Vendor - W9 Form Required - Please Attach

Qty	Description	ACCOUNT NO			Unit Price	Line Total
		Fund	Dept	Acct		
1	Mobilization				3,500.00	\$ 3,500.00
1	Remove & Replace Concrete Pavement				7,400.00	\$ 7,400.00
1	Remove & Replace 24" RCP Storm Pipe				9,220.00	\$ 9,220.00
1	Flowable Backfill				2,340.00	\$ 2,340.00
REASON (Please attach necessary supporting data)						Total \$ 22,460.00

Emergency Repair of a sinkhole at 2640 Corzine, DWG TX 76016.

BUDGETED:

☒ YES

☐ NO

Aida Felker

04/02/2025

Requested By

Date

P. Dy

4-2-25

Director's Approval

Date

Laurie Bianco 4-2-25

Authorized By

Date

City Administrator Approval

Date

FOR REQUESTOR USE ONLY:

I CERTIFY THAT ALL GOODS AND/OR SERVICES HAVE BEEN RECEIVED AND/OR COMPLETED

Signature

4.17.2025 Council Packet Pg. 40 of 113
Date Received

Civil Construction Proposal



RUTS Construction, LLC.

1150 Blue Mound RD W, Suite 821

Haslet, TX 76052

Contact: Chase Ratliff

Phone: 512-944-2960

Email: cratliff@rutsconstruction.com

Quote To: Darwin Brown
Company: City of DWG
Phone: 682-329-3618
Email: dbrown@cityofdwg.net

Job Name: DWG, TX - 24" RCP Repair
Date: 03/31/2025
Quote #: 2025-079

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
10	Mobilization	1.00	EA	3,500.00	3,500.00
20	Remove & Replace Concrete Pavement	1.00	LS	7,400.00	7,400.00
30	Remove & Replace 24" RCP Storm Pipe	1.00	LS	9,220.00	9,220.00
40	Flowable Backfill	1.00	LS	2,340.00	2,340.00
GRAND TOTAL					\$22,460.00

NOTES:

Project Inclusions:

RUTS Will Provide Labor, Equipment, & Material to Remove & Replace (1) Joint of Existing 24" RCP Storm Pipe.
 Trench Safety
 Flowable Backfill
 Material Haul-Off
 Concrete Removal & Repair
 Work in Original Scope

Project Exclusions:

Dewatering
 SWPPP / Erosion Control
 Traffic Control
 Permit Fees
 Bonding (Add 4%)
 Sodding or Seeding.
 Liquidated Damages
 Excavation Deeper Than 6'
 Work not proposed on original scope

Yes please!
JLB

Prices are based on;

If the type of pipe changes from what we have quoted above, prices and scheduling may vary. Contractor or Municipality is responsible for verifying the type of pipe and it's O.D.

RUTS will NOT be responsible for any delays due to material shortages or changes.

RUTS will not be responsible for any delays due to mismarked utility lines or changes required due to unforeseen utility lines.

RUTS will not be responsible for any material defects.

Any Excavation Deeper than 6' will result in additional cost.

Any fence removal/repair will result in additional cost.

RUTS may require a pre-construction meeting prior to scheduling any services.

Price does not include "Sales Tax" on supplied material.

Stand-by charges will be billed at \$2,500.00 per day.

RUTS will allow (1) mobilizations. Additional mobilizations will be \$3,500.00 per trip.

If you have any questions, please feel free to contact us:

Chiefs Operations Officer

Chris Campbell

940.600.3036

Chris.c@rutsconstruction.com

Customer Signature _____

RUTS Signature _____

[Handwritten signature]

MINUTES OF THE REGULAR MEETING OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CITY COUNCIL HELD ON FEBRUARY 20, 2025 AT 6:00 P.M. IN THE COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS.

While the order of some agenda items may have been changed, the following represents all items discussed and acted upon by the City Council.

WORK SESSION AND/OR EXECUTIVE SESSION

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 6:00 p.m. with the following present:

Members Present

Laura Bianco, Mayor
John King, Alderman, Place 1
Steve Lafferty, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Ed Motley, Mayor Pro Tem; Alderman, Place 4
Paul Sweitzer, Alderman, Place 5

Staff Present:

Greg Petty DPS Director/City Administrator
Will Fike, Captain, Operations Commander
Kay Day, Finance Director
Sandra Ma, City Secretary/Court Administrator

2. EXECUTIVE SESSION

Any action may be deferred until the 7:00 p.m. Regular Session

a. Recess into Executive Session:

City Council recessed into Executive Session at 6:02 p.m.

i. Pursuant to Texas Government Code, Section 551.0171, Attorney Consultation, and 551.0174, Personnel Matters, regarding the City Administrator, City Secretary, Finance Director, and Public Works Director

b. Reconvene into Regular Session for discussion and possible action

City Council reconvened from Executive Session at 6:40 p.m. Action was deferred until recessing again into Executive Session on this topic after the completion of the Regular Agenda items and then reconvening into Regular Session.

3. WORK SESSION

a. Work session on listed agenda items, if time permits.

Item discussed:

- 8j. Approval of January 16, 2024 minutes
- 9a. Contract with Community Waste Disposal (CWD)
- 9b. Guardrail located in the 3500 block of Roosevelt to the newly installed pedestrian bridge
- 9c. Ordinance No. 2025-02, Parking of oversized vehicles
- 9d. Office 365 for city and DPS staff
- 9e. Interlocal agreement with City of Arlington for ballistic evidence through Ballistic IQ for entry into Brasstrax and NIBIN
- 9f. Amendment to the FY 2024-2025 budget in the amounts not to exceed \$10,000.00

REGULAR SESSION

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 7:00 p.m. with the following present:

Members Present

Laura Bianco, Mayor
John King, Alderman, Place 1
Steve Lafferty, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Ed Motley, Mayor Pro Tem; Alderman, Place 4
Paul Sweitzer, Alderman, Place 5

Staff Present:

Greg Petty DPS Director/City Administrator
Will, Fike, Captain, Operations Commander
Kay Day, Finance Director
Sandra Ma, City Secretary/Court Administrator

2. INVOCATION, AND PLEDGES OF ALLEGIANCE

Mayor gave invocation. Pledges were said.

3. PRESENTATIONS AND PROCLAMATIONS

- a. **Proclamation supporting the Mayor's Monarch Challenge**
- b. **Proclamation Commitment to Volunteerism.**

Mayor read aloud proclamations for a and b.

4. ITEMS OF COMMUNITY INTEREST

The following items were presented.

- a. Great Backyard Bird Count – Saturday, February 15, 2025 from 10:00 a.m. – 1:00 p.m.
- b. Pictures with the Easter Bunny – Sunday, April 6, 2025 from 3:00 p.m. – 5:00 p.m.
- c. Plant Swap – Saturday, April 26, 2025 from 10:00 a.m. – 12:00 p.m.

5. CITIZEN COMMENTS

Citizens who wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and City Council members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.

Iashia Bergamini, 2812 Whisperwood Trail

General Concerns

- What's taking so long to complete the bridge work on the small bridge down Roosevelt? The bridge was out I believe over a year. Is it going to be another year before the large gap between the road and bridge is safe? It

won't take much for someone to either fall in the gap or a car to drive too close to the edge and have some sort of accident.

- What about the other bridge closest to Sunset? We have the bridge sitting back in the wildscape part of the park. Prices are continuing to go up and so by waiting to get it installed, the City is potentially making a larger bill for themselves. Will there be a large gap when that bridge is installed?

Who is in charge of making sure these things are being take care of in a timely fashion?

Park Board

Now, let me talk about Park Board issues by going through a timeline of events.

November Council Meeting

In this meeting I briefly talked about how the park board doesn't feel supported by Council and we are not feeling that sense of community when we are trying to plan our events. I talked about how our events are planned almost a year out in advance and yet we do not see any city any council members show up sans Cathy and the Mayor of course show up to our events. I said it would be nice for council to see the citizens they represent at our events and witness all the hard work the Park Board put into hosting events throughout the year.

At the end of the meeting, I stayed around in case a council member wanted to come over to understand the park board concerns but no one came over to chat. I've been to enough council meetings to know council members do talk to attendees after a meeting has concluded. So that's all I will say about the November meeting.

December Council Meeting

This is the council meeting had a high and a low. The high part of the meeting was the acknowledgment of one of the Park Board members receiving the volunteer of the year award. The meeting quickly took a hard turn to a low point in which Council discussed the park maintenance list. Specifically, Ed Motley, voiced his "great disappointment" regarding park maintenance over the years. Just to be clear, I have been on the park board for only 3ish years. During this meeting Ed Motley spoke to the Park Board in a very condescending and disrespectful manner. I will spare everyone the details because we were all there and know what occurred with the park maintenance "discussion". At the end of this "discussion" the park board was tasked with modifying the park board maintenance list to submit to council at a later date. Once again, I was disappointed and with the actions of Council.

January Council Meeting

I was only able to stay in attendance at this meeting long enough for my son to receive his certificate for his volunteer service during the Salvation Army Bell challenge. However, there was an agenda item for Council to consider having a work session with the Park Board to finalize the park maintenance list. From what I understand, the idea of having a work session was rejected.

Today

This leads me to today. Over the last 4 months we went from a simple request for more support, to an onslaught of complaints directed at the Park Board, to a flat-out rejection of any type of olive branch to work together.

I really don't understand how 8 people can't get together to discuss our vision for the park when it's the BIGGEST visible asset that citizens/taxpayers can see. There aren't that many people (excluding DPS) that work and/or volunteer for the City so this should be a difficult task and the idea of going back and forth without open dialogue with the decision makers is a complete waste of everyone's time. When I say back and forth, I mean exactly what has happened: The Park Board modifies the park maintenance

list (which has been in existence long before I came on board), give it Council to approve, Council requests adjustments to be made, Park Board modifies the list, Council revisits the list, and potential gives it back to the Board to adjust, and then it is sent over to Public Works. Specifically, addressing the park maintenance list, the adjustments could have been done in a 1hr session with all interested parties. For the record, I refuse to spend any more of my time working on park maintenance list when there's not any assurance that any of the tasks will actually be completed. Once again, I will circle back to the great disappointment in the maintenance of the park over the years. Whose job is it to ensure the maintenance is actually taken care of? If the PB creates a list, but we are advisory only then who is to follow up to ensure that the playground safety checklist was completed, the water lines will be winterized, and the list goes on and on? The City no longer has a dedicated Public Works Director nor a dedicated City Manager.

If you are so greatly disappointed in the park board maintenance over the years and the Park Board specifically asked for more support from council, why would you reject the opportunity to make some REAL changes in the park. Instead, you hold on tight to the purse strings without investing any proactive money into the city's biggest visible asset. Let me ask a rhetorical question: How long has that dam/lake issue been going on? Are we reaching the 5-7-10 year mark yet?

You specifically talked about the tree trimming in the park and how the governor is currently disabled because of an accident involving a tree, but we have a large bridge (the one between the ball field and the park) that's falling apart, and nothing has been done about it. As a reminder my foot literally fell through one of the bridges on Roosevelt which I'm guessing may have started this whole process to get those bridges replaced. Are you waiting on another accident to happen before investing into improvements in the park? Public Works is already stretched thin, where's the investment into the health of the trees around the park which includes trimming every 5-6 years by arborists (not the companies that came and hacked all the trees for Oncor).

Now here we are with a disappointed and frustrated volunteer and taxpaying citizen who has poured her blood, sweat, tears, personal time, and skills into a City that has chosen not to embrace efforts to improve things.

I have been met with unnecessary obstacles and headaches. This City needs the support of its volunteers and donations made by citizens to move forward with positive progress.

So how you interact with people of your community is important and being involved with community you represent is important. We all want DWG to remain DWG but if we can't even carve out a simple hour to knock out a park maintenance list and remove petty obstacles then we might as well just be another big city in the metroplex.

6. MAYOR AND COUNCIL COMMENTS

Cathy Stein: None

Paul Sweitzer: None

Steve Lafferty: Be careful with the cold winter weather. It is dangerous out there.

John King: Congratulated the Mayor on being on the Arlington Today Magazine cover. If you haven't seen it to take a look into it. It is a good read. It gives you insight on why the Mayor is the way she is, why she does the things she does, and you may learn some things about the sugar bus.

Ed Motley: Congratulated the Mayor on being in the magazine. He said he read the article and has learned a couple of

things about her.

Mayor Bianco: Parker Swiggart, Jan Espeland's grandson, cleaned up the north shore of the lake. He picked up all the trash and debris. Lanie Reed was very generous in donating a lot of water to the City and DPS. Ryan Miller's father passed away. Billie Bob's wife passed away. Her service was when the Mayor was out of the county. She said she was sorry she missed it. The Mayor asked to keep these folks in your prayers. She congratulated all her friends on the dais because we will not have an election this year. You are automatically in. She is happy to report that we have officially joined Sister Cities International. Once they update their directory, we will look for a friendship city in another county to partner with. As of tonight, we are also a JustServe city, the second one in Texas. This is a free service that connects volunteers with opportunities and opportunities with volunteers.

7. DEPARTMENTAL REPORTS

Informational reports only; no action to be taken.

- a. Director of Public Safety/City Administrator Report**
- b. Financial Reports**

Departmental Reports were presented.

8. CONSENT AGENDA

All consent items are considered to be routine and will be enacted by one motion and vote.

- a. Approval of Resolution 2025-02 authorizing continued participation with the steering committee of cities served by Oncor and authorizing the payment of eleven cents per capita to the steering committee to fund the activities of the Steering Committee.**
- b. Approval of Resolution 2025-03 authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.**
- c. Ratification on Kroger Opioid Texas Settlement Subdivision participation and release form**
- d. Ratification on City Holiday Schedule.**
- e. Ratification of contract - LCRA Environmental Laboratory Services. 4 Events WQP Sampling and 4 Events for Sampling Services required by TCEQ in the amount of \$6,920.00.**
- f. Ratification of invoice over \$5,000.00 for Allied Concepts, Inc. 4 x DSR radar w/fast lock remote. \$13,694.00.**
- g. Ratification of invoice over \$5,000.00 for Gra-Tex Utilities, Inc. emergency repair on service hit by fiber contractor at 3301 Rainer \$12,544.00.**
- h. Ratification of invoice over \$5,000.00 Siddons-Martin Emergency Group 5 x 1.75" NH x 50 combat ready double jacket attack hose yellow w/aluminum couplings, 10 x 2.5" NH x 50' tru id double jacket green hose rubber lined w/ aluminum couplings, 2 x hydrant asst so valve 4.5"NHf handle/ fs b-5" storz c1-5" storz c2-5" storz \$9,461.21.**
- i. Approval of December 19, 2024 Minutes**
- j. Approval of January 16, 2025 Minutes**

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve the consent agenda with a change of (j) to say Approval of January 16, 2025 Minutes instead of January 16, 2024 Minutes.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

9. REGULAR AGENDA

a. Discussion and possible action on the current contract with Community Waste Disposal (CWD)

Background Information:

The city has received numerous issues and complaints regarding trash pick-up from citizens such as missed pick-up, leaf pick-up, recycle bin missed. City Attorney has looked into the contract and stated information needs to be documented and provided to CWD with proper notification so they will have a chance to fix the situation. A spreadsheet has been created to see if we can see a trend and start a paper trail in case council needs to make a decision for change if needed.

A motion was made by Council Member Paul Sweitzer and seconded by Mayor Pro Tem Ed Motley for the City Manager to document and follow up on any complaints.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

b. Discussion and possible action to approve the installation of a guardrail located in the 3500 block of Roosevelt to cover the newly installed pedestrian bridge.

Prior Council Action:

The council previously approved the installation of a new pedestrian bridge in the 3500 block of Roosevelt Dr.

Background Information:

After the installation of the new pedestrian bridge in the 3500 block of Roosevelt a large gap was created between the bridge and roadway. This is a potential hazard to passing vehicles and pedestrians.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to approve the installation of a guardrail located in the 3500 block of Roosevelt to cover the newly installed pedestrian bridge not to exceed \$15,000.00

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

c. Discussion and possible action to approve Ordinance No. 2025-02 to amend our city ordinance to address parking of oversized vehicles.

Background Information:

Staff is requesting approval to amend Article 12.06, "Parking," or Chapter 12, "Traffic and Vehicles,". The new additions will address parking of oversized commercial vehicles on private property and parking of large and oversized vehicles on public streets.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Paul Sweitzer to approve Ordinance No. 2025-02 to amend our city ordinance to address parking of oversized vehicles.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

d. Discussion and possible action to approve the purchase of Office 365 for City and DPS staff.

Background Information:

City and DPS employees are currently using an outdated version of office. This is not allowing staff to take advantage of the certain programs and automation features available with the online platform. Below are a few reasons to switch to Office 365.

1. Georedundant cloud setup included outside of the City's server room that is a single point of failure. Think fiber cut or power outage, Office 365 this will still work.
2. Enhances security with multifactor authentication and conditional access policies that prevent attackers from out of the US from logging in.
3. Gain access to cloud storage through sharepoint which can replace dropbox and its cost.
4. Software licenses get automatically updated as new versions come out.
5. Better integration with local and external software so users only have to remember one sign in (called single sign on)
6. Message encryption included to send sensitive information securely.

Note: This is an annual cost and will be billed yearly.

A motion was made by Council Member John King and seconded by Council Member Steve Lafferty to approve the purchase of Office 365 for City and DPS staff.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

e. Discussion and possible action to enter into an interlocal agreement with the City of Arlington to have them test our ballistic evidence through Ballistic IQ for the purposes of entry into Brasstrax, and NIBIN.

Background Information:

The City of Arlington (Police Department) is offering to test our ballistic evidence at no charge to DWG. We do not have many cases that meet the criteria for testing, but it's an outstanding opportunity when such a case arises.

Note: This is being presented to the Arlington City Council on February 25, 2025 for approval. We don't believe they will have any issues approving.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to enter into an interlocal agreement with the City of Arlington to have them test our ballistic evidence through Ballistic IQ for the purposes of entry into Brasstrax, and NIBIN.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

f. Discussion and possible action regarding amendments to the FY 2024- 2025 budgets in the amount not to exceed \$10,000.00

No action was taken.

10. TABLED ITEMS

None

11. FUTURE AGENDA ITEMS

None.

12. EXECUTIVE SESSION

a. Recess into Executive Session:

City Council recessed into Executive Session at 7:32 p.m.

i. Pursuant to Texas Government Code, Section 551.0171, Attorney Consultation, and 551.0174, Personnel Matters, regarding the City Administrator, City Secretary, Finance Director, and Public Works Director

b. Reconvene into Regular Session for discussion and possible action on:

City Council reconvened from Executive Session at 8:52 p.m.

Action – take action as discussed in executive session

13. ADJOURN

The meeting was adjourned at 8:52 p.m.

MINUTES OF THE REGULAR MEETING OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CITY COUNCIL HELD ON MARCH 20, 2025 AT 6:00 P.M. IN THE COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS.

While the order of some agenda items may have been changed, the following represents all items discussed and acted upon by the City Council.

WORK SESSION AND/OR EXECUTIVE SESSION

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 6:00 p.m. with the following present:

Members Present

Laura Bianco, Mayor
John King, Alderman, Place 1
Steve Lafferty, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Ed Motley, Mayor Pro Tem; Alderman, Place 4
Paul Sweitzer, Alderman, Place 5

Staff Present:

Greg Petty DPS Director/City Administrator
Sandra Ma, City Secretary/Court Administrator
Pam Dwyer, Staff Accountant

2. EXECUTIVE SESSION

Any action may be deferred until the 7:00 p.m. Regular Session

a. Recess into Executive Session:

City Council recessed into Executive Session at 6:01 p.m.

i. Pursuant to Texas Government Code, Section 551.0171, Attorney Consultation, and 551.0174, Personnel Matters, regarding the City Administrator, City Secretary, Finance Director, and Public Works Director

b. Reconvene into Regular Session for discussion and possible action on:

City Council reconvened from Executive Session at 6:56 p.m. Action was deferred until the Regular Session.

3. WORK SESSION

a. Receive information on a possible development at 4130 S. Bowen Road near Grounds and Gold

A concept was presented and the developer was instructed to follow the planned development guidelines in the zoning ordinance if/when they wanted to move forward.

Work session on listed agenda items, if time permits.

No additional items discussed.

REGULAR SESSION

1. CALL TO ORDER

Mayor Bianco called the meeting to order at 7:00 p.m. with the following present:

Members Present

Laura Bianco, Mayor
John King, Alderman, Place 1
Steve Lafferty, Alderman, Place 2
Cathy Stein, Alderman, Place 3
Ed Motley, Mayor Pro Tem; Alderman, Place 4
Paul Sweitzer, Alderman, Place 5

Staff Present:

Greg Petty DPS Director/City Administrator
Sandra Ma, City Secretary/Court Administrator
Pam Dwyer, Staff Accountant

2. INVOCATION, AND PLEDGES OF ALLEGIANCE

Brett Bell gave invocation. Pledges were said.

3. PRESENTATIONS AND PROCLAMATIONS

- a. Presentation – Just Serve City**
- b. Proclamation - Child Abuse Prevention Month**
- c. Proclamation for the Trinity Kids Send A Kid to Camp Week Scholarship Drive**

Presentation was presented by Just Serve Staff
Mayor read aloud the proclamation for a and b.

4. ITEMS OF COMMUNITY INTEREST

The following items were presented.

- a. Pictures with the Easter Bunny – Sunday April 6th 3-5 p.m.**
- b. Plant Swap and Earth Day Event – Saturday April 26th 10-12 p.m.**

5. CITIZEN COMMENTS

Citizens who wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and City Council members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.

Pam Miller, 3112 Roosevelt Drive. She wanted to introduce herself because she is now the park board chair. She said Iashia stepped down, and she had big shoes to fill. She wanted to brag about the fire, the police, and Sandra for helping and keeping her informed. She said the park board noticed the platform at the lake and sent a message to the Chief saying it was broken and people could get hurt. She said people jumped on the issue, and Chief, Marcus, the police, and firefighters were pulling up boards. She wanted to shout out how well everyone worked together for the city's betterment. She also wanted to commend the council for what they do to help staff in what they do.

6. MAYOR AND COUNCIL COMMENTS

Ed Motley: None

John King: Jim Fallon, a great member of our community passed away a couple of weeks ago. He was loved by everybody and would do anything for everybody. Condolences to his Family.

Paul Sweitzer: None

Cathy Stein: Last Saturday, at the park work day that happens every other month, the triangle bed and its edging were worked on. There has been a lot of progress. 11.5 hours of volunteer hours were put in that day. They even had an individual who had to leave early and felt guilty and came back and worked on the beds at city hall for over an hour the following day. They have a really good group and would love to have others join them.

Mayor Bianco: Sunday night, Preston Nguyen, who was on a Gordon Ramsey cooking show, won an award for Best Young Chef out of 80,000 participants. He was named America's New Best Chef. Preston is doing a pop-up event at Greens on the 23rd of March. There are probably tickets still available on the website for \$110 a person. It is BYOB and will be fabulous. She would love to see our community invest in him because we want him to open a restaurant in DWG. On a very bright note, Chef Moose and his girlfriend are revamping Campo Verde. The mayor is excited about what this is going to bring to DWG. Billy Bob Burdette's wife passed away. She was also in our March newsletter. Please hold him and his family in your prayers. She was a teacher and invested in his life and many other folks. Ryan Miller's daddy passed away. Please keep Ryan, Vickie, and their family in our prayers. Most recently, Jim Fallon passed away. She talked to John and what they should say about Jim. She read what she said at Jim's funeral. Jim was also responsible for the mailbox safety in our community. She said she loves Jim Fallon and will be missed. Rest in peace Jim Fallon.

7. DEPARTMENTAL REPORTS

Informational reports only; no action to be taken.

- a. Director of Public Safety/City Administrator Report**
- b. Financial Reports**

Departmental Reports were presented.

8. CONSENT AGENDA

All consent items are considered to be routine and will be enacted by one motion and vote.

- a. Approval of Ordinance No. 2025-03 canceling the May 3, 2025 general election and declaring unopposed candidates elected.**
- b. Approval of \$15,000.00 to Robert Half staffing agency for conversion of contract position to a permanent Staff Accountant position.**
- c. Approval on purchase of a new 2025 Chevrolet Tahoe for DPS and equipment not to exceed \$90,000.00**
- d. Approval of Resolution 2025-06 approving changes to the City Fee Schedule**

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to approve the consent agenda.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

9. REGULAR AGENDA

- a. Discussion and possible action to appoint a park board member to fill a vacancy.**

Background Information:

Former Park Board Member Regina McBride had to step away from her role on the Park Board. Park Board Members wish to recommend Jill Howard to fill the vacancy created in the term expiring in June 2026.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to appoint Jill Howard to fill the park board vacancy.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

b. Discussion and possible action on the progress on developing a list of Park Maintenance activities by the Park Board.

Background Information:

Council asked the Park Board to recommend guidelines for the maintenance of the Park.

Park Board has come up with a map and schedule

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to approve the Park Maintenance activities by the Park Board and direct staff to move forward this with the caveat that if staff has questions to get with the Park Board

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

c. Discussion and possible action to set a mid-year budget review date for FY 2024-2025.

Background Information:

Yearly meeting to review current budget for FY 2024-2025.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Paul Sweitzer to set the budget review date for FY 2024-2025 to May 1, 2025, but will reconsider if it is not feasible.

Cathy Stein asked for an amendment to the motion. She would like for council to have a copy of the strategic plan to review at the same time because May is usually when council looks at the strategic plan. The reason for this is to see if it is up to date, is there any changes that need to be made, or if there is anything specific on the strategic plan that informs the upcoming year's budget.

The amendment was accepted by Mayor Pro Tem Ed Motley and Council Member Paul Sweitzer to be added to the motion.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

d. Discussion of the FY 2025-2026 Budget Calendar.

Background Information:

Staff has included preliminary calendar information provided by TML regarding the 2025 Property Tax calendar dates as it relates to the Voter-Approval Rate. In preparation for the FY 25/26 Budget Calendar, to be presented in the April council meeting, this information is being provided for planning purposes to assist in scheduling dates for staff and council work sessions.

No action taken

e. Discussion and possible action regarding amendments to the FY 2024-2025 budget.

Background Information:

Staff is recommending various fund budget amendments for the FY 2024-2025 budget.

Recommended Action/Motion:

Approve Ordinance 2025-04 amending the FY 2024-2025 BUDGET

A motion was made Council Member Cathy Stein and seconded by Council Member Paul Sweitzer to approve Ordinance No. 2025-04 amending the FY 2024-2025 Budget

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

f. Discussion and possible action for Resolution 2025-05 to adopt the investment policy with amended language to Section 4. Delegation of Authority pertaining to investment officers.

Background Information:

Section 4. "Delegation of Authority" designates the City Administrator and Finance Director as Investment Officers of the City. Our new staff accountant is scheduled to take the required training on March 24th & 25th and will obtain the required certification. The city's current policy does not include this position as an investment officer. In order for this position to manage banking and investment transactions, this designation is required.

A motion was made Mayor Pro Tem Ed Motley and seconded by Council Member John King to amend the investment policy to say City Administrator and their designee with the requirement of the City Administrator to notify the council of who the designee is.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

g. Discussion regarding the fee structure for City of Dalworthington Gardens water customers utilizing Pantego's sewer system.

No action taken

h. Discussion and possible action on garbage, bundled trash, and brush pick-up.

Background Information

Code of Ordinance 13.03.006 (4) – Placement of containers for residential customer says – All containers shall be

placed at the hereinabove prescribed locations not later than 7:00 a.m. on the day of scheduled collection.

A motion was made by Council Member Paul Sweitzer and seconded by Council Member John King to amend the time to 6:00 p.m. the night before for household trash.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

i. Discussion and possible action on purchasing a new 2025 Chevrolet Tahoe for DPS.

Prior Council Action:

The City Council allocated funds in the 24-25 FY budget to purchase two new Chevrolet Tahoe's. The unit requested will be marked and replace an outdated unit.

Justification for Request:

DPS is requesting to purchase a new 2025 Chevrolet Tahoe to be utilized by DPS and approval to auction off one old Tahoe that will be removed from service due to mileage, engine hours, or ongoing maintenance issues.

A motion was made Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve the purchase of a 2025 Chevrolet Tahoe for DPS and equipment not to exceed \$90,000.00 and approval to auction off one Tahoe.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

j. Discussion and possible action on an application for preliminary plat submitted by Aldriedge Building Corp for Lot 19, Block A, 1.01 acres of land located in The Joseph Pierce Survey, Abstract No. 1253 an addition to the City of Dalworthington Gardens, Tarrant County, Texas, and locally known as 3815 Kelly Perkins Road.

i. Conduct a public hearing

ii. Discussion and possible action

Mayor Bianco opened a public hearing at 8:07 p.m.

With no one desiring to speak Mayor Bianco continued this topic to the April 17, 2025 council meeting on behalf of the applicant who requested an extension in writing.

k. Discussion and possible action on an application for a final plat submitted by Aldriedge building Corp for Lot 19, Block A, 1.001 acres of land located in the Joseph Pierce Survey, Abstract No. 1253 an addition to the City of Dalworthington Gardens, Tarrant County, Texas, and locally known as 3815 Kelly Perkins Road.

i. Conduct a public hearing

ii. Discussion and possible action

Mayor Bianco opened a public hearing at 8:08 p.m.

With no one desiring to speak Mayor Bianco continued this topic to the April 17, 2025 council meeting on behalf of the applicant who requested an extension in writing.

l. Discussion and possible action on an ordinance for commercial properties requiring cross lot access when our existing ordinance regarding driveway separations cannot be met.

- i. Conduct a public hearing**
- ii. Discussion and possible action**

P&Z meet on March 6, 2025 and recommended an ordinance change. They would like staff and attorney to come up with purposed language utilizing Kennedale and Pantego's ordinance and to add a statement to not cause a hardship to the property owner at the discretion of the city

Background Information:

During the discussion of the concept plan along Bowen Road at the November regular city council meeting, driveway separation and safety along the Bowen Road corridor was discussed. The city attorney said that neither the city's current ordinance regarding driveway separation nor the planned development process was sufficient to require cross lot access to ensure that driveway spacing on adjacent commercial lots meets the ordinance. She said a cross lot access ordinance would need to be added to ensure driveway separations could be enforced on certain lot configurations.

At the January 16, 2025 council meeting, Council directed Planning and Zoning Commission to investigate and make recommendations on adding an ordinance for commercial properties requiring cross lot access when our existing ordinance regarding driveway separations cannot be met.

Any submissions submitted prior to an ordinance change will not be effected.

A motion was made Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to re-open the public hearing and continue this topic to the April 17, 2025 council meeting so P&Z can complete the work they are doing with the attorney to bring a recommended ordinance to council.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

10. TABLED ITEMS

None

11. FUTURE AGENDA ITEMS

None.

12. EXECUTIVE SESION

a. Recess into Executive Session:

City Council recessed into Executive Session at 8:14 p.m.

i. Pursuant to Texas Government Code, Section 551.0171, Attorney Consultation, and 551.0174, Personnel Matters, regarding the City Administrator, City Secretary, Finance Director, and Public Works Director

b. Reconvene into Regular Session for discussion and possible action on:

City Council reconvened from Executive Session at 8:31 p.m.

A motion was made by Mayor Pro Tem and seconded by Council Member John King to remove Kay Day as Finance Director effective April 4, 2025 and place her on administrative leave tomorrow with pay. We will also appoint Pam Dwyer as Finance Supervisor effective tomorrow.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Motley, Stein and Sweitzer

Nays: None

13. ADJOURN

The meeting was adjourned at 8:43 p.m.

City Council

Staff Agenda Report

Agenda Item: 9a.

Agenda Subject: Discussion and possible action on an ordinance for commercial properties requiring cross lot access when our existing ordinance regarding driveway separations cannot be met.

Meeting Date:	Financial Considerations:	Strategic Vision Pillar:
April 17, 2025	Budgeted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Financial Stability <input checked="" type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence

P&Z meet on April 3, 2025 and worked with the City Attorney to make changes to the Ordinance.

Staff is bringing a final copy for council to review. Ordinance 2025-05

Background Information:

During the discussion of the concept plan along Bowen Road at the November regular city council meeting, driveway separation and safety along the Bowen Road corridor was discussed. The city attorney said that neither the city's current ordinance regarding driveway separation nor the planned development process was sufficient to require cross lot access to ensure that driveway spacing on adjacent commercial lots meets the ordinance. She said a cross lot access ordinance would need to be added to ensure driveway separations could be enforced on certain lot configurations.

At the January 16, 2025 council meeting, Council directed Planning and Zoning Commission to investigate and make recommendations on adding an ordinance for commercial properties requiring cross lot access when our existing ordinance regarding driveway separations cannot be met.

However, any submissions submitted prior to an ordinance change will not be effected.

The following study information is provided for your reference to help investigate this.

Chapter 8 of the comprehensive plan begins with the following. "Implementation Strategies" Implementation measure will be critical to the success of the Dalworthington Gardens Comprehensive Plan. There are many methods and tools that may be used to implement a plan. Some of these include, but may not be limited to, the following:

- Planned Development Site Plan Procedures;
- Urban Design Standards;
- Ordinance Revisions;
- Official Maps; and
- The Planning Program.

Our comprehensive plan is a guideline, but does not have the power of ordinance. If the comprehensive plan with regards to cross lot access is going to be enforced, this would need to be codified. (See pages 23-27 of the comprehensive plan where the concept of increasing commercial driveway spacing with increased speed limits to ensure safe commercial development can be found.)

Materials to follow this AIS include:

- Ordinance Revision No 2025-05
- Pages 23-27 DWG Comprehensive Plan
- DWG Ordinance 10.02.235 Driveway and parking area standards
- City of Burleson Joint and cross access Ordinance
- City of Crowley Transportation and connectivity Ordinance
- City of Kennedale Access Management Ordinance
- Town of Pantego Park Row corridor district Ordinance

Staff noticed that * Minimum distance from drive to intersection on Arterial for commercial is listed as 1880 feet.

After review from Kimley Horn, City Engineer the correct distance is 180 feet.

ORDINANCE NO. 2025-05

AN ORDINANCE AMENDING SECTION 10.02.006, “DEFINITIONS,” OF DIVISION 1, “GENERALLY,” AND SECTION 10.02.235, “DRIVEWAY AND PARKING AREA STANDARDS,” OF DIVISION 8, “STREETS AND OTHER RIGHTS-OF-WAYS; STANDARDS FOR SIDEWALKS,” OF ARTICLE 102.02, “SUBDIVISION ORDINANCE” OF CHAPTER 10, “SUBDIVISION REGULATION,” OF THE CODE OF ORDINANCES, CITY OF DALWORTHINGTON GARDENS, TEXAS, BY CREATING A DEFINITION OF “SUBSTANTIAL IMPROVEMENT,” AND BY ESTABLISHING REGULATIONS FOR SHARED DRIVEWAYS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Subdivision Ordinance of the City of Dalworthington Gardens, codified in Chapter 10 of the Code of Ordinances, Dalworthington Gardens (the “Code), regulates the subdivision of property within the City and the City’s extraterritorial jurisdiction; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend Chapter 10 of the Code to require the construction of shared driveways, where applicable, to better address orderly development within the City and in so doing protect the general health, safety, and welfare of the residents of Dalworthington Gardens.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, THAT:

SECTION 1.

Section 10.02.006, “Definitions,” of Division 1, “Generally,” of Article 10.02, “Subdivision Ordinance,” of Chapter 10, “Subdivision Regulation,” of the Code is amended by creating a definition of “Substantial Improvement,” to be inserted alphabetically and to read as follows:

“Substantial improvement. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe

living conditions; or

- (2) Any alternation of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure."

SECTION 2.

Section 10.02.235, "Driveway and Parking Area Standards," of Division 8, "Streets and Other Rights-of Way; Standards for Sidewalks," of Article 10.02, "Subdivision Ordinance," of Chapter 10, "Subdivision Regulation," of the Code is amended by amending Table 10.02.235-1 and by adding a new subsection (3) to read as follows:

"(1) Design standards

- (A) Driveways shall be designed and built in compliance with the minimum standards contained in table 10.02.235-1.

Table 10.02.235-1			
Requirements	Street Class	Residential (SF) Drive	Apartment (MF) Commercial Drive
Throat width	Local	10-28 feet	24-36 feet
	Collector	10-28 feet	24-36 feet
	Arterial	12-28 feet	30-36 feet
Curb radius	Local	5-10 feet	10-20 feet
	Collector	10-15 feet	15-20 feet
	Arterial	15 feet	20-30 feet
Minimum centerline spacing along roadway	Local	15 feet	100 feet
	Collector	15 feet	150 feet
	Arterial	100 feet	250 feet (note 1)
Driveway angle (note 2)		70-90 degrees	90 degrees
Minimum distance from drive to intersection (note 3)	Local	30 feet	75 feet
	Collector	50 feet	100 feet
	Arterial	100 feet	180 feet
Maximum approach grade (note 4)	Local & collector	+9%	+6%
	Arterial	+6%	+3%
Minimum approach length (note 5)	Local & collector	6 feet	9 feet
	Arterial	9 feet	17 feet

- (3) Shared driveways required. Poor design and placement of parking lots and driveways can

impede traffic flow, inhibit connectivity among sites, and reduce pedestrian safety. To enhance connectivity and increase safety, parking lots and driveways shall be shared between property owners to reduce the number of curb cuts and shall be designed to support pedestrian safety, connections, and comfort.

- (A) As properties develop or undergo substantial improvements, efforts shall be made to provide for cross easement access to adjoining properties and the consolidation of curb cuts upon development or redevelopment to the fullest extent possible unless the city determines in its sole discretion that such a requirement would result in an undue hardship to the property owners.
- (B) Access drives shall be located to interfere as little as possible with the use of adjacent properties and the flow of traffic on adjacent streets, to avoid undue interference with pedestrian access, and to provide the required site distance and the most favorable driveway grade.
- (C) Access drives on corner lots shall be located as far from the street intersection as possible.
- (D) When it is determined that reducing the number of access points may have a beneficial impact on traffic operations and safety while preserving the property owner's right to reasonable access, a shared commercial driveway, frontage road, or rear service drive connecting two (2) or more properties or uses may be required. In particular, a shared driveway may be required for properties near existing traffic signals or near locations having potential for future signalization, parkways, and boulevards or other streets with high traffic volumes, and along segments with a relatively high number of accidents or limited sight distance.
- (E) Shared commercial driveways and service roads shall be within an access easement recorded with Tarrant County. A draft of the access easement shall be provided to the city for review prior to filing."

SECTION 3.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, City of Dalworthington Gardens, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 5.

Any person, firm, or corporation violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not to exceed Two Thousand Dollars (\$2,000.00). Each day any such violation shall be allowed to continue shall constitute a separate violation and punishable hereunder.

SECTION 6.

All rights and remedies of the City of Dalworthington Gardens are expressly saved as to any and all violations of the provisions of any ordinances governing subdivisions that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, 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 7.

The City Secretary is hereby directed to publish the caption and penalty clause in the official City newspaper as authorized by Section 52.011 of the Texas Local Government Code

SECTION 8.

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

PASSED AND APPROVED on the _____ day of _____, 2025.

CITY OF DALWORTHINGTON GARDENS

By: _____
Laurie Bianco, Mayor

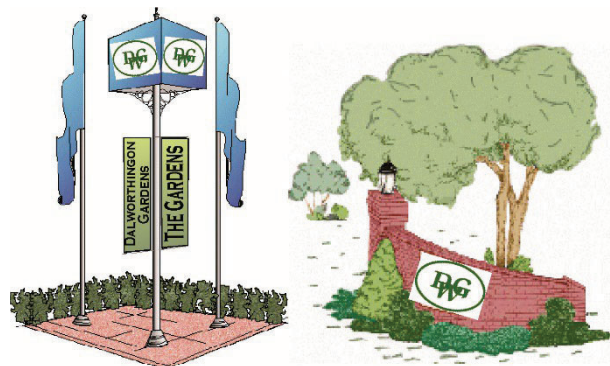
ATTEST:

Sandra Ma, City Secretary



Focal Points and Entry Statements

Focal points and entry statements are design elements that are used to draw attention to significant areas of the City. These elements, which are intended to make a statement about the community, may incorporate a combination of landscaping, decorative pavers, banners or signage, street furniture, and statuary in order to create interest in a particular location, and establish a community theme throughout the City.



Focal points are used in locations where characteristics unique to Dalworthington Gardens are evident. An example of such an area would be where the amount of traffic and visibility is high. Focal points should be used to establish a City theme by using such elements as uniform signage and the City logo. Entry statements are special treatments applied where significant amounts of traffic enter the City. They are intended to communicate that one has entered the City.

Commercial Driveways-Distance Between Driveways

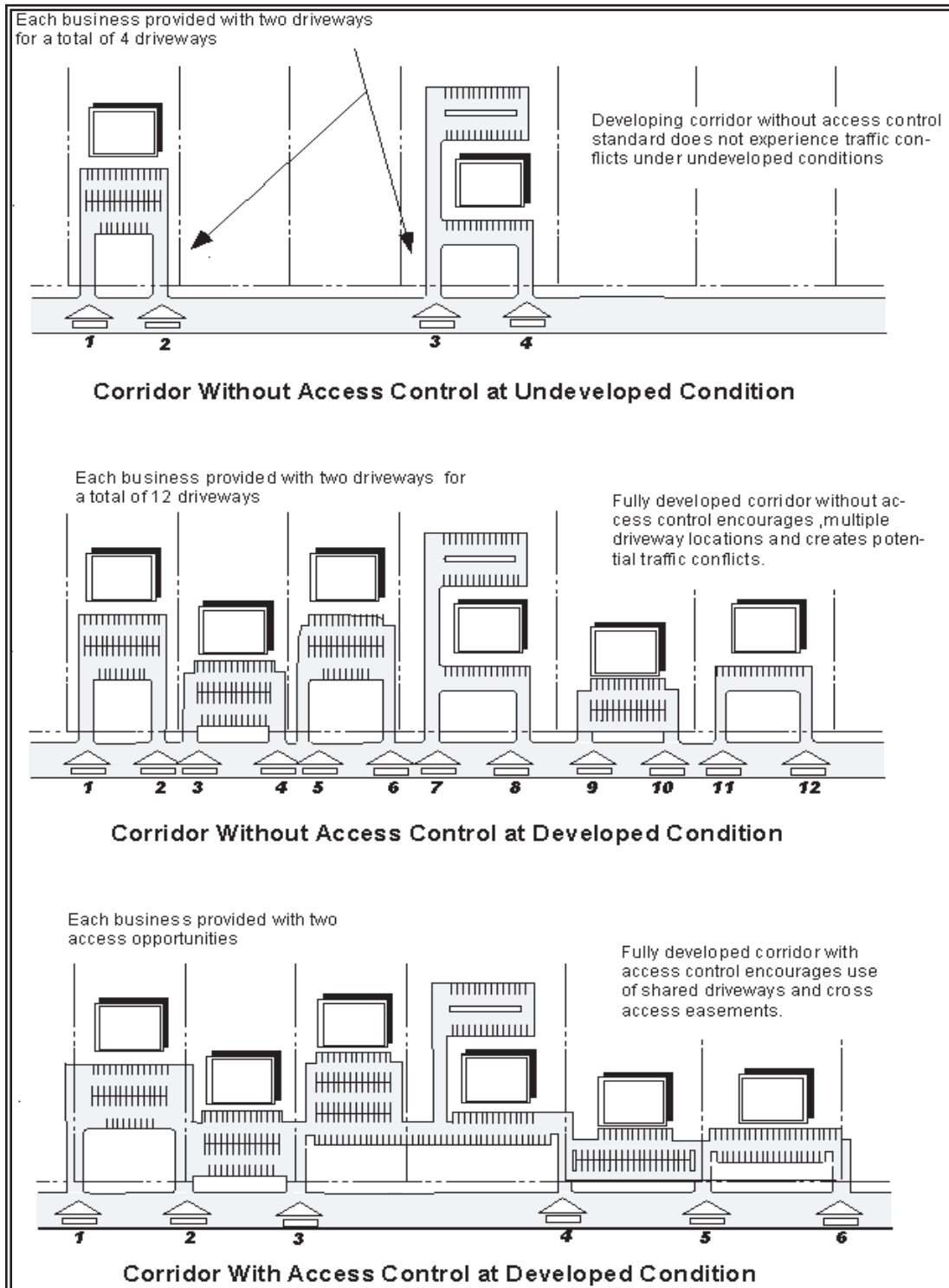
The number and location of commercial driveways shall be controlled such that the distance between driveways is increased, relative to design speed of the roadway so that the number of opportunities for traffic conflicts may be reduced. Adequate distances between driveways will help to ensure the safety of motorists and pedestrians by reducing areas of potential conflict between vehicles attempting to enter or exit corridor properties.

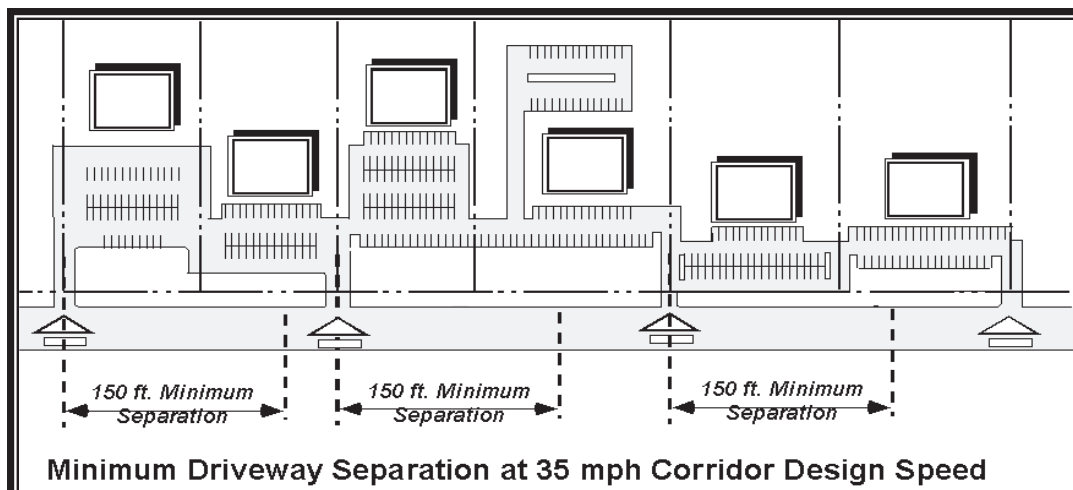
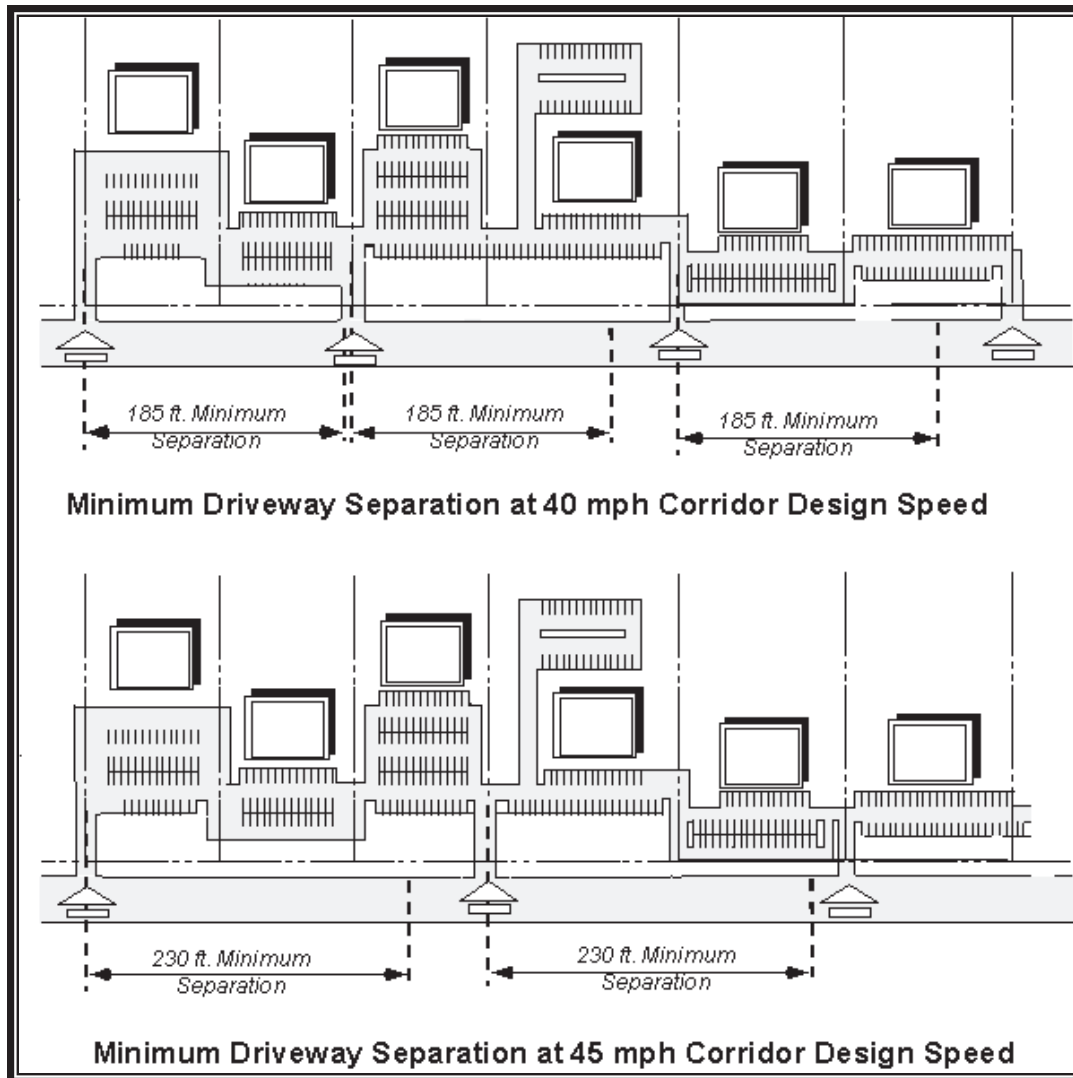
Conventional thinking of commercial development, in times past, sought to provide numerous opportunities (at least 2 driveway cuts) for circulation on and off of each individual commercial site. Whereas this certainly provided access, there is no documentation that indicates a direct relationship with business profits and the number of driveways that are provided on a site. What has been documented is that the increased opportunity for traffic conflicts presented by increasing the number of intersections along a roadway significantly increased the vehicle collisions on the arterial. Increased distances between driveways do not necessarily inhibit access to commercial businesses. However, increased design speeds require increased separation distances, which certainly will be a challenge to commercial development.

Minimum Driveway Separation	
Design Speed Limit (mph)	Minimum Spacing (Feet)
25	105
30	125
35	150
40	185
45	230



Increasing the separation between driveways will, without a doubt, cause some properties to have a difficult time providing a driveway curb cut on their property. This is not unusual. Shared access between commercial properties and cross-access easements that provided access across property has been utilized to provide adequate access for commercial properties.



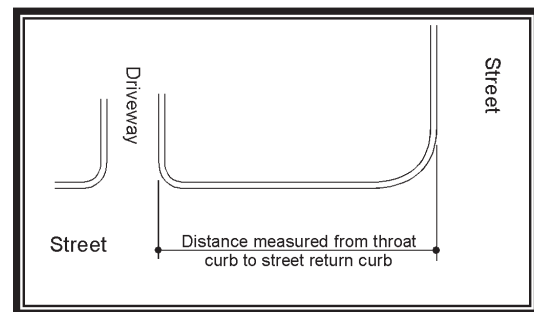


Shared Access and Cross Lot Access Easements

Shared driveways and cross-lot access easements are design methods that can provide adequate access while reducing the number of access driveways. These design methods are required for commercial development unless otherwise approved by the City. Shared driveways and easements will require the dedication of a joint-use, private access easement on each affected property. Shared easements must encompass the entire width of the planned driveway plus an additional width of one foot on both sides of the drive.

Distance from Intersection

The minimum and maximum distances to intersections from access driveways along an arterial roadway will be between 100 feet and 250 feet. The City Engineer, in consultation with the City Transportation Planner, will evaluate each driveway to determine a specific combination of dimensions within this range based upon the anticipated traffic flow and safety characteristics of the driveway and public street. The distance will be measured from the nearest edge of the driveway return to the intersecting street curb return.



Service Drives

In conjunction with cross access easements and shared driveways, short service drives parallel to the thoroughfare will be implemented whenever possible. This is particularly important along corridors with narrow lots where individual driveways could result in numerous closely spaced driveways. In largely undeveloped areas, an individual temporary driveway would serve each site until adjacent lots were developed. At that time, a service road would be constructed to serve multiple lots, and the temporary drives would be closed and consolidated into one or two access points. At the time of development, easements would be reserved for use when the future permanent drive is developed.

Parking Lot Design

Parking lots shall be designed with attention being given to parking lot edges and interior spaces. Parking lots, with their large expanses of asphalt and concrete and clutter of parked cars can be unsightly. Parking lots and drive lanes will comprise a significant amount of corridor area. Design of these improvements must provide an aesthetic appearance and still insure safe and efficient traffic circulation.

Curbs

Curbs must be provided on all driving and parking surfaces. Parking lots and driving areas generally have poor edge treatment. Often, the paving simply stops at grassed areas without the use of curbing. Therefore, a raised curb will be required for all parking and driving surfaces.

§ 10.02.235. Driveway and parking area standards.

All private driveways, private accessways, and parking areas shall comply with the following applicable design and construction standards:

(1) Design standards.

(A) Driveways shall be designed and built in compliance with the minimum standards contained in table 10.02.235-1.

TABLE 10.02.235-1			
Requirements	Street Class	Residential (SF) Drive	Apartment (MF) Commercial Drive
Throat width	Local	10-28 feet	24-36 feet
	Collector	10-28 feet	24-36 feet
	Arterial	12-28 feet	30-36 feet
Curb radius	Local	5-10 feet	10-20 feet
	Collector	10-15 feet	15-20 feet
	Arterial	15 feet	20-30 feet
Minimum centerline spacing along roadway	Local	15 feet	100 feet
	Collector	15 feet	150 feet
	Arterial	100 feet	250 feet (note 1)
Driveway angle (note 2)		70-90 degrees	90 degrees
Minimum distance from drive to intersection (note 3)	Local	30 feet	75 feet
	Collector	50 feet	100 feet
	Arterial	100 feet	1880 feet
Maximum approach grade (note 4)	Local & collector	+9%	+6%
	Arterial	+6%	+3%
Minimum approach length (note 5)	Local & collector	6 feet	9 feet
	Arterial	9 feet	17 feet

Notes to table 10.02.235-1:

1. Driveways on arterials served by deceleration lanes may be spaced at 200-foot minimum intervals.
2. Driveway angle is measured as the intersection of the centerline of driveway with the future street curbline, and extending a minimum of twenty feet (20') from the future curbline.
3. The minimum distance from drive to intersection is the distance measured from intersection of extended property lines to the centerline of the driveway.
4. The maximum approach grade is the percent of slope measured along the centerline of the driveway from the flow line of the future curbline.
5. The minimum approach grade is the minimum distance over which the maximum grade must be maintained measured from the flow line of the present or future curb, as determined by the city engineer.

(B) The requirements for throat width and curb radius may be varied by the board of development review, on the recommendation of the city engineer, upon a showing by substantial evidence that traffic volumes, truck usage, shared drives and other factors

warrant the variance.

(2) Construction standards.

- (A) All access drives and parking spaces in SF and MF districts shall have an all-weather surface consisting of a minimum of six inches (6") of limestone base course or equivalent (four inches of base over lime or cement treated subgrade) constructed in accordance with division 4, Standard Specifications for Public Works Construction, North Central Texas, as amended.
- (B) All nonresidential access drives, off-street parking areas, and loading berths, together with aisles and maneuvering areas for vehicles, shall be connected to a public street, and shall have a paved surface of not less than five inches (5") of steel reinforced Portland cement concrete over a subgrade compacted to ninety-five percent (95%) of Standard Proctor, or four inches (4") of hot mix asphaltic concrete over either six inches (6") of limestone base course, or six inches (6") of lime or cement treated subgrade, all in accordance with division 4 and 5, Standard Specifications for Public Works Construction, North Central Texas, as amended.
- (C) The minimum dimensions for parking spaces and maneuvering aisles shall be as shown in table 10.02.235-2. See section 14.02.479 for landscaping and island criteria.

TABLE 10.02.235-2. MINIMUM PARKING AREA REQUIREMENTS FOR TYPICAL PARKING ANGLES

Note: All parking stalls for angle parking are 18' long. All dimensions are expressed in feet.

Parking Angle (degrees)	Stall Width	Lane Depth	Aisle Width	Sum Aisle +2	Sum Overlapping Lane	Curb Length for "N" Cars
0	a - 10	10.0	12.0	32.0	c	N x 21
	b - 9	9.0	12.0	31.0	c	N x 21
30	10	17.7	12.0	47.4	38.7	2.82 + (N x 20)
	9	16.8	12.4	46.0	38.2	3.82 + (N x 18)
45	10	19.2	15.4	53.8	46.8	7.07 + (N x 11.11)
	9	18.5	15.4	52.6	46.2	7.77 + (N x 12.24)
60	10	20.0	20.2	60.8	55.8	7.44 + (N x 11.56)
	9	19.9	20.2	60.0	55.4	7.40 + (N x 10.40)
60 28	10	20.4	20.0	60.8	55.8	6.70 + (N x 11.18)
2/1 angle	9	19.9	20.4	60.2	55.4	6.90 + (N x 10.02)
90	10	18.0	26.0	62.0	c	N x 10
Right angle	9	18.0	26.0	62.0	c	N x 9

§ 10.02.235

§ 10.02.235

- a: Minimum stall width for SF and ME accessory parking.
- b: Minimum stall width for parking space provided for other than dwelling units.
- c: Parking lanes do not overlap for parallel or right angle parking.

(2005 Code, sec. 16.1.59)

§ 5-58. Access management. (Ord. No. B-792-10(A0410), § 1, 4-19-2010)

(a) **Joint and cross access.**

Adjacent commercial or office properties and major traffic generators (i.e., shopping plazas, office parks) shall provide a cross access drive and pedestrian access way to allow circulation between sites. This requirement shall also apply to a building site that abuts an existing developed property unless the decision-making body finds that this would be impractical. Property owners shall:

- (1) Record an easement in the public records of Tarrant County or Johnson County that allows cross access to and from the adjacent properties;
- (2) Agree that any pre-existing driveways provided for access in the interim shall be closed and eliminated after construction of the joint use driveway; and
- (3) Record a joint maintenance agreement in the public records of the City of Burleson defining maintenance responsibilities of property owners that share the joint use driveway and cross access system.

(b) **Requirements for unified access and circulation.**

In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall be considered unified parcels. This shall also apply to phased development plans. Accordingly, the following requirements shall apply:

- (1) The number of connections permitted shall be the minimum number necessary to provide reasonable access to the overall site and not the maximum available for that frontage.
 - (2) All easements and agreements required under the above shall be provided.
 - (3) Access to outparcels shall be internalized using the shared circulation system and designed to avoid excessive movement across parking aisles or queuing across surrounding parking and driving aisles.
- (c) Where abutting properties are in different ownership and not part of an overall development plan, cooperation between the various owners in development of a unified access and circulation system is encouraged. Abutting properties shall not be required to provide unified access and circulation until they are developed or are redeveloped.
- (d) When a residential development is proposed that would abut an arterial or major collector roadway, it shall be designed to provide lots abutting the roadway with access from an interior local road or frontage road. Direct driveway access to individual one- and two-family dwellings from arterial and major collector roadways shall be prohibited. All other reasonable access alternatives shall be investigated and judged unacceptable by the city engineer before direct residential driveway access on an arterial or major collector is permitted.

(e) **Redevelopment requirements.**

Properties with access connections that do not meet the requirements above shall be brought into compliance to the extent possible when modifications to the roadway are made or when a change in use results in one or more of the following conditions:

- (1) When a modification to an existing connection is required.
- (2) When commercial site plan review and approval is required.
- (3) When a site generates an increase of 20 percent or greater in peak hour trips or 100 vehicles per hour in the peak hour, whichever is less, as determined by one of the following methods:
 1. An estimation based on the ITE Trip Generation Manual (latest edition) for typical land uses;
 2. Traffic counts made at similar traffic generators located in the City of Burleson; or
 3. Actual traffic monitoring conducted during the peak hour of the adjacent roadway traffic for the property.
- (f) If the principal activity on a parcel with access connections that do not meet the regulations of the above is discontinued for a period of one year or more, then the parcel must comply with all applicable access requirements of the above to the extent possible.

106.86 - TRANSPORTATION AND CONNECTIVITY

A. PURPOSE. The purpose of this section is to:

- (1) support the creation of a highly connected transportation system within the city in order to provide choices for drivers, bicyclists, and pedestrians;
- (2) increase effectiveness of local service delivery;
- (3) promote walking and bicycling; connect neighborhoods to each other and to local destinations such as employment, schools, parks, and shopping centers;
- (4) to avoid the creation of large, isolated tracts without routes for pedestrian and bicycle connections and through traffic;
- (5) reduce vehicle miles of travel and travel times; reduce emergency response times; mitigate the traffic impacts of new development; and
- (6) free up arterial capacity to better serve regional long-distance travel needs.

B. TRAFFIC IMPACTS. The Administrator or designee may require a Traffic Impact Analysis (TIA) or other type of engineering study from the developer in accordance with Chapter 98 prior to any approval for plats, zoning change, or site plans pertaining to the potential traffic impact of the proposed development on the city's street system.

C. DRIVEWAYS, FIRE LANES AND ACCESS EASEMENTS

- (1) Standard Requirements: All driveway approaches, curbs, gutters, pavements and appurtenances necessary to provide access to properties shall be provided by the developer and shall be designed, constructed and maintained in accordance with standards in the city's adopted Design Criteria Manual and development specific ordinances in the Planned Developments (PDs), in Mixed Use (MU) and Downtown (DT) Districts (as applicable to the subject property).
- (2) Fire Lanes: Fire lanes are to be designed in accordance with the city's adopted Fire Code and Design Criteria Manual. Fire lane easements shall be shown on the Site Plan and shall be maintained to the city's standards by the property owner. For safety and emergency accessibility reasons during construction, developments other than single-family detached or two-family residential subdivisions shall not be allowed to proceed with vertical structural construction above the foundation prior to completion and city inspection of all fire lanes and fire hydrants on the site.
- (3) Access Easements: All non-residential development along highway frontage and arterial roadways shall provide cross access easements to adjoining properties unless grade issues prevent cross access connectivity.

(4)

Visibility at Intersections: On all lots or parcels of land on which a front setback is required, no obstruction that will obscure the view of motor vehicle drivers shall be placed within the triangular area formed by the adjoining driveway or street property lines between two and one-half (2½) and eight feet above grade as specified in this section, except that trees may be permitted within said triangular area provided that those trees are placed in the street planter strip and the limbs are pruned to at least six feet above the grade level of the adjacent street.

- a. TxDOT street and driveway intersections shall meet TxDOT sight visibility standards.
- b. All other streets and driveway intersections shall meet the standards in Figure 106.86-1

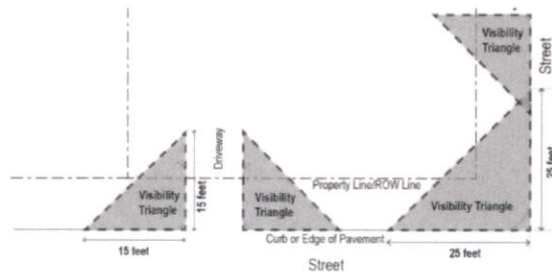


Figure 106.86-1 Visibility Triangles at Driveways and Intersections

D. PEDESTRIAN AND BICYCLE ACCESS

- (1) Purpose: The purpose of this section is to reduce the number and length of automobile trips and related air pollution by encouraging walking and bicycling by integrating sidewalks and bicycle routes in new development and redevelopment, and by providing for shorter and more direct routes between many destinations.
- (2) Parking and Circulation Plan Required:
 - a. In conjunction with a site plan, all development, except for single-family, duplex, and townhouse residential uses within previously platted subdivisions, shall prepare a parking and circulation plan. The plan shall meet the requirements of the Chapter 98: Subdivision Regulations, and contain the following information:
 1. Internal circulation and connectivity to existing street network;
 2. Emergency and service vehicle access;
 3. Parking layout;
 4. Loading operations;
 5. Turning radii based on uses;
 6. Traffic calming measures where future "cut-through" traffic is likely;
 7. Pedestrian, bicycle, and transit facilities; and
 8. Other similar issues identified by the Director.

b.

The Administrator may waive the requirement for a circulation plan on a case-by-case basis if a development is expected to have no impact upon circulation or proposes no change in existing circulation patterns. This standard shall not be construed to exempt development that includes additional parking, driveways, or substantial modifications to the existing pedestrian network.

- c. A circulation plan shall be submitted with the respective site plan or subdivision application, as appropriate.
- d. The Administrator may grant a waiver for projects smaller than 2 acres.

(3) Pedestrian and Bicycle Circulation Standards

- a. Sidewalks shall be required along any street upon which a lot abuts, regardless of whether such lot faces, abuts on the side, or backs up to such street, or is separated from such street by an alley. Unless designated in an adopted city plan, sidewalks shall not be required along freeways and freeway frontage, or along any street abutting residential lots in zoning categories AG and other residential districts requiring lots larger than 1 acre.
- b. Sidewalks shall be constructed by the owner along all collector and arterial thoroughfares, and along all perimeter streets abutting the subdivision, regardless of whether such collector, arterial, or perimeter thoroughfare abuts a lot, alley, or other space. Sidewalks shall be constructed along all collector and arterial thoroughfares and perimeter streets prior to the issuance of a certificate of acceptance for the subdivision by the city.
- c. Sidewalks shall be constructed in accordance with the city's adopted Design Criteria Manual.
- d. The minimum width of sidewalks shall be five feet wide.
- e. To increase pedestrian safety and walkability, all sidewalks shall be located at least 6-feet from the back of curb.
- f. Meandering sidewalks may be approved by the Administrator to preserve trees and create a more informal streetscape.
- g. On-Site Pedestrian Walkways
 - 1. All development shall provide an on-site system of pedestrian walkways with a minimum width of five feet designed to provide direct access and connections to and between the following:
 - i. The primary entrance or entrances to each building, including pad site buildings;
 - ii. Any sidewalks, walkways, or multi-use paths on adjacent properties that extend to the boundaries shared with the development. Interconnected walkways should be designed with similar and/or complementary details, colors, finishes, etc.;
 - iii. Any parking areas intended to serve the development;

- iv. Any sidewalk system along the perimeter streets adjacent to the development;
 - v. Any public transit station areas, transit stops, park and ride facilities, or other transit facilities on-site or along an adjacent street;
 - vi. Any adjacent residential neighborhoods (planned or existing) if sidewalk stubs are planned or existing; and
 - vii. Any adjacent or on-site public park, trail system, open space, greenway, or other public or civic use or amenity.
2. On-Site Pedestrian Walkway Design: required on-site pedestrian walkways shall:
- i. Be a minimum of five feet in width;
 - ii. Be distinguishable from areas used by vehicles changing paving material, patterns, and/or paving color, but not including the painting of the paving material; decorative bollards; or raised median walkways with landscaped buffers;
 - iii. Have adequate lighting for security and safety;
 - iv. Be conveniently and centrally located on the subject property;
 - v. Be ADA accessible; and
 - vi. Not include barriers that limit pedestrian access between the subject property and adjacent properties.
3. Pedestrian Access through Parking Areas
- i. All parking lots that contain more than 40 parking spaces shall include pedestrian walkways through the parking lot to the principal building entrance or a sidewalk providing access to the principal building entrance. At a minimum, walkways shall be provided for every three driving aisles or at a distance of not more than 150-foot intervals, whichever is less.
 - ii. Parking lots with 100 spaces or more shall be divided into two or more separate equal areas and divided by landscaped areas or walkways at least 10 feet in width, or by a building or group of buildings.
 - iii. Pedestrian Access through Parking Garages: Pedestrian walkways shall be provided through parking garages from the parking area to the abutting public right-of-way and/or to the primary entrance of the building served. Pedestrian walkways shall not use vehicle entrance or exit driveways from the parking area to a public right-of-way.
4. Crosswalks
- i. Crosswalks shall be identified in consultation with the City Engineer to meet the specific need and functionality of pedestrian movement at a particular location.
 - ii.

The type and size of the crosswalk shall be determined based on federal and state guidelines described in the Manual on Uniform Traffic Control Devices (MUTCD).

5. Use Restrictions and Maintenance of Pedestrian Connections

- i. Restrictions on Use: Sidewalks, walkways, and trails are intended to provide pedestrian access. Vehicle parking, garbage containers, merchandise storage or display, utility boxes and poles, signs, trees, and other obstructions shall not encroach into the required minimum clear width of any required sidewalk, trail, walkway, or other pedestrian way. Pedestrian amenities including bollards and trash receptacles for pedestrians are exempt from this requirement.
- ii. Maintenance: Sidewalks, trails, and walkways required by this title shall be maintained in usable condition throughout the year.

Section 12.6 Access Management

- A. Purpose. Poor design and placement of parking lots and driveways can impede traffic flow and can also inhibit connectivity among sites and may reduce pedestrian safety. To enhance connectivity and increase safety, therefore, parking lots and driveways shall be planned to reduce the number of curb cuts and shall be designed to support pedestrian safety, connections, and comfort.
- B. General Requirements.
 - 1. Design. Primary driveways should be designed as streets. This includes designing pedestrian sidewalks and appropriate traffic control measures, as well as providing streetscape improvements and lighting to improve way-finding.
 - 2. Connections. Parking lots and driveways shall provide pedestrian connections to storefronts. Dedicated walkways through parking lots and sidewalks shall be included in the design of access roadways.
 - 3. Traffic Calming. Traffic calming techniques shall be employed in parking and driveway areas to support pedestrian circulation concepts.
 - 4. Sizing and Construction Standards. Drive approach size and construction standards shall be governed by the City of Kennedale Public Works Design Manual.
- C. Driveways.
 - 1. Location. Access drives shall be located to interfere as little as possible with the use of adjacent properties and the flow of traffic on adjacent streets, to avoid undue interference with pedestrian access, and to provide the required site distance and the most favorable driveway grade.
 - 2. Separation. Access drives on corner lots shall be located as far from the street intersection as practicable.
 - 3. Shared Driveways. When it is determined that reducing the number of access points may have a beneficial impact on traffic operations and safety while preserving the property owner's right to reasonable access, a shared commercial driveway, frontage road, or rear service drive connecting two (2) or more properties or uses may be required. In particular, near existing traffic signals or near locations having potential for future signalization, parkways and boulevards or other streets with high traffic volumes, and along segments with a relatively high number of accidents or limited sight distance.
 - 4. Easements. Shared commercial driveways and service roads shall be within an access easement recorded with Tarrant County. A draft of the access easement shall be provided to the city for review prior to filing.
 - 5. Kennedale Parkway and I-20 Frontage Road. Placement and dimensions of curb cuts along Kennedale Pkwy and I-20 Frontage Roads shall be determined by the Texas Department of Transportation (TxDOT). To the extent authorized by TxDOT, cross access or shared access easement shall be required. No new certificate of occupancy or building permit will be issued until cross or shared access is in place.

D. Employment Center District. The following requirements apply to Type A and B frontage streets as established in the Employment Center District.

1. Type A Frontage Streets.

- a. Curb cuts on Type A streets shall be not be allowed if the property has access to a Type B street. If permitted, curb cuts shall be limited to one (1) per 400 feet (as measured between curb cuts).
- b. Cross access or shared access easements shall be required. No new certificate of occupancy or building permit will be issued until cross or shared access is in place.

2. Type B Frontage Streets.

- a. Curb cuts on Type B streets shall be limited to one (1) per 250 feet (as measured between curb cuts).
- b. Cross access or shared access easements shall be required. No new certificate of occupancy or building permit will be issued until cross or shared access is in place.

DIVISION 3
Park Row Corridor District (PRC)

§ 14.08.205. Purpose.

The park row corridor district is established to provide guidelines and regulations to ensure that the site design, physical function and appearance of the properties in this district reinforce the vision, goals and objectives of the town's comprehensive plan and redevelopment strategies as they relate to redevelopment village 1, the Park Row Drive corridor. It is the intent of the town, in partnership with corridor property owners, to promote and require these designs as much as practical and in proportion with the amount of redevelopment being requested.

(Ordinance 17-804 adopted 5/8/17)

§ 14.08.210. Application of standards.

These guidelines and regulations shall apply to all properties located within the park row corridor district as identified on the official zoning map of the town. The guidelines and regulations shall be applied as follows:

- (1) Any new development or redevelopment of property which occurs within the PRC district that is not part of a planned development district (PD) (section 14.08.005) shall conform to all of the standards in section 14.08.225, design standards, as requirements, as applicable. Some or all of these standards may be determined by the approving body to be technically infeasible.
- (2) Any new development or redevelopment which occurs within this district that is part of a planned development district (PD) (section 14.08.005) shall follow all of the standards in section 14.08.225, design guidelines, as guidelines, as applicable.
- (3) In instances of conflict between the regulations in this section and another section in this zoning code, the regulations and standards of this section shall prevail.

(Ordinance 17-804 adopted 5/8/17)

§ 14.08.215. Development review.

- (a) The review of any development or substantial redevelopment project within the PRC district shall occur as outlined below. For the purposes of this section, "substantial redevelopment" shall mean a 25% or greater enlargement or decrease in the gross floor area or building size for the subject parcel(s).

- (1) Any new development or substantial redevelopment which occurs within this district that is not part of a planned development district (section 14.08.005) shall be reviewed and approved by the zoning administrator to assure that the design standards of section 14.08.225, design guidelines, are met.
- (2) Any new development or substantial redevelopment which occurs within this district that is part of a planned development district shall be reviewed for general compliance of all design standards of section 14.08.225, design guidelines, during the approval process specified by section 14.08.005, planned development district. As part of a

planned development district, the regulations and standards in this section, with the exception of permitted uses, shall serve as guidelines and not requirements.

- (b) The zoning administrator may request the assistance of the planning and zoning commission, if necessary, for additional review and input.

(Ordinance 17-804 adopted 5/8/17)

§ 14.08.220. Permitted and conditional uses.

Permitted, specific and conditional uses are as established in table 14.06.010, residential district uses and table 14.07.010, nonresidential district uses.

(Ordinance 17-804 adopted 5/8/17)

§ 14.08.225. Design standards.

The following design standards shall be clearly identified on drawings, renderings, or a combination of both, submitted to the zoning administrator for review and approval as per the requirements of sections 14.08.210–14.08.215. Plans and elevations shall be drawn at a scale, and noted as necessary, to adequately depict the proposed development or redevelopment project.

- (1) Building development standards. The design guideline standards of section 14.10.020 will be utilized in the review and approval of new and redeveloped buildings and structures in the PRC district. The following standards shall also be considered:

(A) Facades.

- (i) No blank, uninterrupted facades shall be permitted where visible from a public right-of-way. The use of windows, doors and/or other architectural features shall be required at regular intervals to break up a blank wall. The use of false windows as an architectural feature may be permitted upon review by the zoning administrator.
- (ii) Planting areas and landscaped beds may be permitted in place of architectural features (e.g. 20 lineal feet of landscaping for every 100 feet of building length) if the height of the landscape material is at least half the height of the building or structure upon review and approval of the zoning administrator.
- (iii) Building facades shall include a repeating pattern including no less than three of the following elements: color change, texture change, material change or the inclusion of architectural features no less than 36 inches in width such as offsets, bays, marquees, etc. At least one of these elements shall repeat horizontally.
- (iv) All sides of a building or structure that are visible from any public right-of-way or residentially zoned property shall be finished with the same materials utilized on the front facade to provide a finished faced towards all locations visible to the public.

- (B) Rooflines. Rooflines visible from the public right-of-way shall have a change in height for at least every 50 lineal feet in building length unless it is a building that exceeds a length of 200 lineal feet in which the roofline shall change in height for at least every

75 feet for facades. Modifications in the roofline do not need to be uniformly spaced but shall be proportional to the massing of the building.

(C) Building orientation. The primary building facade shall be oriented towards Park Row Drive.

(D) Accessory structures. Accessory structures shall be constructed of the same materials and colors as the principal building.

(2) Site development standards.

(A) Site development standards.

Minimum Lot Size (in ft.)	Minimum Yard Depth (in feet)			Maximum Height (in feet)	Maximum Impervious Lot Coverage
	Front	Side	Rear		
None	10	0 ⁵	10	45	90%

⁵Minimum side yard shall be zero feet unless abutting a residential district, then the minimum side yard depth shall be 20 feet with a screening wall of 8 feet in height.

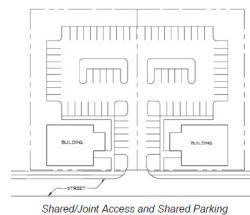
(B) Utilities. All on site utilities shall be located underground.

(C) Driveways.

(i) A maximum of one driveway opening shall be permitted for each property on each abutting street for every 250 linear feet of frontage.

(ii) For corner lots, the locations of the driveways shall be setback a minimum of 50 feet from the face of curb of the intersecting street or as otherwise approved by the zoning administrator.

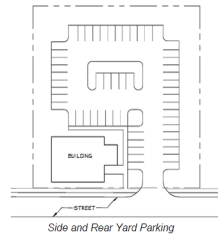
(iii) Shared or joint access driveway openings are recommended. If the driveway opening is not shared between parcels, the minimum setback from a property line shall be 20 feet.



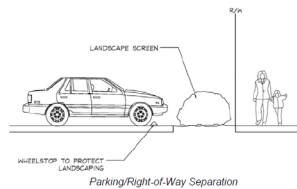
(D) Cross easements. As properties develop or redevelop, efforts shall be made to provide for cross easement access to adjoining properties and the consolidation of curb cuts upon development or redevelopment to the fullest extent possible.

(E) Off-street parking. Off-street parking shall comply with article 14.10, division 4, off-street parking and loading requirements and the following regulations:

- (i) Off-street parking shall be located to the rear or side of the property to the fullest extent possible.



- (ii) As properties develop or redevelop, efforts shall be made to provide for the sharing of off-street parking between parcels to the fullest extent possible.
- (iii) Any parking located between the building facade and the right-of-way shall be separated from the sidewalk by a landscaped buffer strip or screen (e.g. row of hedges, knee wall, grass strip with plantings, etc.) as much as practical providing adequate space for parking and overhanging areas of vehicles and taking into account the type of hedges or plantings so as to not overhang the sidewalk.



- (F) Pedestrian access. Developed and redeveloped parcels shall provide for safe and convenient pedestrian access to the building from the public sidewalk.
- (G) Outdoor storage. Outdoor storage and service structures (dumpsters, mechanical equipment, etc.) shall be regulated as established in article 14.10, division 7, supplemental regulations.
- (H) Signage. Commercial signage shall be limited to advertising on-premises businesses and shall comply with article 14.10, division 8, sign regulations.
- (I) Landscaping and screening. Landscaping and screening shall comply with article 14.10, division 2, landscape requirements and article 14.10, division 3, fence and screening Standards and with the following requirements:
- (i) New and redeveloped buildings should include landscaping in the form of street trees, shrubbery along the public rights-of-way and at the front facade of the building. All street trees should be at least 3-1/2 inch caliper and should be spaced a minimum of 25–30 feet apart.
- (ii) Tree species should be hardy city types and be approved by the zoning

administrator.

- (J) Sidewalks and street lighting. Properties fronting directly on Park Row Drive should include a ten foot width sidewalk with lighting standards that match the established park row project style and spacing requirements. Side streets frontages should include minimum five foot width sidewalks with pedestrian lighting at an appropriate scale to light area (matching the Park Row Drive style as closely as possible). Pedestrian scale lighting should be included in the landscape easement/setback areas to provide for a safe transition from the public sidewalk to the building or parking lot.

(Ordinance 17-804 adopted 5/8/17)

§ 14.08.230. Modifications to design standards.

Modifications to the design standards of this article shall be requested by the applicant, in writing, to the planning and zoning commission for review and approval. No modification to the design guideline(s) as they relate to the subject property for which the modification(s) were requested shall be construed to apply to this zoning code as a whole nor shall they be construed to apply to other properties.

(Ordinance 17-804 adopted 5/8/17)

City Council
Staff Agenda Report

Agenda Item: 9b

Agenda Subject: Discussion and possible action on an application for preliminary plat submitted by Aldriedge Building Corp for Lot 19, Block A, 1.01 acres of land located in The Joseph Pierce Survey, Abstract No. 1253 an addition to the City of Dalworthington Gardens, Tarrant County, Texas, and locally known as 3815 Kelly Perkins Road.

Meeting Date:	Financial Considerations:	Strategic Vision Pillar:
April 17, 2025	Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Financial Stability <input checked="" type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence

The applicant in writing requested for this topic to be continued to the next council meeting scheduled May 15, 2025 to gather more information for the engineer to review.

On April 3, 2025 P&Z met and continued this topic to the following P&Z meeting May 1, 2025 at 6:00 p.m.

City Council
Staff Agenda Report

Agenda Item: 9c

Agenda Subject: Discussion and possible action on an application for final plat submitted by Aldriedge Building Corp for Lot 19, Block A, 1.01 acres of land located in The Joseph Pierce Survey, Abstract No. 1253 an addition to the City of Dalworthington Gardens, Tarrant County, Texas, and locally known as 3815 Kelly Perkins Road.

Meeting Date:	Financial Considerations:	Strategic Vision Pillar:
April 17, 2025	Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Financial Stability <input checked="" type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence

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City Council
Staff Agenda Report

Agenda Item: 9d

Agenda Subject: Discussion and possible action for the FY25/26 Budget Calendar.

Meeting Date: April 17, 2025	Financial Considerations: Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Strategic Vision Pillar: <input type="checkbox"/> Financial Stability <input type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence
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Background Information:

Justification for Request:

NOTE:

Recommended Action/Motion: Motion to approve the dates for meeting to review the budget.

Attachments:
Budget Calendar

CITY OF DALWORTHINGTON GARDENS
FY 25/26 BUDGET AND TAX RATE
PLANNING CALENDAR

2025 DATES				
Day	Date	Description	Notes	PACKETS DUE
Thursday	April 17, 2025	Regular Meeting - City Hall 7:00 p.m.	Budget Calendar presentation; High Level Budget work session to include review of Strategic Plan	4/15/2025
Thursday	May 1, 2025	FY 2024-2025 Mid-Year Budget Review	110-General Fund, 120-Enterprise Fund, 180-PRFDC Fund, 185-CCPD Fund (reports to council Tuesday 4/29/25)	4/29/2025
Tuesday	May 13, 2025	Park Board to meet and provide FY 2025-2026 Budget List	Provide budget list to City Administrator and Finance	
Thursday	May 15, 2025	Regular Meeting - City Hall 7:00 p.m.	Resolution to Approve 2025-## City Strategic Plan??	5/13/2025
Wednesday	June 4, 2025	Submission of all department budget lists to Finance		
Thursday	June 19, 2025	Regular Meeting - City Hall 7:00 p.m.		6/17/2025
Tuesday	July 1, 2025	1st Budget Work Session City Hall 6:00 p.m.	Will have Oct-May (8 mos) actual and Jun--Sep (4 mos) projected financial data	6/26/2025
Thursday	July 17, 2025	Regular Meeting - City Hall 7:00 p.m.		7/15/2025
Friday	July 25, 2025	Chief Appraiser Certifies Appraisal Roll and Calculates No-New Revenue & Voter-Approval Tax Rates	TEX TAX CODE Title 1 Subtitle D 26.01(a) Chief appraiser may submit a certified estimate of taxable value in lieu of a certified appraisal roll if the appraisal review board for the appraisal district does not approve the records by July 20. 26.01(a-1) states if an estimate of taxable values is submitted, the City must calculate the no-new-revenue and voter-approval tax rate using the estimate.	
Wed-Thur	7/30-7/31	2nd Budget Work Session City Hall 6:00 p.m.	Will have Oct-Jun (9 mos) actual and Jul-Sep (3 mos) projected financial data	7/24/2025
Friday	August 1, 2025	DEADLINE PRFDC MEETING City Hall 6:00 pm. a. Conduct public hearing? b. Discussion and action to adopt proposed FY 2025-2026 PRFDC Budget	Per PRFDC Bylaws Article IV Section 2. At least (60) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget for the next ensuing fiscal year. The budget shall not be effective until the same has been approved by the City Council.	
Friday	August 1, 2025	Tarrant County to provide anticipated "collection rate", "no-new-revenue" and "voter-approval" tax rate calculations.	TEX TAX CODE Title 1 Subtitle D 26.04 (b) By August 1 or as soon thereafter as practicable, Tarrant County to provide governing body with the anticipated collection rate, no-new revenue rate and voter-approval rate. Will need to be requested.	
Thursday	August 7, 2025	3rd Budget Work Session City Hall 6:00 p.m.	Will have Oct-Jun (9 mos) actual and Jul-Sep (3 mos) projected financial data	8/4/2025
Thursday	August 7, 2025	Submit Tax Rates to City Council	TEX TAX CODE Title 1 Subtitle D 26.04 (d-1) The designated officer or employee shall use the tax rate calculation forms prescribed by the comptroller in calculating the no-new-revenue and voter-approval tax rates. 26.04(d-2) These rates may not be submitted to the city council, and the city council may not adopt a tax rate, until the designated officer or employee certifies on the tax rate calculation forms that he or she has accurately calculated the tax rates and used values from the city's certified appraisal roll in performing the calculations.	
Thursday	August 7, 2025	Upload NNR & Voter approval tax rates to Tarrant County FTP website	TEX TAX CODE Title 1 Subtitle D 26.04 (d-3) A soon as practicable after the designated officer or employee calculates the no-new-revenue tax rate and the voter-approval tax rate of the taxing unit, the designated officer or employee shall submit the tax rate calculation forms used in calculating the rates to the county assessor-collector for each county in which all or part of the territory of the taxing unit is located. Upload Form 50-856 to Tarrant County website and rates entered on FTP site and email form to TC	
Thursday	August 7, 2025	By August 7th or as soon thereafter as practical, the City must post notice on the city's website, in the form prescribed by the comptroller the following: 1) the no-new-revenue tax rate and the voter-approval tax rate, along with an explanation of how calculated; 2) the estimated amount of interest and sinking fund balances and the estimated amount of maintenance and operation of general fund balances remaining at the end of the current fiscal year that are not encumbered with or by corresponding existing debt obligations; and 3) a schedule of the city's debt obligations .	TEX TAX CODE Title 1 Subtitle D 26.04 (B) (e) By August 7 or as soon thereafter as <u>practicable</u> , the designated officer or employee shall submit the rates to the governing body. FORM 50-212 to be posted on front page of city's website. Enter the Proposed rates on the Tarrant County FTP site	

CITY OF DALWORTHINGTON GARDENS

FY 25/26 BUDGET AND TAX RATE

PLANNING CALENDAR

Tuesday	8/19/2025	File <u>Proposed</u> Budget with Municipal Clerk, post on Web-Site.	<u>TX LOCAL GOV CODE Title 4 Subtitle A 102.005</u> (b) Proposed Budget to be filed with the municipal clerk before the 30th day before the date the governing body of the municipality makes its tax levy for the fiscal year. Hearing to be set for a date occurring after the 15th day after the date proposed budget is filed with the municipal clerk, but before governing body makes its tax levy. Council meeting 9/18/25 to adopt budget/rate, must be 30 days prior.	
Friday	DEADLINE 8/29/2025	<i>Deadline: This is the last day for the city's budget officer to file a proposed budget with the municipal clerk if the city plans to wait until September 29 to adopt the tax rate.</i>	<u>TX LOCAL GOV CODE Title 4 Subtitle A 102.005</u> (b) Proposed Budget to be filed with the municipal clerk before the 30th day before the date the governing body of the municipality adopts the tax rate. If the rate is adopted sooner, then proposed budget must be filed sooner to be in compliance with the 30 day rule noted above.	
Thursday	August 21, 2025	Regular Council Meeting. 7:00 pm	Any necessary discussion or action on changes to the proposed budget only. Discussion and possible action on setting the maximum proposed ad valorem tax rate; setting date for a public hearing on the proposed tax rate; and setting the date at which City Council will adopt the FY 2025-2026 ad valorem tax rate.	8/15/2025
Thursday	September 4, 2025	Publish " Notice of Budget Hearing " (10-30 days before hearing) CCPD and CITY OF DWG (Provide data for posting to City Secretary 2 days prior to posting date Sep 2nd)	<u>TEX LOCAL GOV CODE Title 4 Subtitle A 102.0065(c)</u> shall be published not earlier than the 30th or later than the 10th day before the date of the hearing. Hearing will be conducted in the 9/18/25 Regular Meeting. (On or Between 8/19/25-9/08/25) Also must be set for a date occurring after the 15th day after the date proposed budget is filed with the municipal clerk, but before governing body makes its tax levy. <u>Has to be no earlier than 9/3/25.</u>	
Thursday	September 4, 2025	Publish " Notice of Public Hearing on Tax Increase ". Use the appropriate form that matches the tax rate proposed. Use the September Council date as the Public Hearing date in the Notice	<u>TEX TAX CODE Title 1 Subtitle D 26.06</u> Public Hearing must be held at least 5 days after the date notice of the public hearing is given. Announce Date, Time, & Place of Rate Adoption Meeting. The meeting to vote may not be held later than the 7th day after the day of the public hearing. Form 50-876 - Notice of Public Hearing on Tax Increase - if the proposed tax rate exceeds the no-new-revenue tax rate but does not exceed the voter-approval tax rate. Form 50-873 - Notice of Public Hearing on Tax Increase - if the proposed tax rate exceeds the no-new-revenue tax rate and the voter-approval tax rate. Form 50-877 Notice of Public Hearing on Tax Increase - if the proposed tax rate does not exceed the no-new revenue tax rate but exceeds the voter-approval tax rate. see https://comptroller.texas.gov/taxes/property-tax/truth-in-taxation/notices.php for more notification forms	
Thursday	September 18, 2025	CCPD REGULAR COUNCIL MEETING City Hall 6:45 pm.	a.Conduct public hearing b.Discussion and possible action to approve the FY 2025-2026 CCPD Budget.	9/12/2025
Thursday	September 18, 2025	REGULAR COUNCIL MEETING, BUDGET HEARING & TAX RATE HEARING. City Hall 7:00 pm. Must be 2 separate votes for Budget and Tax Rate a.FY 2025-2026 City Budget i.Conduct public hearing ii.Discussion and possible action to approve Ordinance No. 2025-## to adopt the FY 2025-2026 City Budget. b.FY 2025-2026 Tax Rate i.Conduct public hearing ii.Discussion and possible action to approve Ordinance No. 2025-## adopting the FY 2025-2026 Tax Rate. c.Discussion and possible action to ratify the tax rate.	<u>TEX LOCAL GOV CODE Title 4 Subtitle A 102.006</u> Budget hearing set for a date occurring after the 15th day after the proposed budget is filed with the municipal clerk but before the date the governing body makes its tax levy. <u>TEX LOCAL GOV CODE Title 4 Subtitle A 102.007</u> This meeting is to adopt the budget and record a record vote. <u>TEX TAX CODE Title 1 Subtitle D 26.06</u> 1st public hearing on tax rate must be held <u>at least 5 days after</u> the date notice of the public hearing is given. Announce Date, Time, & Place of Rate Adoption Meeting. <u>TEX TAX CODE Title 1 Subtitle D 26.05 (a)</u> The governing body shall adopt a tax rate for the current tax year and shall notify the assessor before the later of <u>September 29</u> or the 60th day after the date the certified appraisal roll is received by the taxing unit, except that the governing body must adopt a tax rate that exceeds the voter-approval tax rate not later than the 71st day before the next uniform election date (Nov 4, 2025) <u>TEX TAX CODE Title 1 Subtitle D 26.06 (e)</u> The meeting to vote on adoption of the tax rate may not be held later than the 7th day after the date of the public hearing.	9/12/2025
Friday	September 19, 2025	Send Tax Assessor Adopted Tax Ordinance		
Friday	September 19, 2025	File Approved Budget with Tarrant County Clerk.	<u>TEX LOCAL GOV CODE Title 4 Subtitle A 102.008</u> Final approval of the budget filed with municipal clerk and a copy of the budget posted on the company website. Tax Code Title 1 Subtitle D 26.18 Posting of Tax Rate and Budget Information by Taxing Unit on Website.	

City Council
Staff Agenda Report

Agenda Item 9e

Agenda Subject: Discuss and possible action on entering into a public works consulting agreement with Kyle Sugg.		
Meeting Date: April 17, 2025	Financial Considerations: Budgeted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Strategic Vision Pillar: <input type="checkbox"/> Financial Stability <input type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence

Prior Council Action:
None

Background Information:

The agreement is needed to ensure public works meets all deadlines and requirements by but not limited to TCEQ. The agreement will help streamline reporting, train staff, and ensure everything gets filed on time.

Recommended Action/Motion:

Motion to approve the consulting agreement with Kyle Sugg.

Attachments:

Consulting agreement

AGREEMENT TO PROVIDE PROFESSIONAL SERVICES

THIS AGREEMENT ("Agreement") is entered into this _____, 2025 effective immediately by and between Kyle Sugg ("CONTRACTOR") and the CITY DALWORTHINGTON GARDENS, TEXAS, a municipal corporation of the State of Texas ("CITY"). For convenience, the CONTRACTOR and the CITY may sometimes be referred herein collectively as "parties" and individually as a "party."

WITNESSETH

WHEREAS, CITY desires to engage the CONTRACTOR to provide professional services as more fully described on Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, CONTRACTOR agrees to provide such work and services for the CITY in accordance with the terms of this Agreement;

NOW, THEREFORE, for the mutual promises set forth herein, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto mutually agree as follows:

1. Employment of CONTRACTOR.

(a) CITY agrees to engage the CONTRACTOR and the CONTRACTOR hereby agrees to perform the services described in Exhibit "A" attached hereto and incorporated herein by reference.

(b) Notwithstanding anything to the contrary contained in this Agreement, CITY and CONTRACTOR agree and acknowledge that CITY is entering into this Agreement in reliance on CONTRACTOR's special and unique abilities. CONTRACTOR accepts the relationship of trust and confidence established between it and the CITY by this Agreement. CONTRACTOR acknowledges that CONTRACTOR shall be solely responsible for determining the methods for performing the services described in Exhibit "A" attached hereto. CONTRACTOR covenants with CITY to use its best efforts, skill, judgment, and abilities to perform the work required by this Agreement and to further the interests of CITY in accordance with CITY's requirements, in accordance with the highest standards of CONTRACTOR's profession or business and in compliance with all applicable national, federal, state, municipal, laws, regulations, codes, ordinances, orders and with those of any other body having jurisdiction. The CONTRACTOR warrants, represents, covenants, and agrees that all of the work to be performed by the CONTRACTOR under or pursuant to this Agreement shall be of the standard and quality which prevail among same similar professionals of superior knowledge and skill engaged in providing similar services in major United States urban areas under the same or similar circumstances and involving the work to be performed in accordance with Exhibit

“A” attached hereto and incorporated herein. CONTRACTOR warrants, represents, covenants, and agrees that the work he performs will be accurate and free from any material errors.

(c) CONTRACTOR will be responsible for supplying all tools and equipment necessary for CONTRACTOR to provide the services set forth in Exhibit “A” attached hereto.

2. **Compensation.** The CITY agrees to pay the CONTRACTOR the fees set forth in Exhibit “A” attached hereto. Within fifteen (15) days of the end of the month within which services were rendered, CONTRACTOR shall provide City an invoice specifying the services provided during the previous month and the total amount owed by the City. Payment will be made by the CITY within thirty (30) days of receipt of an invoice from CONTRACTOR.
3. **Changes.** CITY may, from time to time require changes in the scope of services of the CONTRACTOR to be performed hereunder. Such changes, which are mutually agreed upon by and between CITY and the CONTRACTOR, shall be incorporated in written amendment to this Agreement.
4. **Services and Materials to be Furnished by CITY.** CITY shall furnish the CONTRACTOR with all available information and data CONTRACTOR requests pertinent to the execution of this Agreement. CITY shall cooperate with the CONTRACTOR in carrying out the work herein and shall provide adequate staff for liaison with the CONTRACTOR.
5. **Ownership of Documents.** All reports, plans, specifications, computer files and other documents prepared by CONTRACTOR pursuant to this Agreement shall be the property of the CITY. CONTRACTOR will deliver to the CITY copies of the prepared documents and materials. CONTRACTOR shall make all documents and related data and material utilized in developing the documents available to CITY for inspection whenever requested. CONTRACTOR may make copies of any and all such documents and items and retain same for its files. CONTRACTOR shall have no liability for changes made to or use of the drawings, specifications, and other documents by anyone other than CONTRACTOR subsequent to delivery of the prepared documents and materials. However, any such change or other use shall be sealed by the individual making the change or use and shall be appropriately marked to reflect what was changed or modified.
6. **Termination of Agreement.** Either party may terminate this agreement at any time by providing thirty (30) days written notice to the other party.
7. **Completeness of Contract.** This Agreement and the documents incorporated herein by specific reference contain all the terms and conditions agreed upon by the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this contract or any part thereof shall have any validity or bind any of the

parties hereto. If there is any conflict between the terms of this Agreement and the documents attached hereto, the terms of this Agreement shall control. This Agreement may not be subsequently modified except by a writing signed by both parties.

8. **CITY Not Obligated to Third Parties.** CITY shall not be obligated or liable hereunder to any party other than the CONTRACTOR.
9. **Final Decisions.** Serving as a CONTRACTOR to the CITY, CONTRACTOR shall advise all parties that final decisions shall be made by the City Council and/or City Manager.
10. **Indemnification.** THE CONTRACTOR AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY AND ALL OF ITS OFFICERS, EMPLOYEES, COUNCIL MEMBERS AND AGENTS FROM ANY AND ALL CLAIMS BY THIRD PARTIES, INCLUDING, BUT NOT LIMITED TO, CLAIMS FOR DAMAGES, JUDGMENTS, ATTORNEY'S FEES, EXPENSES, INJUNCTIVE OR EQUITABLE RELIEF, INTEREST, PERSONAL INJURY, AND DEATH, THAT MAY ARISE FROM THE CONTRACTOR'S PERFORMANCE UNDER THIS AGREEMENT. **IT IS UNDERSTOOD AND AGREED THAT THE INDEMNITY PROVIDED FOR IN THIS AGREEMENT IS AN INDEMNITY EXTENDED BY CONTRACTOR TO INDEMNIFY, PROTECT, AND HOLD HARMLESS CITY AND/OR ITS OFFICERS, EMPLOYEES, COUNCIL MEMBERS, AND AGENTS FROM ALL LIABILITY, INCLUDING LIABILITY FOR THE CONSEQUENCES OF THE NEGLIGENCE OF CITY AND/OR ITS OFFICERS, EMPLOYEES, COUNCIL MEMBERS OR AGENTS WHETHER THAT NEGLIGENCE IS THE SOLE OR CONTRIBUTING CAUSE OF THE RESULTANT INJURY, DEATH, AND/OR DAMAGE.**
11. **Insurance.** CONTRACTOR agrees to maintain insurance for comprehensive general liability, automobile liability insurance, workers' compensation and professional liability during the term of this Agreement in the amounts not less than those required of other professional consultants and contractors retained by CITY. CONTRACTOR shall provide CITY with evidence of such coverages in a form which is acceptable to the CITY. Such policies shall name the CITY, its officers, and employees as an additional insured and shall provide for a waiver of subrogation against the CITY.
12. **Personnel.** All of the services required hereunder will be performed by the CONTRACTOR or under CONTRACTOR's supervision, and all personnel engaged in the work shall be qualified to perform such services.
13. **Independent Contractor.** In performing the services under this Agreement, CONTRACTOR is acting as an independent contractor. No term or provision hereof be construed as making CONTRACTOR the agent, servant, or employee of the CITY or as creating a partnership or joint venture relationship between CONTRACTOR and the CITY.

14. **Assignability.** The parties hereby agree that CONTRACTOR may not assign, convey or transfer its interest, rights and duties in this Agreement without the prior written consent of CITY.
15. **Governing Law/Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any action brought to interpret or enforce the terms of this Agreement shall lie in Tarrant County, Texas.
16. **Authority to Sign.** The parties hereby warrant and represent that the undersigned persons have full authority and are duly authorized to sign on behalf of their respective principals and that such principals have duly authorized the transaction contemplated by this Agreement.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, CITY and the CONTRACTOR have executed this Agreement as of the date first written above.

CITY OF DALWORTHINGTON GARDENS, TEXAS

By: _____

Print Name: _____

Title: _____

KYLE SUGG

By: Kyle Sugg

Print Name: Kyle Sugg

Title: Public Works Consultant

Exhibit A

CONTRACTOR agrees to perform the following services for the CITY at an hourly rate of \$125.00 per hour, with a NOT TO EXCEED (NTE) cap of 16 hours per month unless provided written consent for additional hours is provided by the CITY.

CONTRACTOR will assist the CITY in ensuring the compliance and proper maintenance of its public water system operations, distribution facilities, and storm water management program in accordance with applicable State laws and Texas Commission on Environmental Quality (TCEQ) regulations. Specific services provided are as follows:

- **General Consultation:** Answer calls and respond to questions from city staff on an as-needed basis.
- **Meetings:** Attend meetings as necessary for consultation, coordination, and updates on regulatory compliance
- **SWMP Compliance:** Develop a schedule and coordinate compliance requirements as approved in the Stormwater Management Program. This requires teaching staff and providing tasks to staff in order to achieve task completion.
- **MS4 Permit:** Support the annual reporting process based on SWMP guidelines.
- **Water Use Report:** Submit the required annual water use report for surface water rights and dam usage at Elkins Lake.
- **Disinfectant Level Quarterly Operating Report (DLQOR):** Provide oversight, ensure accurate data has been collected, and utilize data to support the submittal of the quarterly DLQOR report.
- **Tier II Report:** Ensure timely annual submission for hazardous materials reporting (if applicable)
- **Consumer Confidence Report (CCR):** Complete and submit the annual water quality report to TCEQ and provide for staff to distribute to customers as necessary.
- **Lead and Copper Compliance:** Oversee and coordinate lead and copper testing with staff, ensuring compliance with TCEQ regulations and addressing any required actions due to recent noncompliance or additional monitoring procedures.
- **Emergency Preparedness Plan:** Review, revise, and update the plan annually depending on TCEQ responses.
- **Water Use Survey:** Assist with the completion and submission of the annual Water use Survey for the Texas Water Development Board (TWDB)
- **Water Loss Audit:** Assist in completing the annual Water Loss Audit as required by the TWDB.
- **NTGCD Reporting:** If still required, assist in the completion and submission of bi-annual groundwater conservation district reports.
- **Training and Guidance:** Provide staff training on regulatory compliance tasks and operational best practices as needed. Assist in coordinating available training sessions.
- **Documentation and Process Development:** Assist in streamlining processes, developing standard operating procedures, and organizing scheduled compliance events.

City Council

Staff Agenda Report

Agenda Item: 9f.

Agenda Subject: Discussion and possible action regarding the fee structure for the City of Dalworthington Gardens water customer utilizing Pantego's sewer system.

Meeting Date: April 17, 2025	Financial Considerations: Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Strategic Vision Pillar: <input checked="" type="checkbox"/> Financial Stability <input type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence
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Background Information:

There are 5 commercial addresses on the north side of W. Pioneer that are on DWG's water system, but uses Pantego's sewer system. Their sewer rate in Pantego is different that DWG's rate. They also have an infrastructure rate that DWG does not have.

Recommended Action/Motion:

Attachments:

DWG's Rates

Pantego's Rates



Utilities

At The City of Dalworthington Gardens, Texas, we are committed to providing safe, high-quality water services to our community while maintaining a standard of excellence in customer service and environmental conservation. Feel free to call our office if you have any questions or need assistance with any matters related to the water we provide!

The City of Dalworthington Gardens Utility Services Department is responsible for billing, payment processing, new service connections and service terminations for water, sewer and garbage services. Bills are generated around the first week of the month and are due towards the last full week of the month. Be sure to verify your due date on your bill or call our staff at 817-274-7368 for your specific date.

If payment is not received in the office by the due date, a penalty charge will be assessed and a past due notice is mailed. If payment is not received by the due date shown on the past due notice, a \$40 cutoff fee will be assessed and your water service is subject to be shut off. The past due amount and cutoff fee are required to be paid before service is restored.

The City offers several payment methods to pay your bill.

- Bank Draft. Drafts are processed on the 20th of each month. If the 20th falls on a weekend, drafts will be processed on the next business day.

Download the [Draft Authorization Form](#) and submit by mail to 2600 Roosevelt Drive, DWG TX 76016, fax to (817) 265-4401, deliver in-person during normal business hours, or place in the night-drop box in the City Hall lobby.

- On-line Website Credit Card Payments –To pay your water bill online, [click here](#). Only Visa, MasterCard and Discover cards are

accepted. Payments made online will not be processed until the following business day.

- GovPay Credit Card Payments – Credit Card payments can be made over the phone by calling 1-888-604-7888 or you may [click here](#) to be automatically directed to the GovPay website. All credit cards are accepted. You will need the location code of 1019 and your account number to make a payment. Payments will not be processed until the following business day. *Please note that GovPay charges a fee based on the amount paid.
- Mail – Payments can also be made by mailing check or money order to: City of DWG, Attn: Water Dept, 2600 Roosevelt Drive, DWG TX 76016 or payment can be made by using electronic bill pay online service through your bank.
- Payments can be made at City Hall located at 2600 Roosevelt Drive, DWG TX during regular business hours Monday-Friday 8:30am till 5:00pm. For your convenience, payments can be dropped off in the night drop box located on the south side of Cty Hall.

After Hours Emergency

After-hours emergency water line breaks and wastewater backup calls can be made to the Dalworthington Gardens DPS Dispatch at 817-275-1234.

On September 19, 2024 the City of Dalworthington Gardens approved FY 2024-25 Budget amending the rates for water, garbage & HHW. The rate increases are reflected on the November 3, 2024 billing.

RESIDENTIAL WATER RATES	Prior Rates	New Rates
Monthly Minimum Rate (prior rate included 1st 2,000 gallons)	\$ 22.70	\$ 22.70
Volume Rate per 1,000 gallons	\$ 5.60	\$ 5.85
SAMPLE WATER BILL 10,000 Gallons		
Minimum Charge	\$ 22.70	\$ 22.70
Volumetric Cost	\$ 56.00	\$ 58.50

Total Sample Bill	\$ 78.70	\$ 81.20
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COMMERCIAL WATER RATES	Prior Rates	New Rates
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Monthly Minimum Rate (prior rate included 1st 2,000 gallons)	\$ 50.10	\$ 50.10
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Volume Rate per 1,000 gallons	\$ 5.60	\$ 5.85
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SAMPLE WATER BILL 10,000 Gallons

Minimum Charge	\$ 50.10	\$ 50.10
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Volumetric Cost	\$ 56.00	\$ 58.50
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Total Sample Bill	\$ 106.10	\$ 108.60
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BULK WATER RATES	Prior Rates	New Rates
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Monthly Minimum Rate	\$ 350.00	\$ 350.00
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Volume Rate per 1,000 gallons	\$ 9.75	\$ 9.75
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RESIDENTIAL SEWER RATES	Prior Rates	New Rates
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Monthly Minimum Rate (prior rate included 1st 2,000 gallons)	\$ 21.10	\$ 21.10
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Volume Rate per 1,000 gallons (current rate 13,000 gallons max)	\$ 4.65	\$ 4.65
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SAMPLE SEWER BILL 10,000 Gallons

Minimum Charge	\$ 21.10	\$ 21.10
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Volumetric Cost	\$ 46.50	\$ 46.50
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Total Sample Bill	\$ 67.60	\$ 67.60
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COMMERCIAL SEWER RATES	Prior Rates	New Rates
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Monthly Minimum Rate (prior rate included 1st 2,000 gallons)	\$ 50.20	\$ 50.20
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Volume Rate per 1,000 gallons	\$ 4.65	\$ 4.65
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SAMPLE SEWER BILL 10,000 Gallons

Minimum Charge	\$ 50.20	\$ 50.20
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Volumetric Cost	\$ 46.50	\$ 46.50
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Total Sample Bill	\$ 96.70	\$ 96.70
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GARBAGE SERVICE

Prior Rates

New Rates

Monthly Rates

(sales tax not included)

Residential w/recycling	\$ 18.52	\$ 19.56
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Additional cart	\$ 2.49	\$ 4.18
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Commercial curb pickup	\$ 24.59	\$ 25.97
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Commercial addt'l recy cart	\$ 7.00	\$ 7.39
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Household Hazardous Waste (prior rate included sales tax)	\$.92	\$.94
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community input in recent years have made it clear that most residents want to improve their drinking water while maintaining control of our independent water system.

To that end, increased revenues from this line item will be used to service the ~~(/debt)~~debt ~~(/debt)~~ related to the design and installation of ~~(/ro)~~reverse osmosis (RO) systems ~~(/ro)~~ at the 303 and Lane well sites. Watch for more information in the coming months. We expect these systems to be live by August 2025.

Utility Rates (Effective January 1, 2025)

Residential Water Rates

(effective 01/01/2025)

Base Fee *(by meter size)*

5/8 and 3/4 in.	\$	22.00
1 inch	\$	30.00
1.5 inch	\$	61.50
2 inch	\$	108.00
3 inch	\$	250.00
4 inch	\$	400.00

Volume Rate *(per 1k gal.)*

0 - 3,000 gal.	\$	2.50
3,001 to 10,000 gal.	\$	3.50
10,001 - 15,000 gal	\$	4.50
15,001+ gal.	\$	6.75

Residential Sewer Rates

(effective 01/01/2025)

Base Fee *(by meter size)*

5/8 and 3/4 in.	\$	24.00
1 inch	\$	38.00
1.5 inch	\$	90.00
2 inch	\$	125.00
3 inch	\$	375.00
4 inch	\$	585.00

Volume Rate

per 1,000 gal.	\$	4.50
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Infrastructure Fee

(effective 01/01/2025)

0 - 8,000 Gallons	\$	27.25
8,001 - 24,000 Gallons	\$	39.50
24,001 - 40,000 Gallons	\$	64.90
40,001 + Gallons	\$	89.20

(effective 01/01/2025)

Base Fee (by meter size)

5/8 and 3/4 in.	\$	33.00
1 inch	\$	45.00
1.5 inch	\$	92.25
2 inch	\$	135.00
3 inch	\$	200.00
4 inch	\$	400.00

Volume Rate (per 1k gal.)

0 to 5,000 gal.	\$	4.25
5,001 - 15,000 gal	\$	4.75
15,001 - 35,000 gal.	\$	5.25
35,001 - plus gal.	\$	6.75

Commercial Sewer Rates

(effective 01/01/2025)

Base Fee (by meter size)

5/8 and 3/4 in.	\$	36.00
1 inch	\$	57.00
1.5 inch	\$	135.00
2 inch	\$	187.50
3 inch	\$	375.00
4 inch	\$	585.00

Volume Rate (per 1k gal.)

per 1,000 gal.	\$	5.75
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What is meter size? The “size” of your meter refers to the diameter of the pipe that allows water to flow from the system onto your property. The standard is a 5/8” to 3/4” meter. Larger homes (with more bathrooms or that have two stories) or those who have an irrigation system may find that a larger meter size (usually 1”) is necessary to get adequate pressure. Commercial properties, depending on their needs, can have meters up to 4”.

Why do larger meters pay higher fees? The entire water system must be robust enough to, at any moment in time, provide adequate water pressure to both fire hydrants and each customer’s meter at full flow. A 1 or 2” meter has a more significant financial impact on the minimum size and capabilities of the water delivery system as a whole. Therefore, customers with larger meters are charged a higher base rate.

What would happen if unexpected circumstances prevent our system from producing enough water to meet demand? We have an emergency connection to the City of Arlington’s water system that can be activated if an issue should arise.

Are any improvements planned for the water system? Yes, ~~(/council)~~Council ~~(/council)~~ has approved funding for the addition of ~~(/ro)~~reverse osmosis (RO) filtering