



A G E N D A

**REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE MUNICIPAL COMPLEX
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS
TUESDAY, APRIL 13, 2021, at 6:00 P.M.**

Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act and in an effort to protect the health and safety of the public, the public will not be allowed to attend the City Council meeting in person. Members of the public may view the City Council meeting live at no cost via the following Internet link:

www.highlandvillage.org/HVTV.

Any person wishing to provide written comments on ANY MATTER to be considered on this agenda may email such comments to the City Secretary at citysecretary@highlandvillage.org by 1:00 p.m. on Tuesday, April 13, 2021.

EARLY WORK SESSION
City Council Chambers – 6:00 P.M.

1. Receive Presentation of Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2019-2020
2. Receive Presentation and Discuss Proposed Updates to the City's Animal Control Ordinance
3. Clarification of Consent or Action Items listed on Today's City Council Meeting Agenda for April 13, 2021

(Items discussed during Early Work Session may be continued or moved to Open Session and/or Late Work Session if time does not permit holding or completing discussion of the item during Early Work Session.)

CLOSED SESSION
City Council Chambers

4. Hold a Closed Meeting in accordance with the following Sections of the Texas Government Code:
 - (a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)

OPEN SESSION
City Council Chambers – 7:00 P.M.

5. Call Meeting to Order

6. **Prayer led by Councilmember Robert Fiester**
7. **Pledge of Allegiance to the U.S. and Texas flags led by Councilmember Robert Fiester:** *“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”*
8. **Visitor Comments** *(Any person wishing to provide comments on any matter NOT posted on this agenda should email such comments to the City Secretary by 1:00 p.m. on Tuesday, April 13, 2021. In accordance with the Texas Open Meetings Act, the City Council is restricted in discussing or taking action on items not posted on the agenda. Action on your statement can only be taken at a future meeting.)*
9. **City Manager/Staff Reports**
 - **COVID-19 Update**
10. **Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety**

CONSENT AGENDA

All of the items on the Consent Agenda are considered for approval by a single motion and vote without discussion. Each Councilmember has the option of removing an item from this agenda so that it may be considered separately and/or adding any item from the Action Agenda to be considered as part of the Consent Agenda items.

11. **Consider approval of Minutes of the Special Work Session held on February 27, 2021 and the Regular City Council Meeting held on March 9, 2021**
12. **Receive the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2019-2020**
13. **Receive Budget Reports for Period Ending February 28, 2021**

ACTION AGENDA

14. **Take action, if any, on Matters discussed in Closed Session in accordance with the following Sections of the Texas Government Code:**
 - (a) **Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)**
15. **Consider Resolution 2021-2936 awarding and authorizing a Contract with Weil Construction, Inc. for Construction of the City Facilities Upgrades Project**

LATE WORK SESSION

(Items may be discussed during Early Work Session, time permitting)

16. Discuss Placement of Cameras at Park Facilities
17. Discuss return to conducting City Council and Board/Commission Meetings with In-Person Public Attendance
18. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.)
19. Adjournment

I HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT THE MUNICIPAL COMPLEX, 1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS IN ACCORDANCE WITH THE *TEXAS GOVERNMENT CODE, CHAPTER 551*, ON THE 9TH DAY OF APRIL 2021 NOT LATER THAN 6:00 P.M.



Angela Miller, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 899-5132 or Fax (972) 317-0237 for additional information.

Removed from posting on the _____ day of _____, 2021 at _____

am / pm by _____.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 1

MEETING DATE: 04/13/2021

SUBJECT: Receive Presentation of Comprehensive Annual Financial Report for FY 2020

PREPARED BY: Ken Heerman, Assistant City Manager

COMMENTS

Accountability is the essence of governmental financial reporting. The audit demonstrates this accountability. The Annual Financial Report represents a yearly audit of City finances and records.

The City received an unqualified opinion from the auditors (Pattillo, Brown, & Hill L.L.P.) in this report – indicating that the financial statements present fairly, the financial position of the City of Highland Village, as of September 30, 2020.

The report was filed in the City Secretary's Office in March 2021 to satisfy City Charter requirements, as well as the report from the auditors. The document was also posted on the city website. With cancellation of the March 23rd City Council meeting, the official submission to Council was deferred to this meeting. It has also been submitted to GFOA for consideration of an Excellence in Financial Reporting Award. The link to the electronic version on the City web site follows:

[FY 2020 Comprehensive Financial Report](#)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 2

MEETING DATE: 04/13/2021

**SUBJECT: Receive Presentation and Discuss Proposed Updates to the
City's Animal Control Ordinance**

PREPARED BY: Doug Reim, Chief of Police

COMMENTS

During previous City Council meetings, former City Manager Mike Leavitt addressed the importance of a review and/or revisions of City Ordinances. One such ordinance initially identified was Chapter 4 relating to Animal Control, which had its last revision/adoption in 1999. Police Department Staff reviewed numerous Texas cities Animal Control Ordinances and began revising ours. Once completed, these revisions were sent to our City Prosecutor's Office for review, recommendations and preparation of a "final" draft, which is now available for review and discussion with Council. The City Attorney has not reviewed or provided his suggested edits at this time, pending additional revision(s) of this draft.

CHAPTER 4

ANIMAL CONTROL

ARTICLE 4.01 GENERAL PROVISIONS*

Sec. 4.01.001 Definitions

The following words, terms and phrases, when used in this chapter, have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning, or as provided for in applicable state law:

Abandon. Leaving any animal(s) in an enclosure or location without providing food, water, adequate shelter from sun, excessive heat or cold, rain, hail, ice or snow, or failing to provide veterinary care when needed to prevent suffering. This definition also includes leaving any animal(s) at a residence or location that is not occupied by any person(s) greater than 50% of any 30-day period.

Altered Animal (Spayed/Neutered). Any animal, male or female, whose reproductive organs have been surgically removed.

Animal. Any living creature, including, but not limited to, dogs, cats, cows, horses, birds, fish, mammals, reptiles, insects, fowl and livestock, but specifically excluding human beings.

Animal Care Unit. A unit within the city responsible for the investigation and/or enforcement of the Animal Control chapter of city ordinances(s).

Animal Control Officer (ACO). The person(s) designated by the city to represent and act for the city in the impoundment of animals, controlling of stray animals, rabies control and eradication, investigate and/or enforce animal control ordinances, and as otherwise required in this chapter, that have successfully completed the training as required by Chapter 829 of the Texas Health and Safety Code, as amended, including any required continuing education training, as required by the Code.

Animal Shelter. Any facility operated by a county or municipal agency or its authorized agents for the purpose of impounding or caring for animals held under the authority of this chapter and operating pursuant to Chapter 823 of the Texas Health and Safety Code, as amended.

Assistance Animal. Any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with special needs, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items, or any assistance animal as identified by state law.

At Large. An animal that is not confined to the premises of its owner by a containment device of sufficient strength and/or height to prevent the animal from escaping from such premises, and or so arranged that the animal will does not remain upon such premises when a leash the device is stretched to full length in any direction. An animal shall not be considered at large when held and controlled by a person by means of a leash or chain of proper strength and length to control the actions of the animal.

Auction. Any place or facility where, or the process by which, animals are bought, sold or traded, except for those facilities otherwise defined in this chapter. This definition-section does not apply to individual sales of animals by owners.

Cat. Members of the feline species of all ages, both male and female.

Confinement. Within a house, garage or other building, or shall keep such animals confined by leash or chain affixed to the animal's collar, and under the control of a person, and adequate to prevent the animal(s) from running at large.

Dangerous Animal.

- ~~(1) Any individual animal which, because of its physical nature and/or vicious propensity, would constitute a danger to human life or property; or any animal that is possessed of tendencies to attack or injure human beings or other animals;~~
- ~~(2)(1)~~ An animal, other than a dog, that commits an unprovoked attack on a human being, that causes bodily injury and occurs in a place other than an enclosure in which the animal was being kept and that was reasonably certain to prevent the animal from leaving the enclosure on its own;
- ~~(3)(2)~~ An animal, other than a dog, that commits unprovoked acts in a place other than an enclosure in which the animal was being kept and that was reasonably certain to prevent the animal from leaving the enclosure on its own, and those acts cause a human being to reasonably ~~to~~ believe that the animal will attack and cause ~~bodily~~ injury to that human being; ~~or~~
- (3) An animal, other than a dog, that makes an unprovoked attack on a domestic animal or domestic fowl that causes bodily injury or death, and which occurs when such animal is at large; ~~or-~~
- (4) An animal, other than a dog, that has a history to run, worry or kill goats, sheep or waterfowl or other animals considered to be property.

Dangerous Dog.

- (1) Makes an unprovoked attack on a human being that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
- (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a human being to reasonably believe that the dog will attack and cause bodily injury to that human being.

Dangerous Wild Animal. Any animal not normally considered domesticated which, because of its size, vicious nature, or other natural characteristic would constitute a danger to human life, property, or domestic animals, or any animal that is restricted from ownership by any state or federal law including, but not limited to, the following animals:

- (1) Reptiles: venomous reptiles, crocodiles, or alligators;
- (2) Birds: emus, ostriches, rheas, and any species illegal to own under federal or state law;
- (3) Mammals: ocelots, lions, tigers, jaguars, leopards, cougars, bobcats, wolves, dingoes, coyotes, jackals, elephants, weasels, martins, minks, badgers, pandas, bears, raccoons, bats, foxes, skunks, cheetahs, servals, caracals, hyenas, baboons, chimpanzees, orangutans, gorillas, lynx, bears, and any species illegal to own under federal or state law, and any animals which ~~is~~are, or may be hereafter, listed as a "high risk" animal in the Texas Rabies Control Act; or
- (4) Any hybrid of any animal classified as a "dangerous wild animal."

Dog. Members of the canine species of all ages, both male and female.

Domestic Animal. Any animal that may be kept as a pet within the city so long as all of the required provisions of this chapter are met, and is not a dangerous ~~wild animal~~, or a wild animal, including, but not limited to the following animals:

- (1) Reptiles: any non-venomous reptile that is not protected from ownership by any state or federal law;
- (2) Birds: any birds commonly kept as pets that are not protected from ownership by any state or federal law, or any bird kept for falconry purposes by a state and federally permitted falconer;
- (3) Fish: any fish commonly kept as pets that are not protected from ownership by any state or federal law; or
- (4) Mammals: include any mammals commonly kept as pets including but not limited to dogs, cats, ferrets, rabbits, guinea pigs, hamsters, hedgehogs, rats, mice, chinchillas, and sugar gliders, ~~but not limited to these.~~

Dispense. Means the following, but is not limited to; ~~get rid of~~send to a rescue organization, ~~adopt out,~~ ~~kill,~~ and humanely euthanize.;

Dispose. Means the following, but is not limited to; transport to another location for destruction.

Eartipping. Means the removal of the distal one-quarter of a community cat's left ear, which is approximately 3/8-inch, or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian. Eartips are designed to identify a community cat as being sterilized and lawfully vaccinated for rabies.

| Estray. Any branded or unbranded livestock, fowl, exotic livestock, or exotic fowl running at large. (PLANO)

| Exotic ~~animal~~Animal. Animals which are not already defined in this chapter, shall be considered exotic animals. A permit will be required for the keeping of these animals.

Feral Cat. Means a cat that is:

- (1) born in the wild or is the offspring of an owned or feral cat and is not socialized;
- (2) is a formerly owned cat that has been abandoned and is no longer socialized; or
- (3) living on a farm.

Foster Care Animal. Any animal under the control of a recognized member of a local humane organization.

Fowl. Chickens, turkeys, pheasants, quail, geese, ducks or similar feathered animals, regardless of age, sex or breed, excluding ostriches, emus and/or rheas.

| Guard ~~dog~~Dog. Any dog that will, due to training, handling or conditioning, detect and warn its handler that an intruder is present in or near an area that is secured, and that may respond on command or independently to protect its owner or handler or any property belonging to them.

Harbor. The act of knowingly or intentionally keeping and/or caring for an animal, or providing a premises to which an animal returns for food, shelter, care or protection from impoundment.

| Humane Trap. Any trap designed to capture an animal without injuring the animal. (PLANO)

Invisible Fence. An electronic system designed to keep a pet or other domestic animal within a set of predefined boundaries without the use of a physical barrier. A mild electric shock can be delivered by an electronic collar if a warning sound is ignored.

Livestock. Species of animals which are normally suited for, or are kept or used on, a farm, ranch or similar setting for agricultural purposes such as animal husbandry, food or food production, production of fiber or clothing material, riding, driving, pulling, hauling, commerce, or similar purpose. For purposes of this chapter, the following ~~or~~ and similar species of animals shall be considered to be livestock, regardless of age, breed, or sex, unless otherwise stated herein or determined by the ACO or designee.

- (1) Bovine - The biological subfamily Bovinae includes a diverse group of ten (10) genera of medium to large-sized ungulates, including domestic cattle, bison, African buffalo, water buffalo, and antelopes.
- (2) Equine - A term relating to horses, mules, zebras, and asses (the correct term for a donkey, burro, or jackstock).
- (3) Goats (Caprine) – The domesticated form of capra hircus and includes, but is not limited to, domestic goats, pygmy goats, dwarf goats, fainting goats, angora goats, etc.
- (4) Sheep (Ovine) – A term relating to sheep and includes, but is not limited to, domestic sheep, hampshire, suffolk, shropshire, churra, etc.
- (5) Swine (Porcine) - A term relating to swine and includes, but is not limited to, domestic pigs, miniature pigs, pot-bellied pigs, ~~hampshire~~ Hampshire pigs, American Yorkshire pigs, Hereford pigs, etc.
- (6) Ruminant – Even-toed ungulate mammals that chew the cud regurgitated from its rumen and includes, but is not limited to, cattle, sheep, antelope, deer, giraffe, and their relatives.
- (7) Camelid – Any even-toed, ruminant mammals having a three-chambered stomach and including, but not limited to, camels, llamas, guanaco, alpaca, and vicuna.

| Local Rabies Control Authority (LRCA). The person designated by the governing body of a municipality to enforce the Texas Health and Safety Code, as amended. (PLANO)

Local Rabies Control Incident. Any bite, scratch, or other injury to a human being caused by a warm-blooded animal that breaks the victim's skin and/or causes them to bleed and potentially come into contact with the injuring animal's saliva and could therefore allow the rabies virus to be transmitted from the animal to the human being. ~~(PLANO)~~

Microchip Implant. A passive electronic device that is injected into an animal by means of a hypodermic-type syringe device. Each microchip shall contain a unique and original number that is read by an electronic scanning device for purposes of animal identification and recovery by the animal's owners. ~~(PLANO)~~

Owner. Any person who has legal or equitable title to any animal, harbors, or keeps any animal in his possession, or permits any animal to remain on or about his/~~her~~ premises.

Pet Shop. Any person, partnership or corporation, whether operated separately or in connection with another business enterprise, except a licensed kennel, that buys, sells or boards any species of pets.

Possession. Actual care, custody, control or management of a certain animal.

Premises. A parcel of land of one or more continuous lots owned, leased or controlled by one or more persons.

Prohibited Animals. Any animal not normally born and raised in captivity is prohibited, including, but not limited to, the following: ~~(COLLEGE STATION)~~

- (1) Class Reptilia. Family Helodermatidae (venomous lizards) and Family Hydrophiidae (venomous marine snakes); Family Viperidae (rattlesnakes, pit vipers and true vipers); Family Elapidae (coral snakes, cobras, and mambas); Family Columbridae-Dispholidus Typus (boomslang); Bioga Dendrophilia (mangrove snake) and Kirklandii (twig snake only); and Order Crocodilia (such as crocodiles and alligators).
- (2) Class Mammalia. Order Carnivores.
 - (A) Family Felidea (such as lions, tigers, bobcats, jaguars, leopards, cougars and savannah cats ~~—~~ hybrid of serval), except commonly domesticated cats;
 - (B) Family Canidae (such as wolves, dingos, coyotes, foxes and jackals), and any hybrid of an animal listed in this section except commonly domesticated dogs;
 - (C) Family Mustelida (such as weasels, skunks, martins, minks, badgers and otters) except ferrets;
 - (D) Family Procyonidae (such as raccoons and coati);
 - (E) Family Ursidae (such as bears);
 - (F) Marsupialia (such as kangaroos, opossums, koala bears, wallabies, bandicoots, and wombats);
 - (G) Chiroptera (bats);
 - (H) Edentata (such as sloths, anteaters, and armadillo);
 - (I) Proboscidea (elephants);
 - (J) Primata (such as monkeys, chimpanzees, orangutans, baboons, and gorillas);
 - (K) Rodentia (such as beavers and porcupines).

~~(3)~~ Class Amphibi. Poisonous frogs; does not include non-venomous reptiles or non-venomous snakes.

~~(3)~~(4) Exceptions. Any of the above animals may be permitted if under the care of a person who holds a Texas state licensed wildlife rehabilitation permit pursuant to the Texas Administrative Code, Title 31, Part 2, Chapter 69, Subchapter C, as amended, and presents such valid permit to Animal Care Services.

Public Nuisance Animal. Any animal that unreasonably disturbs humans, endangers the life or health of other animals or humans, or substantially interferes with the rights of citizens, other than their owners, to the enjoyment of life and property. The term "public nuisance animal" shall mean and include, but is not limited to, any animal that:

- (1) Is repeatedly found at large;
- (2) Damages the property of anyone other than its owner;
- (3) Molests or intimidates pedestrians or passersby;
- (4) Chases vehicles or molests, attacks or interferes with other animals or persons, or is at large on public or private property;
- (5) Excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;

- (6) Causes fouling of the air by odor and thereby creates unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;
- (7) Creates a condition that is dangerous to human life or health, renders the ground, the water, the air, or the food a hazard or injurious to human life or health or that is offensive to the senses, or that is detrimental to the public health;
- (8) Attacks other domestic animals;
- (9) Damages, soils, defiles or defecates on private property, other than the owner's property, or on public walks or recreation areas unless such waste is immediately removed and properly disposed of by the owner; or
- (10) The owner fails to secure and maintain proper fencing which has or may allow the animal(s) to be at large.

Quarantine. To confine and isolate from human beings and other animals in a state-approved quarantine facility or in compliance with all stipulations of a home quarantine when allowed by the LRCA. The quarantine period for a dog, cat, or a domestic ferret for rabies observation is two hundred forty (240) hours from the date and time of the bite, scratch, or other exposure, or as specified by state law or rule.

Shelter. Means a structure that is capable of providing cover and protection from the weather. At minimum, a shelter must have three sides, a top, a bottom and be adequately ventilated. It must have bedding material. It must be large enough so that the animal can enter, stand, turn around, and lie down, but small enough to prevent the loss of body heat during cold weather. ~~(PLANO)~~

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Stray. Means an animal that is improperly restrained and that wanders upon a public place, roadway, street, highway or the property of another person.

Trap-Neuter-Release. Shall mean the process of humanely trapping, sterilizing, vaccinating for rabies, eartipping, tattooing, and returning community cats to their original location.

Unaltered Animal (Not Spayed/Not Neutered/Intact). Any animal, male or female, whose reproductive organs are intact and functional.

Vaccination. An injection of any vaccine for to produce immunity against a disease or inoculation approved by the department of state health services and administered or supervised by a licensed veterinarian.

Sec. 4.01.002 Penalties

Any person, firm or corporation violating any of the provisions or terms of this chapter shall be subject to a penalty as provided for in this chapter, or if not provided for in this chapter, the State of Texas laws, rules, and regulations, of a fine not to exceed \$500.00, or as provided for in applicable state law.

(a) Any person, firm, or corporation who violates or fails to comply with any requirement or provision of this chapter within the city limits shall be deemed guilty of an offense and may be assessed a fine not to exceed \$500.00. Such penalty shall be in addition to all the other remedies provided in this chapter. Each day the violation exists constitutes a separate offense.

(b) Any person, firm, or corporation commits an offense if, with intent to deceive, he knowingly makes a false report or statement, either verbal or written, that is material to an investigation of an alleged violation of this chapter to an animal control officer, police officer, or other person authorized to enforce provisions of this chapter.

(c) Any person, firm, or corporation person commits an offense if the person reports to a person authorized to enforce provisions of this chapter an offense or incident within that person's concern knowing that the offense or incident did not occur.

Sec. 4.01.003 Fee schedule

All fees for this chapter shall be reviewed, set, and adopted by an ordinance ~~resolution~~ of the city council. The following is not intended to be an exhaustive listing of fees. Fees shall be assessed for, but not restricted to, the following: impoundment fees, boarding fees, rabies vaccination, registration, veterinary bills, rabies quarantine, rabies specimen testing, owner release, deceased animal removal, flea treatment, ~~bordetella~~ bordetella vaccination.

The animal care services supervisor or their designee shall have the authority to reduce, refund, or waive fees under this chapter.

Sec. 4.01.004 Enforcement; citations; authority of ACO or designee

- (a) Enforcement generally; citations. The ACO ~~or designee~~ shall have the authority to issue a citation for any violation of this chapter. It shall be unlawful for any person, upon being issued a citation, to intentionally or knowingly give the ACO ~~or designee~~ a name or address other than his/her true name and address. ~~It shall be unlawful to intentionally or knowingly fail to appear in accordance with the terms of a citation issued by the ACO or designee.~~ If the person being cited is not present, the ACO or designee may send the citation to the alleged offender by certified mail, or registered mail, return receipt requested, whereupon service shall be deemed completed. Each animal with respect to which there is a violation and each day that a violation continues is a separate offense.
- ~~(b) No interference:~~ It shall be unlawful for any person to intentionally or knowingly interfere with the ACO or designee in the performance of his/her duties under this Chapter. ~~The ACO or designee shall have the right of ingress and egress on private property for the purpose of apprehending an animal at large.~~
- ~~(c) Right to ingress:~~ The ACO ~~or designee~~ shall have the right of ingress on any property within the City of Highland Village in order to carry out the provisions of this ~~ordinance~~ chapter, and to determine the condition of any animal, bird, or fowl. ~~However, but~~ in no event shall the ACO ~~or designee~~ enter a structure used for human habitation without consent of the occupant unless first securing a search or arrest warrant and/or securing consent of the owner of the property for a premises inspection provided for in Section 4.01.007. ~~The ACO or designee shall have the right of ingress and egress on private property for the purpose of apprehending an animal at large.~~
- ~~(d) Authority to carry tranquilizer guns.~~ When acting in the course and scope of his/her employment, the ACO ~~or designee~~ is hereby authorized to carry on his/her person, or in city vehicles, loaded tranquilizer guns approved by the Chief of Police or appropriate city official ~~and not in violation of any provision of any applicable state law and such may be used only in the lawful discharge of his/her duties.~~
- ~~(e) Authority to euthanize animals.~~ The ACO ~~or designee~~ shall have the authority to humanely euthanize animals, in accordance with Section 821.052 of the Texas Health and Safety Code and the Euthanasia Reference Manual, as published and amended by the Human Society of the United States, as allowed only in situations allowing euthanization by the ~~provisions of the state~~ Texas Penal Code or any applicable state law, ~~whenever warranted by the criteria set forth in department policy.~~
- ~~(f) Authority to use other weapons.~~ The ACO ~~or designee~~ shall have the authority to use other weapons upon demonstration of proficiency, ~~and exigent circumstances~~ which will be documented through a valid Use of Force Report on file with Animal Care Services. Qualifications for firearms will be achieved through the Police Department. ~~Use of any weapons~~ Other weapons shall only be used in the lawful discharge of the ACO or designee's duties and shall not be used in violation of any applicable state law, ~~and.~~

Sec. 4.01.005 Public nuisance animals

- (a) Keeping excessive number of animals; animals creating disturbance. No person shall keep or harbor on his or her premises, ~~or elsewhere in the city,~~ more than the maximum number of animals permitted by this chapter. No person shall keep or harbor on his or her premises or elsewhere any animal or fowl of any kind that makes or creates a disturbance to the neighbor(s) or the occupants of adjacent premises or persons living in the vicinity thereof, or permit such animal to make or create disturbing noises by howling, barking, crowing, bawling or otherwise. If such disturbance creates a sound pressure level exceeding 65 dB(A) at least five (5) times in a thirty (30) minute period, such person may be cited according to this chapter.
- ~~(a)~~
- (b) Animals emitting odors; pest control. It shall be unlawful for any person to maintain any animal or fowl in such a manner that residents of adjacent or nearby property are subject to obnoxious odors. All persons keeping animals shall keep their premises clean and free from obnoxious odors as well as flies, mosquitoes and other insects.
- (c) Poop and Scoop.
- (1) ~~Any~~ Any person ~~who~~ ~~who~~ shall harbor or keep an animal on his/her premises, or on or about premises under their control, and who thereby allows ~~his~~ ~~his~~ his/her premises to become a hazard to the general health and welfare of the community, or who shall allow ~~his~~ ~~his~~ his/her premises to give off obnoxious or offensive odors due to the activity or presence of such animals, shall be ~~guilty~~ subject to a penalty according to this chapter, of a misdemeanor and be fined up to \$500.00.
- (2) Any person who shall allow their animal to defecate on public property or the property of another and does

not remove same immediately, ~~shall be subject to a penalty according to this chapter. shall be guilty of a misdemeanor and be fined up to \$500.00.~~

- (d) Animals trespassing, attacking other animals, or damaging property. It shall be unlawful for any person to maintain any animal in any area which constitutes a nuisance by reason of repeated trespassing on public or private property, attacks on other animals, or damage to public or private property.
- (e) Surgical alteration required. Any owner of a dog or cat who has a documented restraint violation ~~of in accordance with as proscribed by~~ this ~~ordinance chapter~~ on three (3) occasions within a ~~twelve month~~twelve-month period, shall have the animal spayed or neutered within seven (7) days of written notification by the ACO or designee. Verification from the veterinarian performing the surgery shall be provided to the ACO or designee in writing within seven (7) days of the surgery.

Sec. 4.01.006 Complaints

- (a) Any citizen, firm or corporation believing any provision of this chapter to have been violated by a citizen may file a written complaint with the ACO or designee. It shall then be the duty of the ACO or designee to investigate such complaint and the ACO shall act as necessary on the results of that investigation.
- (b) Any citizen, firm or corporation believing any provision of this chapter to have been violated by an ACO or designee or other city employee may file a written complaint with the director of human resources. It shall then be the duty of the employee's immediate supervisor to investigate such complaint and act as necessary on the results of that investigation.

Sec. 4.01.007 Inspection of premises where animals are kept

Premises where livestock, fowl or ~~pets animals~~ are kept or maintained shall be subject to inspection, upon receiving a complaint, by the ACO ~~or designee~~ at any reasonable hour of the day, while in the presence of the owner. If such premises is within a structure used for human habitation, the ACO or designee shall not enter for inspection without consent of the occupant unless first securing a search or arrest warrant and/or securing consent of the owner.

Sec. 4.01.008 Right of occupant of premises to confine stray animal

If a stray animal is found upon the premises of another, the occupant of the premises may confine the animal only for so long as is reasonably necessary to notify the ACO or designee and for the ACO or designee to have the animal impounded. In attempting to confine the animal, the occupant shall not use any force that is intended or known by the occupant to cause, or in the manner of its use is capable of causing, death or injury to the animal.

Sec. 4.01.009 Abandonment of animal

It shall be unlawful for any person to abandon any animal within the corporate limits of the city.

Sec. 4.01.010 Confinement of animal in vehicle

- (a) An animal shall not be confined in a vehicle unless ~~there is adequate ventilation~~the windows of the vehicle are all at least partially open, and unless the temperature or other conditions do not threaten the health of the animal. If an animal is confined in a vehicle in a manner that a ACO or designee believes threatens its health, any ACO ~~or designee~~, Peace Officer, or Firefighter/Paramedic may enter the vehicle by whatever force is necessary to release the animal without liability upon the City for any resulting damage to person for any resulting damage and property.
- (b) Any person who owns or has custody or control of an animal that has been confined in a vehicle in a way that threatens its health may be charged with a violation of this chapter.
- (c) Any animal that has been confined in a vehicle in violation of this ~~ordinance chapter~~ may be impounded. In the event of any such impoundment, the owner or keeper of the animal shall be liable for all costs and expenses of impounding or keeping the animal before the animal may be returned to owner.

Sec. 4.01.011 Injured animal

Any person who, as the operator of a motor vehicle, strikes a domestic animal shall immediately report such injury or death to the animal's owner and/or Highland Village Police Department.

Sec. 4.01.012 Slaughtering animals

It shall be unlawful to slaughter livestock, domestic animals, non-domestic animals, or any other animal within the city limits of Highland Village.

Sec. 4.01.013 Indecent exhibitions

No person shall exhibit any animal indecently, nor shall any person let any male animal to any female animal unless the same be done in some place wholly enclosed and out of public view.

Sec. 4.01.014 Disposal of dead animals

It shall be the responsibility of the owners of animal(s) or property owner where an animal(s) has died to properly dispose of all dead animals within a 24-hour period. ~~Animal control~~The ACO or designee has the authority to pick up any dead animal found on public property and dispose of it, ~~including and~~ assisting a citizen with such disposal, if requested. In any case, the property owner shall be responsible for the payment of fees for the removal of any dead animal by ~~animal control~~the ACO or designee.

Sec. 4.01.015 Keeping dangerous wild animals

The city specifically prohibits the ownership, possession, confinement or care of a dangerous wild animal.

Sec. 4.01.016 Special requirements for certain animals

~~(a) Fowl and domestic animals (including, but not limited to: for example, rabbits, ferrets, guinea pigs, etc.) Any pen or enclosure in which fowl, rabbits, or guinea pigs, or other domestical animal(s) are kept must be secure and must be cleaned and disinfected daily. Litter and droppings from such fowl, rabbits and guinea pigs must be collected daily and hauled away.~~

~~(a) Keeping Honeybees. Keeping bees. It shall be unlawful to keep bees in such a manner as to deny the reasonable use and enjoyment of adjacent property or endanger the personal health and welfare of the inhabitants of the city. PLEASE SEE REPLACE WITH THE REVISED BEE ORDINANCE AT THE BOTTOM OF THIS DOCUMENT~~

- ~~(b) Restrictions. A person may not keep a bee colony that causes a threat to human or animal health or interferes with normal use and enjoyment of public or private property.~~
- ~~b. Apiary maintenance.~~
- ~~(1) A person shall keep a colony in a Langstroth-type hive with removable frames that is maintained in sound and usable condition.~~
- ~~(2) A person shall provide a source of water to a colony to prevent the bees from congregating at a water source used by humans, birds, or domestic pets.~~
- ~~(3) A person shall store or dispose of bee comb or other material removed from a hive in a sealed container, building or other bee-proof enclosure.~~
- ~~c. Hive location.~~
- ~~(1) A person shall not locate a hive within ten feet of the property line of a tract, as measured from the nearest point of the hive to the property line.~~
- ~~(2) A person, who keeps a bee colony within 25 feet of the property line of a tract, as measured from the nearest point of a hive to the property line, shall establish and maintain a flyway barrier parallel to the property line.~~
- ~~d. Control of aggressive colony~~
- ~~(1) A person shall immediately replace the queen in a colony that exhibits aggressive characteristics, including stinging or attempting to sting without provocation, or a disposition towards swarming. A person required to replace a queen under this subsection shall select the replacement from bee stock bred for gentleness and non-swarming characteristics.~~
- ~~(2) As required for swarm management, a person may maintain a nucleus colony for each two colonies allowed under this chapter. A person may house a nucleus colony in a structure not exceeding a standard 9 5/8 -inch depth ten-frame hive body with no supers attached. A person shall dispose of or combine a nucleus colony with an authorized colony not later than the 30th day after the date the nucleus colony is acquired.~~
- ~~e. Colony density.~~
- ~~(1) A person may not keep more than:~~
- ~~a. Two colonies on a tract one-quarter acre or smaller.~~
- ~~b. Four colonies on a tract larger than one-quarter acre but smaller than one-half acre.~~
- ~~c. Six colonies on a tract one-half acre or more but smaller than one acre.~~
- ~~d. Eight colonies on a tract one acre or more.~~
- ~~(2) A person may keep an unlimited number of colonies on a tract:~~

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- a. On which all hives are located at least 200 feet from each property line of the tract; or
- b. Adjacent to undeveloped property for at least 200 feet from any hive.

f. Hive identification and ownership.

(1) Except as provided in (f)(2) below, a person shall:

- a. Brand, paint, or otherwise clearly mark the apiary owner's name or telephone number on at least two hives placed at opposite ends of an apiary; or
- b. Post a conspicuous sign displaying the apiary owner's name and telephone number at the entrance to the apiary tract.

(2) A person is not required to place owner identification on or near a colony located on a tract on which the owner resides.

g. Destruction of wild or abandoned bees.

(1) The animal control division can obtain an order from municipal court for the relocation of bees described in subsection (g)(2)a.—c. if the relocation of the bees can be done without threatening human or animal health or interfering with the normal use and enjoyment of public or private property.

(2) If relocation of bees under subsection (g)(1) is not possible then, the animal control division may order destruction:

- a. A colony not residing in a hive;
- b. A swarm of bees; or
- c. A colony residing in an abandoned standard or man-made hive.

Tampering with animal shelter or impoundment vehicle. It shall be unlawful for any person to break into, open, pull down the enclosure of or make any opening into the animal shelter or any enclosure belonging to or used by the city to impound or keep animals. It shall also be unlawful for any person to turn out or release, cause to be turned out or released, or aid and abet the turning out or release of any animal from the animal shelter, from an impoundment vehicle or from an enclosure used by the city for the impoundment of animals.

Keeping of animals near city water supply. It is unlawful and constitutes an offense for any person, whether for himself or as the agent of another or others, to keep or to participate in keeping any horse, hog, cattle, sheep, goat, other livestock and/or fowl in any pen or lot used to confine any such multiple animal operation within 500 feet of any water supply wells from which the city obtains its principal water supply as specified in V.T.C.A., Texas Administrative Code tit. 31, § 290.41, as amended.

Submission of head for rabies diagnosis.

(a) If the animal that inflicted a bite or scratch on a person is a wild animal, the animal shall be humanely destroyed in such a manner that the brain is not mutilated. The head shall then be submitted to a laboratory certified by the Texas Department of State Health Services, or successor authority, for rabies diagnosis.

c. (b) If an animal under quarantine becomes ill, it may be humanely destroyed in such a manner that the head is not mutilated. The head shall be submitted to a laboratory certified by the Texas Department of State Health Services, or successor authority, for rabies diagnosis. The head of an animal that dies while in quarantine shall also be submitted for rabies diagnosis.

(c) Sale of baby fowl or ducklings. It shall be unlawful for any person to sell or offer for sale, lease, or rent in any way transfer, barter or give away baby fowl or ducklings as pets or novelties, whether dyed or not dyed, colored or otherwise artificially treated; provided, however, that this subsection shall not be construed to prohibit the display or sale of natural chicks or ducklings in proper breeding facilities for hatcheries or stores engaged in the business of selling the same to be raised for legitimate commercial purposes.

(d) Potbellied pigs. Potbellied pigs may not exceed eighteen (18) inches at the shoulders nor weigh more than sixty (60) pounds. These animals shall be kept inside the owner's residence other than at those times necessary for the elimination of waste or for exercise. These animals must be spayed or neutered and have their tusks removed.

(e) Ferrets. Ferrets shall be kept inside the owner's residence at all times. Cages used for the keeping of these animals must be maintained in a clean and sanitary condition at all times. Ferrets must be spayed or neutered.

(f) Pygmy goats. Pygmy goats must be spayed or neutered.

(g) Exotic animals. It shall be unlawful for any person to keep exotic animals in the city without first obtaining a permit from ~~Animal Care Services, Animal Services~~ (is it "Animal Services" or "Animal Control"? Other places in the ordinance have "Animal Control"). Such permit shall be valid only for the location for which it was issued. Only a person who complies with the requirements of this chapter shall be entitled to receive and retain

a permit. Every person who is the keeper of any exotic animals shall make an application in writing for a permit to keep such exotic animals upon forms prescribed and furnished by ~~Animal Services~~ Animal Care Services.

- (1) Applications shall include the following information:
 - (A) Name, address and telephone number of the person making the application.
 - (B) Driver's license number, state of issuance and date of birth of the person making the application.
 - (C) The name, description, species, sex, age and number of exotic animals to be kept at the premises.
 - (D) A statement giving permission for the ACO ~~or designee~~ to inspect the premises where the animals are kept.
 - (E) Signature of the applicant.
 - (F) Signature of the ACO ~~or designee~~ approving the permit. Applications shall be accompanied by the required fee.
- (2) Requirements for keeping of exotic animals are as follows:
 - (A) Exotic animals shall be maintained within a suitable cage or enclosure capable of preventing the animal from escaping.
 - (B) Such cage or enclosure shall be large enough to afford the animal mobility and allow it to turn, stretch and move about at will.
 - (C) Such cage or enclosure must be maintained in a clean and sanitary condition at all times.
 - (D) Such cage or enclosure shall be located within a structure equipped with climate control for both heat and cooling.
 - (E) Each animal must be provided with a separate, adequate cage or enclosure and shall remain separated from other such animals at all times.
 - (F) Permits issued shall be valid for one year from the date of approval.
- (3) Revocation of a permit for the keeping of exotic animals ~~shall~~ may take place under the following circumstances:
 - (A) Upon receiving a complaint regarding the keeping of exotic animals, the ACO ~~or designee~~ shall investigate the situation and report all findings on a prescribed form for such investigation.
 - (B) The ACO ~~or designee~~ may then revoke or deny any exotic animal permit and impound any animals under certain conditions, including, but not limited to:
 - i. After determining, with the assistance of a veterinarian, that an animal was abused or neglected.
 - ii. That violations of any applicable law or ordinance have occurred.
 - iii. It is found that exotic animals in addition to those specified on the permit are harbored at the location.

Sec. 4.01.017 Humane live traps

- (a) Humane traps shall be used to trap animals within the city, whether on public or private property. The person who places the trap, or who requests its placement, shall be responsible for checking the trap, the care of the animal while it is in the trap, and the notification to the department of any captured animal. All traps shall be checked at least daily.
- (b) No traps shall be placed upon public or private property without written permission from Animal Care Services. This permission will be granted through the issuance of a trapping permit which will be valid for ninety (90) days, ~~once the person requesting the trap tenders the required fee, as listed in the fees schedule, and shall be free of charge.~~ It shall be the responsibility of the person setting the trap to properly label the trap, indicating the name and contact information for the owner and the date permission was obtained from Animal Care Services.
- (c) Offenses. A person commits an offense under this chapter if they:
 - (1) Place and bait, or allow the placing or placing and baiting, of a steel-jawed trap, a body hold trap, any snare trap, any noose-type trap, or any other trap designed, used or adapted to be lethal or cause serious bodily injury or death of an animal;
 - (2) Place or allow the placing of any substance, article, or bait that has in any manner been treated with any poisonous or toxic substance, including anti-freeze, or any drug in any place accessible to human beings, birds, dogs, cats or any other animal with the intent to kill or harm;
 - (3) Fail to check a trap they have placed, placed and baited, or allowed to be placed or placed and baited at least once every twenty-four (24) hours;
 - (4) Place, or place and bait, or allow the placing or placing and baiting of any trap when the low temperature is expected to be below thirty-five (35) degrees Fahrenheit, is above one-hundred (100) degrees Fahrenheit, or when a weather advisory has been issued without first obtaining written permission from Animal Care Services;

- (5) Place or place and bait a trap or allow the placing or placing and baiting of any trap designed for trapping animals on any highway, street, alley, or other public place within the incorporated limits of the city unless specific written permission by Animal Care Services has been granted. This subsection shall not apply to a city enforcement agent or an agency working in compliance with written permission from Animal Care Services for placing the trap on public property;
- (6) Remove, alter, damage, or otherwise tamper with a trap or equipment belonging to or placed at the request of Animal Care Services; or
- (7) Place or place and bait a trap, other than a commercially available trap solely designed to exterminate mice, rats, or insects, for commercial profit, without identifying the trap with the name, telephone number, and Texas Department of Agriculture Structural Pest Control Applicator license number of the applicator who placed and baited the trap. Commercial traps that are not readily identifiable are subject to seizure and fine.
- (d) Any trap found to be set in violation of this chapter may be confiscated by a city enforcement agent and held as evidence in the case for the offense.
- (e) This section shall not be interpreted to restrict the extermination of rats, mice, or insects, through the use of traps, poisons, or any commercially available means when used in that person's residence, property, accessory structure, or commercial establishment and in accordance with the manufacturer's directions as long as reasonable precautions are taken to ensure that no human, pet, or wild animal, other than the targeted species, comes into contact with the traps, poisons, or other means and that does not violate any other section of this chapter.
- (f) The use of a city-owned humane trap to trap skunks is prohibited. Any person who catches a skunk with a ~~city~~ ~~or~~ privately owned humane trap must release the animal or contact a private company to have the animal removed within twenty-four (24) hours.

Sec. 4.01.018 Trap-neuter-release (feral cats)

The following actions shall be permitted in The City of Highland Village as part of a Trap-Neuter-Release Program:

- (1) Trapping for the sole purpose of sterilizing, vaccinating for rabies, tattooing, and eartipping feral cats, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian, where applicable.
- (2) An eartipped cat received by ~~animal control~~ Animal Care Services will be returned to the location where trapped unless veterinary care is required. A trapped eartipped cat will be released on site unless veterinary care is required.
- (3) A person who returns a feral cat to its original location or close proximity while conducting Trap-Neuter-Release is not deemed to have abandoned the cat.
- (4) Trap-Neuter-Release shall be the preferred disposition for impounded feral cats. Animal ~~control~~ Care Services is authorized and encouraged to conduct Trap-Neuter-Release or to direct impounded feral cats to a Trap-Neuter-Release program.
- (5) Animal Care Services ~~control~~ shall create, establish, and carry out standard operating procedures for the Trap-Neuter-Release Program.

Sec. 4.01.019 Inhumane treatment of animals

- (a) A person commits an offense if, either through his/~~her~~ action or omission, ~~he~~:
 - (1) Docks the tail or removes the dew claws of an animal over five (5) days of age, or crops the ears of an animal of any age, unless he is licensed to practice veterinary medicine in the state of Texas;
 - ~~(2) Transfers ownership or otherwise physically removes from its mother any dog, cat, ferret, or rabbit less than six (6) weeks old, or any other animal that is not yet weaned, except as advised by a licensed veterinarian;~~
 - ~~(2) Dyes or otherwise artificially colors any animal, however, the ACO or designee may grant exceptions for domestic animals on a case-by-case basis except that dye specifically created for dogs and cats animals, that is humane and non-toxic, and is applied in a humane manner, is permitted.~~
 - (4) Displays, transfers ownership, or offers to transfer ownership of any dyed or otherwise artificially colored animal, except as provided in subsection a(3) above;
 - (5) Abandons any animal that he or she has possession or ownership of at the ~~animal services~~ Animal Care Services facility, at any other place of business, on public property, or with any person that has not consented or has revoked consent to be responsible for the care of the animal;
 - (6) Fails to reclaim any animal that he/~~she~~ owns from the ~~animal services~~ Animal Care Services facility or from any person who had temporary possession of the animal;

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- (7) Fails to notify the department within twenty-four (24) hours after a motor vehicle being operated by him/her strikes an animal;
- (8) Euthanizes, kills, or attempts to euthanize or kill an animal in a manner other than ~~one~~ allowed in this chapter;
- (9) Causes or allows an animal to remain in its own filth;
- (10) Owns or has care, custody, or control of an animal having an infestation of ticks, fleas, or other parasites, without having the animal treated by a veterinarian or following a proper commercially available treatment regimen for the infestation;
- (11) Owns or has care, custody, or control of an animal having an obvious or diagnosed illness, injury, or communicable illness transmittable to animal or human, without having the animal treated by a veterinarian or following a proper treatment regimen for the injury or illness;
- (12) Fails to provide basic grooming for an animal;
- (13) Fails to adequately provide an animal owned by him/her or under his/her care, custody, or control with necessities of life, including food, potable water, sanitary conditions, shelter, or protection from the heat, cold, other environmental conditions, or other circumstances that may cause bodily injury, serious bodily injury or death of the animal;
- (14) Transfers ownership or offers to transfer ownership of any chicken, duckling, or rabbit younger than sixteen (16) weeks of age in quantities of less than twelve (12) to a single purchaser;
- (15) Mutilates or allows to be mutilated any dead animal for reasons other than food preparation or taxidermy. Dissection in compliance with medical or veterinary research, medical or veterinary necropsy, and bona fide educational use of dead animals shall not be considered mutilation;
- (16) Attaches or allows to be attached a collar or harness to an animal that is of an inadequate size so that it restricts the animal's growth or causes damage to the animal's skin;
- (17) Attaches or allows to be attached a tether that is not appropriately sized for the animal or so heavy as to restrict or burden the animal's movements;
- (18) Displays, transfers ownership, or offers to transfer ownership of any turtle with a carapace of less than four (4) inches in length; or
- (19) Teases, taunts, or provokes an aggressive reaction from an animal.

(b) This section shall not be interpreted to restrict the lawful activities and legitimate operations of rodeos, 4H Clubs, or FFA Clubs.

Sec. 4.01.020 Identification of animals

Except as provided herein, all animals within the city shall be marked by some type of identifying license, tag, microchip, band, tattoo, and/or brand by which the animal's owner can be identified. Animals exempted from this requirement are mice, rats, rabbits, guinea pigs, hamsters, gerbils, ferret, fowl, and snakes.

Sec. 4.01.021 Molesting animals

It shall be unlawful for a person to in any manner tease, annoy, disturb, molest, or irritate an animal that is confined to the owner's premises.

Sec. 4.01.022 Hunting prohibited

It shall be unlawful for any person to hunt, shoot, intentionally injure, or kill any wild bird, animal, mammal, or reptile within the city limits. It shall be unlawful for any person to hunt, shoot, or kill, within the city, any domestic bird, animal, mammal, reptile, or pet that is not owned by such person. This subsection shall not be construed or interpreted to prohibit the destruction of poisonous snakes or to prohibit the animal control division from utilizing certain firearms in emergency field conditions where such actions are provided for by law or city policy.

Sec. 4.01.023 Domestic animals

It shall be unlawful for any person to shoot a domestic animal within the city limits. It shall be a defense to prosecution that the domestic animal shot was a vicious animal and presented an immediate threat to personal or public safety. This subsection shall not be construed or interpreted to prohibit the animal control division from utilizing certain firearms in emergency field conditions where such actions are provided for by law or city policy.

ARTICLE 4.02 ANIMAL IMPOUNDMENT AND DISPOSAL

Sec. 4.02.001 Authority to impound animals

The ACO ~~or designee~~ shall have the authority to do the following:

- (1) Impound an animal which is diseased and endangers the health and welfare of another animal or person;
- (2) Dispense of an animal which poses an imminent danger to a person or property and a real or apparent necessity exists for the destruction of the animal;
- (3) Dispense an impounded animal if the ACO ~~or designee~~ determines that recovery of the animal is doubtful due to injury or disease; and/or
- (4) Dispense of an animal which, after being deemed dangerous according to the provisions and processes stated within this chapter, is found to be at large within the city limits.

Sec. 4.02.002 Redemption of impounded animal

(a) Conditions: The owner of any animal impounded shall have the right to redeem the animal upon satisfying the following conditions:

- (1) Payment in accordance with current fee schedule;
- (2) Proof of current rabies vaccination within seven (7) days of release; and
- (3) Possession of any required permits, such as:
 - (A) Dangerous dog;
 - (B) Excessive animals; or
 - (C) Exotic pet.

(b) Impoundment fees. The total fees required before an animal will be released from impoundment shall include, but not be limited to, any or all of the following:

- (1) Basic impound fee, adjusted upward in increments of ten dollars (\$10.00) for each subsequent impoundment;:-
- (2) Daily boarding fees;:-
- (3) Rabies vaccination fee, if no proof of current and valid rabies vaccination can be provided prior vaccination; and
- ~~(4) City license fee, if the owner resides within the city and no proof of current registration exists; and~~
- ~~(5)~~(4) Any other applicable permit fees.

Sec. 4.02.003 Euthanasia at request of owner

If the lawful owner of an animal requests euthanasia due to injury or illness where recovery of the animal is unlikely and private means are not readily available, the owner must first sign all required forms and pay the required fees in accordance with current fee schedule.

Sec. 4.02.004 Adoption of impounded animals

(a) Requirements. Any person who desires to adopt an animal directly from the city shelter shall:

- (1) Pay the required adoption fee as set forth in the current fee schedule;:-
- (2) Have any animal four (4) months of age or older, for which no proof exists of a current and valid rabies vaccination exists, vaccinated for rabies before leaving the shelter or within seven (7) days of adoption;:-
- (3) Have any animal not yet vaccinated for rabies due to the age of the animal being less than four (4) months vaccinated as soon as the animal becomes eligible;:-
- (4) Secure city registration, where applicable; and:-
- (5) Sign an agreement to have the animal sterilized pursuant to Texas State Law, within thirty (30) days after the adoption or as soon as the animal reaches the proper age for such a procedure. In addition, the agreement shall include a statement that the adopter agrees that if the adopter fails to comply with a sterilization agreement under this subsection, the animal may be seized and impounded by the ACO ~~or designee~~ and ownership will automatically revert to the city.

(b) Spaying or neutering of animal. Each dog or cat adopted from the city shelter shall be spayed or neutered prior to release of the animal to the adopter, unless:

- (1) The dog or cat is under six (6) months of age;
- (2) A licensed veterinarian certifies that the dog or cat should not be spayed or neutered for health reasons or is permanently non-fertile; or
- (3) The animal has not spent enough time in custody to be scheduled for sterilization.

(c) Determination of whether animal is suitable for adoption. The ACO ~~or designee~~ shall make the final determination whether a dog or cat animal is suitable for adoption. The ACO ~~or designee~~ will consider such factors as the health and temperament of the animal. However, such a decision by the ACO ~~or designee~~ to permit adoption of a particular dog or cat animal shall not constitute a warranty, expressed or implied, of the health, temperament, suitability or age of the animal.

Sec. 4.02.005 Disposal of nursing baby animals

Baby nursing animals impounded without the mother, or whose mother cannot or refuses to provide nutritious milk, may be transferred to a licensed rehabilitation facility whenever such facility is willing and able to provide care for the baby nursing animals. Should no facility be available, the animals may be humanely euthanized to prevent further suffering.

ARTICLE 4.03 RABIES CONTROL

Sec. 4.03.001 State regulations adopted

The city hereby adopts by reference the Texas State Rabies Control Act, as amended, and the standards established by the appropriate state agency or rule-making board as minimum standards for rabies control and quarantine provisions within the city. Animal Care Services is the rabies control authority for the city.

Sec. 4.03.002 Vaccination

- (a) Required. The owner or custodian of each domestic dog, ~~or cat, or ferret~~ shall have the animal vaccinated against rabies by four (4) months of age. The animal must receive a booster within the twelve (12) month interval following the initial vaccination. Every domestic dog, ~~or cat, or ferret~~ must be revaccinated against rabies at a minimum of at least once every three (3) years with a rabies vaccine licensed by the United States Department of Agriculture. The vaccine must be administered according to label recommendations.
- (b) Certificate, display of vaccination tag. Such vaccination certificate shall reflect the name of the owner; the owner's address; a description of the dog, cat, or ferret; the date of the vaccination; the number of the vaccination tag; the kind of vaccination used; and the expiration date of the serum. The veterinarian shall furnish the owner with a metal tag bearing all information required by state law. This tag shall be securely attached to the collar or harness of a dog or cat at all times. Ferrets shall not be required to wear a tag. ~~Recommended as use for identifying animal, quick return, etc. Microchip or tags comply with the identification recommendation.~~
- (c) Proof for new residents moving from area that does not issue tags. Citizens who move from an area that does not issue tags as proof of current vaccination for rabies must provide a certificate of vaccination. Information on the certificate must include the name, address and phone number of the veterinarian or clinic where the vaccination was given; the type of vaccination used; date of vaccination; name, breed, color and description of animal; and name, address and phone number of the owner. Information contained on the certificate shall be confirmed by the ACO or designee by phone or fax before accepting the information as proof of current vaccination. If the information cannot be confirmed, the animal must be revaccinated.
- (d) Tags not transferable. It shall be unlawful for the owner or keeper of any dog, cat, or ferret ~~or cat~~ to allow such animal to have attached to it in any manner the metal tags issued for another animal.
- (e) Revocation of registration. ~~In addition to the standard penalty for violation of any provision of this chapter, any violation of this section shall automatically revoke, void and terminate any registration tag issued to the person so violating this section.~~

Sec. 4.03.003 Reporting of rabies; quarantine of suspected rabid animal

The reporting of rabies and quarantine of suspected rabid animals shall be in accordance with current applicable state law.

Sec. 4.03.004 Animal biting or scratching a person

- (a) Procedure. Animal Care Services' procedure for handling a reported bite or scratch caused by a suspected rabid animal to another animal or person shall be. ~~i~~n accordance with current applicable state law.
- (b) Home Confinement/Quarantine. ~~In accordance with current applicable state law.~~ Home confinement or quarantine ordered by an ACO or designee shall be in accordance with current applicable state law.
- (c) Quarantine fee. The owner of any dog, cat or other animal held in quarantine for rabies observation shall be charged a fee for such quarantine in addition to any impoundment fee. This fee shall be charged on a per-day basis as set forth in current fee schedule.

Sec. 4.03.005 Failure to quarantine

- (a) If an owner has been notified by Animal Care Services that their animal must be quarantined and refuses to do so, the owner may be issued a citation daily for the remainder of the quarantine period.
- (b) If an owner has been notified by Animal Care Services that their animal must be quarantined and refuses to do so, and the animal has bitten someone other than an immediate family member, the ACO or designee may

obtain a seizure warrant from the court within twenty-four (24) hours of notice to the owner. In addition to the seizure, the owner may be cited for failure to quarantine for the number of days of required quarantine before the animal was seized.

Sec. 4.03.006 Counterfeiting; destruction of tags, certificates

- (a) It shall be unlawful for any person to intentionally or knowingly:
- (1) Counterfeit a rabies vaccination tag or certificate or a license; or
 - (2) Destroy a rabies vaccination tag or certificate.

Sec. 4.03.007 Pet sitting and dog walker apps.

- (a) All animal owners using pet sitting or dog walker apps shall make a current rabies vaccination certificate available at their residence for the pet sitter or dog walker in the event that the animal is involved in a bite case or other incident where the animal control division is notified of a complaint regarding the animals.
- (b) The animal owner shall comply with any requirements imposed by the city to cure violations of this chapter while it is in the care and custody of the pet sitter or dog walker. Citations may be issued to the pet sitter or dog walker for violations that occur while the animal is under their care and custody.

ARTICLE 4.04 DOMESTIC ANIMALS

Division 1. Generally

Sec. 4.04.001 Animals in excess permit

- (a) Animals in excess permit.
- (1) Maximum number of animals. It is unlawful to keep or harbor more than eight (8) domestic animals on any property within the city. It shall be a defense to a violation of this section if the person possesses a permit issued in accordance with this section which authorizes the animals in excess of the number allowed by this section to be harbored on the property.
 - (2) The animals in excess permit application shall include the following:
 - (A) The name and address of the applicant;:-
 - (B) The number of animals to be kept at the premises;:-
 - (C) The facilities used to house all animals;:-
 - (D) A statement giving permission for the ACO or designee to inspect the premises where the animals are kept;:-
 - (E) Signature of the applicant; and-
 - (F) Signature of the ACO ~~or designee~~ approving the permit.
 - (3) Upon receipt of a complete application for an animals in excess permit, the ACO ~~or designee, or his designee~~, shall inspect the premises to determine the suitability of conditions for harboring such animals under the requested permit. The officer may consider the totality of health and safety factors, including, but not limited to, the following:
 - (A) Amount of area;:-
 - (B) Cleanliness;:-
 - (C) Safety of confinement;:-
 - (D) Breed of animals;:-
 - (E) Age of animals;:-
 - (F) Altered or unaltered status; and
 - (G) Complaint history for the animals or owner.
 - (4) The officer may grant a conditional animals in excess permit as is appropriate under the circumstances for the harboring of the animals. The ACO ~~or designee~~ may revoke or deny any animals in excess permit and impound any animal under certain conditions, including, but not limited to:
 - (A) After determining, with the assistance of a veterinarian, that an animal was abused or neglected;:-
 - (B) That violations of any applicable law or ordinance have occurred; and-
 - (C) ~~If it~~ is found that animals in addition to those specified on the permit are harbored at the location.
 - (5) The owner shall pay a fee for the animals in excess permit as set forth in ~~this chapter~~ the applicable fee schedule.
- (b) Application; fees. Application for initial issuance or renewal of each permit and/or registration must be made by the owner, in writing or in person, and be accompanied by a fee as set forth in ~~this chapter~~ the applicable fee schedule. If the original current registration or permit is lost or destroyed, the owner must pay the required fee to obtain a duplicate.

- (c) Renewal of registration/permit; transfer of registration/permit. ~~Permits and r~~Registrations shall be renewed annually ~~and new tags issued at renewal.~~ If there is a change in ownership, the new owner shall have the ~~registration permit and/or registration~~ transferred to his/her name within ten (10) days. If the ~~registration permit and/or registration~~ is current and valid, there shall be no charge for the transfer.
- (d) Exemptions from registration fees.
- (1) The following shall be exempt from any registration fees. However, registration of these animals is still required:
 - (A) Assistance animals; and
 - (B) Foster care animals kept less than ninety (90) days.
 - (2) Owners of assistance and foster care animals shall be prepared to provide documentation of the status or training of these animals by supporting organizations.

Sec. 4.04.002 Confinement

- (a) Any person owning, possessing or keeping animals within the city, whether vaccinated or unvaccinated, licensed or unlicensed, shall confine such animals within an adequate fence or enclosure, or within a house, garage or other building, or shall keep such animals confined by leash or chain affixed to the animal's collar ~~that is and~~ under the control of a person, ~~and~~ adequate to prevent the animals from running at large, and provides the animal sufficient space, and as further described Section 4.04.004.
- (b) Invisible fences:
- (1) Will suffice as a sufficient restraint as long as the animal is not found outside the premises of the owner;~~;~~
 - (2) Must be clearly marked to anyone coming on to the property so that such person will know there is a fence; ~~and.~~
 - (3) Must be set back at least six (6) feet from public rights-of-way such as sidewalks and streets, as well as adjacent properties.
- (c) Retractable leashes must be locked at a distance of four (4) feet or less when in the immediate proximity of a passerby either on foot or on a non-motorized vehicle.

Sec. 4.04.003 Impoundment of animals running at large

The ACO ~~or designee~~ may take into custody any ~~dog~~ animal found at large within the city, and shall impound the ~~dog~~ animal in the city shelter or other such place as may be designated for the purposes of impoundment. Any such animal impounded that is not readily identifiable, shall be held for a period of three (3) business days. Any such animal impounded that is readily identifiable (for example, microchip, registration, rabies tag), shall be held for a period of seven (7) business days. At the end of this time, if the animal has not been claimed as prescribed in section 4.02.002, and the proper fee paid, the animal shall be released for adoption or humanely destroyed according to applicable state law.

Sec. 4.04.004 Unlawful restraint of ~~dog~~ animal

It shall be unlawful for any person to tie or tether a dog or other animal to a stationary object for a period of time or in a location so as to create an unhealthy situation for the animal or a potentially dangerous situation for a pedestrian as determined by the city enforcement agent. The terms "unhealthy situation" and "potentially dangerous situation" shall include, but not be limited to, the following:

- (1) To tether any animal in such a manner as to permit the animal access upon any public right-of-way;
- (2) To tether any animal in such a manner as to cause the animal injury or pain or not to permit the animal to reach shelter, food and/or water or otherwise create an unsafe or unhealthy situation;
- (3) To tether any animal in such a manner as to permit the animal to leave the owner's property;
- (4) To tether any animal in an area that is not properly fenced so as to prevent any person or child from entering the area occupied by said animal;
- (5) To tether any ~~pet~~ animal in a manner whereby the animal is subject to harassment, stings or bites from outdoor insects, or attacks by other animals;
- (6) To tether any ~~pet~~ animal with a tether that is less than ten (10) feet in length;
- (7) To tether any animal with a tether that is not equipped with swivel ends;
- (8) To tether any animal in such a manner that does not prevent the animal from becoming entangled with any obstruction, from partially or totally jumping any fence, or from leaving part of its owner's property;
- (9) To fail to remove waste from the tethered area on a daily basis;
- (10) To tether any animal without using a properly fitted collar or harness;
- (11) To use choke-type collars to tether any animal;
- (12) To use a tether that weighs more than one-fifth (1/5) of the animal's body weight; or

(13) Any other act of tethering that is not in compliance with Texas state law.

Sec. 4.04.005 Guard dogs

Every person having care, control or custody of any dog which has received guard dog training must register such dog with the ACO or designee. The owners of such dog must place an ID collar identifying the dog as a trained guard dog on such dog, and this collar must be worn at all times.

Sec. 4.04.006 Selling or giving away animals prohibited in certain places; sale of baby fowl

- (a) It shall be unlawful for any person to sell, offer for sale, lease, rent, or in any way transfer, barter, or give away chicks, ducklings, or other infant fowl less than eight (8) weeks of age as pets or novelties; however, this subsection does not prohibit the display or sale of natural chicks, ducklings, or other infant fowl in proper brooder facilities for hatcheries or stores engaged in the business of selling the same to be raised for agricultural purposes. The sale of such animals shall consist of not less than twelve (12) individual animals per transaction.
- (b) It shall be unlawful for a person to sell, exchange, barter, or give away, or offer to sell, exchange, barter, or give away, any live animal from:
 - (1) Any public right-of-way; or
 - (2) Any property to which the public has access that does not have a valid certificate of occupancy issued by the city allowing the sale of animals on the property.
- (c) It is a defense to prosecution under subsection (b) that the person is:
 - (1) Employed by the city animal services department; or
 - (2) An animal welfare, rescue, and/or adoption agency this is a registered nonprofit entity in compliance with section 501(c)(3) of the Internal Revenue Code.

Sec. 4.04.007 Selling or giving away animal as prize or promotion

It shall be unlawful for any person to sell, exchange, raffle, auction or give away, or offer to sell, exchange, raffle, auction, or give away, any live animal as:

- (1) A prize;
- (2) An inducement to enter a place of amusement or a business establishment; or
- (3) An inducement to participate in a charitable fund-raising event, unless the event is held by a nonprofit organization.

Sec. 4.04.008 Transporting animal in open bed of vehicle

- (a) It shall be unlawful to carry or transport an animal within the open bed of any moving pickup, flatbed, or similar vehicle operated on any public roadway within the city.
- (b) It is a defense to prosecution under this section that the animal was in a carrier or other device sufficient to keep the animal from leaving or falling from the vehicle.

Sec. 4.04.009 Voluntary Microchip Program

The primary benefit of microchip implantation in pets is the increased chance of reunification of lost or stolen animals with their owners. Dogs and cats have been reunited with their owners years after they were lost, based on the detection of an implanted microchip.

- (a) All residents of the city are strongly encouraged to have their ~~dog(s) and cat(s)~~registered and/or permitted animals implanted with a registered microchip.
- (b) Newborn dog(s) and cat(s) should be implanted with a registered microchip before the animal attains four (4) months of age.
- (c) Newly acquired ~~dog(s) and cat(s)~~animals should be implanted with a registered microchip within thirty (30) days of ownership.
- (d) New residents should have their ~~dog(s) and cat(s)~~animals implanted with a microchip or update their current microchip with their updated information as soon as possible.
- (e) A dog or cat that has not previously been implanted with a microchip that is taken into custody by Animal Care Services after being found at large, will be offered a free microchip implant upon return to owner in lieu of enforcement activity for an animal at large violation.
- (f) Citizens may request a microchip from Animal Care Services and pay the actual cost of the microchip. Citizens are strongly encouraged to have the microchip implanted by a licensed ~~veterinarian, or veterinarian or~~ may sign a waiver to have the ACO or designee implant the chip for them.

Division 2. Dangerous Animals ~~(do we need to change all references to "animal", OR is it ok as written? Some~~

are “animal” and some are “dog”)

Sec. 4.04.041 Definitions

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a) (a) Dangerous animal. An animal that:~~

- ~~(1) Makes an unprovoked attack on a person that causes bodily injury which would cause a reasonable person to seek medical treatment, whether or not that care was actually sought, and occurs in a place other than a secure enclosure in which the dog animal/dog was being kept which was reasonably certain to prevent the dog animal/dog from leaving the enclosure on its own;~~
- ~~(2) Commits unprovoked acts in a place other than a secure enclosure in which the animal was being kept which was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog animal dog will attack and cause bodily injury to that person; or~~

~~Is accustomed to run, worry or kill goats, sheep or waterfowl or other animals considered to be property.~~
Dangerous Animal.

- (1) An animal, other than a dog, that commits an unprovoked attack on a human being, that causes bodily injury and occurs in a place other than an enclosure in which the animal was being kept and that was reasonably certain to prevent the animal from leaving the enclosure on its own;
- (2) An animal, other than a dog, that commits unprovoked acts in a place other than an enclosure in which the animal was being kept and that was reasonably certain to prevent the animal from leaving the enclosure on its own, and those acts cause a human being to reasonably believe that the animal will attack and cause bodily injury to that human being;
- (3) An animal, other than a dog, that makes an unprovoked attack on a domestic animal or domestic fowl that causes bodily injury or death, and which occurs when such animal is at large; or

(1) Is accustomed to run, worry or kill goats, sheep or waterfowl or other animals considered to be property.

~~(b) Dangerous Dog.~~

- (1) Makes an unprovoked attack on a human being that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
- (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a human being to reasonably believe that the dog will attack and cause bodily injury to that human being.

~~(c)~~

Secure enclosure. A fenced area or structure that is:

- (1) Locked;
- (2) Capable of preventing the entry of the general public, including children;
- (3) Capable of preventing the escape of an animal/dog;
- (4) Clearly marked as containing a dangerous animal/dog; or and
- (5) In conformance with the requirements for secure enclosures as established within this chapter.

~~(d) Serious injury.~~ Means bodily injury resulting from severe attack or bite from an animal which produces severe pain, trauma, loss of blood or tissue, and which requires medical treatment of wounds inflicted by the animal.

~~(e) Severe attack.~~ Means an attack in which the animal repeatedly bites or vigorously shakes its victim, and the victim, or a person intervening, has extreme difficulty terminating the attack.

~~(f) Unprovoked.~~

1. With respect to an attack by a dog, Means an action by an animal that is/was -not-

- a. Means that the dog was not hit, kicked or struck by a person with any object or part of a person's body, nor was any part of the dog's body pulled, pinched or squeezed by a person;
- b. In response to pain or injury;
- c. In protection of itself or its food, kennel, immediate territory, or nursing offspring;
- d. In response to an assault or attempted assault on a person; or
- e. In response to being tormented, abused, or assaulted by any person with an object or part of a person's body.

Sec. 4.04.042 Required reports

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(eg) ~~and~~ Dogs Dangerous to Other Animals: If an animal is attacked by an at large dog, and the# attack is severe and resulted in serious injury to or the death of that animal, the attacked animal's owner may report the incident to the ACO or designee by submitting a sworn statement describing the attack. The statement must be received by the ACO or designee not later than the thirtieth (30th) day after such attack occurs, and it shall contain as much of the following information as known, including:

- (1) Name, address and telephone number of the person filing the sworn statement;
- (2) Name, address, and telephone number of the at large dog owner;
- (3) A description of the at large dog;
- (4) Date, time, and location of the attack;
- (5) Detailed account of the attack, including a description of events occurring immediately before, during, and after the attack; ~~and~~

~~(5)(6)~~ Medical records associated with the attack;

~~(7)~~ Name, address, and telephone numbers of any witnesses to the attack; ~~and~~

~~(6)(8)~~ Photo evidence of any sustained injuries at the time of the attack.

(f) If the attacked animal sustained serious injuries which did not result in death, a letter signed by the treating veterinarian must be submitted with the sworn statement. The letter must describe the injuries sustained by the attacked animal and state that the injuries were serious, characterized by severe bite wounds, or severe ripping and tearing of muscle, or that the injuries required prompt medical attention after the attack to preserve the animal's life.

(g) Reporting of attacks of animal on animal shall not be applicable to:

- (1) Attacks on prohibited animals;
- (2) Attacks on animals which are unlawful to keep upon the owner's premises;
- (3) Attacks on an animal that was at large at the time of the attack, or immediately prior to the attack; or
- (4) Attacks on wildlife.

Sec. 4.04.0432 Investigation

- (a) Any incident described by section 4.04.041 of this division, whether reported by a citizen, or at the ACO or designee's own instigation, shall be investigated.
- (b) Reports based on such investigation shall include the following:
 - (1) Identification of the owner of the accused animal; ~~;~~
 - (2) An inspection of the animal so accused; ~~;~~
 - (3) Photographs of the animal, if possible; ~~;~~
 - (4) Any statements from victims and/or witnesses to the incident; ~~;~~
 - (5) Documentation of the animal's history, including, but not limited to, registrations, rabies vaccinations and current veterinarian as well as any previous bite history or violations of any laws or ordinances; ~~and;~~
 - (6) Information on any other animals residing at the same residence.

Sec. 4.04.0413 Determination by investigating officer; notification that dog or other animal has been declared dangerous

- (a) Based on the findings of an investigation regarding a suspected dangerous dog or other animal ~~=~~, the investigating officer shall make a determination to:
 - (1) Declare the dog or other animal dangerous and notify the owner of that fact;
 - (2) Request a hearing before the dangerous dog advisory board (DDAB) within ten (10) business days. Once that date has been established, ACO or designee is responsible to notify the owner in writing of such hearings; or
 - (3) Close the case, citing insufficient evidence to conclusively deem the animal dangerous at this time. Closing a case shall not prevent the case from being reopened in the future.
- (b) If the dog or other animal has been declared as dangerous, the notification to an owner shall include the following information:
 - (1) The owner has the right to appeal the decision to a justice or municipal court of competent jurisdiction and that such appeal must be filed, in writing, not later than the fifteenth (15th) day after the date the owner is notified; and
 - (2) The owner may appeal that decision of the justice or municipal court in the same manner as appeal for other civil cases. The intent to file a second appeal must be made, in writing, to animal control within twenty-four (24) hours of the conclusion of the first appeal.

Sec. 4.04.0454 Seizure of ~~d~~Dog or Animal~~d~~ Declared ~~d~~Dangerous

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- (a) Warrant required. If the ACO ~~or designee~~ determines that any declared dangerous dog ~~or dangerous animal~~ cannot be sufficiently contained by the owner during the process of appeal, or the required thirty (30) day period in compliance with sections 4.04.045 and 4.04.046 of this division, the ACO or designee may seek a warrant to seize the animal from a justice or municipal court of competent jurisdiction, in accordance with 822.022 of the Texas Health and Safety Code.
- (b) Hearing. An owner whose animal has been seized by animal control under subsection (a) above shall be entitled to a hearing, to be held not later than the tenth (10th) day after the date on which the animal was seized. This hearing shall be held in the court issuing the warrant and shall be for the purpose of appealing the dangerous dog declaration.

Sec. 4.04.0465 Return of seized dog ~~to or animal to owner~~

- (a) A dog ~~or animal~~ which has been seized by animal control and declared dangerous and that declaration has been upheld by the courts shall be returned to the owner if the owner has met all criteria, paid all fees, and established a secure enclosure in which to house the dog ~~or animal~~ which complies with regulations set forth in this chapter.
- (b) If the determination that the dog ~~or animal~~ is dangerous has been reversed through appeal by a court of competent jurisdiction, the dog ~~or animal~~ shall be returned to its owner. In this case, no fees will be charged to the owner.
- (c) Should the owner file a second appeal, the dog or animal shall remain impounded until the conclusion of that appeal. The intent to file must be made in writing within twenty-four (24) hours of the conclusion of the first appeal hearing.
- (d) No dog ~~or animal~~ shall be returned to the owner once an order has been received by the courts to destroy the animal.

Sec. 4.04.0476 Requirements for owners ~~(PULLED FROM KYLE, TEXAS ORDINANCE)~~

For purposes of this division, a person learns that he is the owner of a dangerous dog when:

The owner knows of an attack of an animal ~~the dog on a person.~~ (a) The owner must comply with the following to register a dangerous animal:

- (1) Present proof of liability insurance or financial responsibility in the amount of at least \$100,000.00 to cover damages resulting from an attack by the dangerous animal. The insurance requirements contained herein shall be maintained at all times and shall not be cancelled by the owner, until the owner ceases to own the dangerous animal;
- (2) Present proof of current rabies vaccination in the form of a rabies vaccination certificate for the dangerous animal. When the animal is revaccinated for rabies as, the owner shall provide the updated rabies vaccination certificate to the animal control division;
- (3) Present proof that the animal has been altered to prevent reproduction and proof of the animal has a microchip. Proof of being altered can be satisfied through visual inspection of the tattoo or mark placed at the time of surgery if the certificate of sterility is not available or the medical record is unavailable;
- (4) Provide a proper enclosure for the dangerous animal which meets or exceeds the following requirements:
 - a. The enclosure is a house, a building, a fence, pen or other structure;
 - b. The fence, structure, or pen measures at least six feet in height;
 - c. The structure or pen is a minimum of 150 square feet in space.
 - d. The fence, structure, or pen forms an enclosure suitable to prevent entry of young children and must be locked and secured such that the animal cannot climb, dig, jump, or otherwise escape of its own volition.
 - e. The enclosure shall be securely locked at all times and have secured sides to prevent a dangerous animal from escaping.
 - f. The enclosure shall provide protection from the elements for the animal.
 - g. The enclosure must have a secure top that provides shade and a concrete floor.
- (5) Invisible fences or similar technology shall not constitute a proper enclosure.
- (6) The enclosure shall be inspected by an animal control officer and if found compliant with the requirements of this section, the enclosure shall be approved by the officer.
- (7) Enclosures erected to confine dangerous animals must comply with all zoning and construction regulations of the city.
- (8) The perimeter fence around the property where the dangerous animal is kept shall be locked and secured to prevent entry into the property.
- (9) Post a minimum of three signs on the premises warning that there is a dangerous animal on the property. The signs will be provided to the owner by the city with the payment for the dangerous animal registration. The owner of a dangerous animal shall post signs giving notice of the presence of the dangerous animal on

the property in the form and in the locations designated by the animal control officer or a court order. Additional signs may be required as per policy.

(10) A dangerous animal collar provided to the owner by the city upon payment for the dangerous dog registration will be placed on the animal.

(11) Any further identification required and designated by the order of the city.

(b) It is a violation of this chapter for the owner of a dangerous animal to fail to post signs in accordance with this chapter, or to remove signs that are required by this chapter and fail to replace them.

(c) It shall be unlawful for any person to keep a dangerous animal in a house or building when the windows are open or when screened windows, screened doors, or other penetrable barriers are the only obstacles preventing the dangerous animal from exiting the structure and running at large. If a house or building is used as a proper enclosure there must be a secondary door on the exterior on all exits or a secondary safety gate inside the house or building keeping the dangerous animal away from direct access to the exits.

(d) When the dangerous animal is taken outside of the approved enclosure, the animal must be securely muzzled in a manner that will not cause injury to the animal nor interfere with its vision or respiration but shall prevent it from biting a person or other animal. The animal must be restrained by a nylon leash that does not exceed six feet in length and is under the immediate control of the area into which the animal has been moved. The leash shall be in the immediate control of a person over the age of 18. The leash shall be attached to a properly fitted collar or harness with a safety carabineer.

(e) Prior to selling or moving the dangerous animal either inside or outside the city limits, the owner must notify the animal control division of his intentions. In the event the animal is moved permanently outside the city limits, the owner must comply with state law by notifying animal control in charge of the area to which the animal has been moved. The owner must also provide to the animal control officer in charge of the case the destination address for the animal and proof that the owner has alerted the agency responsible for animal control in the destination address.

(f) The animal control division shall periodically inspect the location and premises of all dangerous animals to ensure compliance with this chapter. The animal control division shall have the right to inspect the residence and proper enclosure for the dangerous animal.

(g) Responsible pet ownership education shall be completed by the owner or presumed owner of a dangerous animal. The course will be completed online and proof of successful completion of the course shall be provided to the animal control division prior to the animal's release from the designated location of impoundment.

Animals deemed dangerous by other jurisdictions:

(h) The owner of an animal that has been determined to be dangerous by another jurisdiction, under guidelines similar to those in this chapter, is prohibited from bringing the animal into the city. Any animal that is brought into the city in violation of this section shall immediately be turned over to a city enforcement agent. On the sixteenth (16th) day, the impounded animal may be considered abandoned and disposed of as authorized in this chapter. The owner may elect to immediately remove the animal from the city and shall comply with the notice requirements of this chapter.

(1) A person commits an offense if he is the owner of an animal that has been determined to be dangerous by another jurisdiction and brings such animal into the city limits.

~~(1) The owner receives notice that a justice court or municipal court has found that the dog is a dangerous dog under V.T.C.A., Health and Safety Code section 822.0423; or~~

~~(2) The owner is informed by an ACO or designee that the dog is a dangerous dog.~~

~~(3) Not later than the thirtieth ((30th)) day after a person learns that the person is the owner of a dangerous dog, the person shall:~~

~~(A) Register the dangerous dog with the ACO or designee for the area in which the dog is kept;~~

~~(B) Obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000.00 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the ACO or designee for the area in which the dog is kept.~~

~~(4) No person shall knowingly sell, offer for sale, breed, attempt to buy, or train a dangerous dog within the city.~~

~~(5) The pen, cage or enclosure for a dangerous dog must have secure sides a minimum of eight (8) feet in height, a secure top attached to the sides, and a secure bottom or floor which is either attached to the sides, or the sides of the structure must be embedded in the ground no less than two (2) feet.~~

~~(6) The dangerous dog shall be controlled at all times on a leash in the immediate control of a responsible person when not within a secure enclosure as specified in this section.~~

- ~~(7) No person shall remove a dog that has been declared dangerous to another jurisdiction without the prior knowledge and approval of the animal control authority for the area in which the dog was declared dangerous.~~
- ~~(8) The dangerous animal must wear a dangerous animal collar/tag that is clearly marked as such and be muzzled at all times when outside of its approved enclosure.~~
- ~~(a) The owner knows of an attack of an animal a dog, coyote, or livestock on another animal.~~
- ~~(1) The owner receives notice that a court has determined their animal is an animal is a dangerous aggressive animal under this chapter.~~
- ~~(2) The owner is informed by an ACO or designee that their animal is an aggressive a dangerous animal.~~
- ~~(3) Not later than the thirtieth (30th) day after a person learns that their animal animal has been determined to be an aggressive dangerous, the person animal shall:~~
- ~~(A) Register their aggressive dangerous animal animal with the ACO or designee for the area where the animal animal is to be kept; and~~
- ~~(B) Obtain liability insurance coverage or show financial responsibility for any potential future damages caused by the aggressive animal animal.~~
- ~~(4) The aggressive animal dangerous animal shall be controlled at all times by a responsible person when not within a secure enclosure.~~

Sec. 4.04.0487 Registration

- (a) The ACO or designee for the area in which the dog is kept shall annually register a dangerous dog ~~or a dangerous animal~~ if the owner:
- (1) Presents:
- (A) Proof of liability insurance or financial responsibility, as required by this division;
- (B) Proof of a current rabies vaccination of the dangerous dog;
- (C) Two (2) color photographs of the dangerous dog;
- (D) Two (2) color photographs of the secure enclosure in which the dangerous dog will be kept; and
- (2) Pays an annual registration fee as set forth in this chapter.
- (b) The animal control authority shall provide to the owner registering a dangerous dog a specific registration tag. The owner must place the tag on the dog's collar and ensure that the dog wears the collar, with such tag attached, at all times. Such tags shall be red in color.
- (c) If an owner of a registered dangerous dog moves to a new address, the owner, not later than the fourteenth (14th) day after the date of the move, shall notify the animal control authority for the area in which the new address is located. On presentation by an owner of the dangerous dog's prior registration tag and payment of a fee as set forth in this chapter, the animal control authority shall issue a new registration tag to be placed on the dangerous dog's collar.
- (d) An owner of a registered dangerous dog shall notify the office in which the dangerous dog was registered of any attacks the dangerous dog makes on people.

Sec. 4.04.0498 Attacks by dangerous dog

- (a) A person commits an offense if the person is the owner of a declared dangerous dog and the dog makes an unprovoked attack on another person ~~or animal~~ outside the dog's secure enclosure and causes bodily injury to the other person, ~~or animal~~.
- (b) An offense under this section is a class C misdemeanor, ~~unless the attack causes serious bodily injury or death, in which event the offense is a class A misdemeanor or a felony of the first or second degree.~~
- (c) If a person is found guilty of an offense under this section, the court may order the declared dangerous dog destroyed by the animal control authority in accordance with Section 822.004 of the Texas Health and Safety Code, as amended.
- (d) In addition to criminal prosecution, a person who commits an offense under this section is liable for a civil penalty not to exceed \$~~240,000.00~~ per animal. An attorney having civil jurisdiction in the county or an attorney for a municipality where the offense occurred may file suit in a court of competent jurisdiction to collect the penalty. Penalties collected under this subsection shall be retained by the county or municipality.

Sec. 4.04.05049 Violations; penalties

- (a) A person who owns or keeps custody or control of a dangerous dog commits an offense if the person fails to comply with section ~~4.04.042~~ ~~[4.04.046]~~ of this division.
- (b) Except as provided by subsection (c) of this section, an offense under this division is subject to a fine of up to five hundred dollars (\$500.00).

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- (c) An offense under this division is subject to a fine of up to two thousand dollars (\$2,000.00) if it is shown at the trial of the offense that the defendant has previously been convicted under this division.

Sec. 4.04.051~~0~~ Defenses

- (a) It is a defense to prosecution under section ~~4.04.044 or 4.04.045~~ 4.04.048 or 4.04.049 of this division that the person is a veterinarian, a peace officer, a person employed by a recognized animal shelter, or a person employed by the state or a political subdivision of the state to deal with stray animals and has temporary ownership, custody or control of the dog in connection with that position.
- (b) It is a defense to prosecution under section ~~4.04.044 or 4.04.045~~ 4.04.048 or 4.04.049 of this division that the person is an employee of the institutional division of the state department of criminal justice or a law enforcement agency and trains or uses dogs for law enforcement or corrections purposes.
- (c) It is a defense to prosecution under section ~~4.04.044 or 4.04.045~~ 4.04.048 or 4.04.049 of this division that the person is a dog trainer or an employee of a guard dog company under the Private Investigators and Private Security Agencies Act.

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ARTICLE 4.05 LIVESTOCK~~s~~

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Sec. 4.05.001 Fencing required

It shall be unlawful for any person to keep on premises under his/her control any livestock without providing adequate fences or barriers that will prevent such livestock from damaging shrubbery or other property situated on adjacent property. Such fences or barriers must also be sufficient to prevent the animals from escaping.

Sec. 4.05.002 Livestock at large; impoundment

The ACO or designee shall take appropriate measures for the safety of the public with regard to any livestock found at large. Livestock found to be at large may be impounded and held, at the owner's expense, until such time as the owner can resume adequate custody and control of the ~~animals~~livestock.

Sec. 4.05.003 Riding or allowing livestock on public property or property of another

It shall be unlawful for any person to ride or allow any type of livestock upon any public school grounds, college grounds, public park property or municipal grounds within the city except those designated as bridle paths or other designated riding or exhibiting areas for animals. On streets, horses shall be ridden as close as possible to the curb. The only streets that horses may be ridden upon are "residential streets," as defined in the city's thoroughfare plan. It shall be unlawful for any person to ride or allow any type of livestock upon the property of another within the city except with the express consent of the owner or the person in charge of such property obtained prior thereto.

Sec. 4.05.004 Permit; minimum lot size

- (a) ~~Permit required; application.~~ It shall be unlawful for any person to keep livestock in the city without first obtaining a permit from the ~~animal control authority~~Animal Care Services. Such permit shall be valid for one (1) year from the date of issuance, and only for the location for which it was issued. Only a person who complies with the requirements of this article shall be entitled to receive and retain a permit. Every person who is the keeper of any livestock shall make application in writing for a permit to keep livestock upon forms prescribed and furnished by the animal control authority.
- (b) Revocation of permit. After receiving three (3) complaints concerning violations of this article, and upon confirmation of those violations, the ACO ~~or designee~~ has the authority to revoke the violator's livestock permit and remove or cause to be removed the animals that are the source of the complaints. This removal shall be at the owner's sole expense.
- (c) Appeal of revocation of permit. Any person whose livestock permit is revoked pursuant to subsection (b) of this section may appeal the revocation to the city manager or his/her designee within five (5) days from the date of the revocation. The city manager may uphold or overturn the ACO ~~or designee~~'s revocation of the permit.
- (d) Minimum lot size. It shall be unlawful for any person to keep any livestock within the city on any lot which is less than one (1) acre in size.
- (e) Minimum lot size waiver. A lot size waiver may be completed by an animal owner and may be approved by Animal Care Services. These lot size waivers will be taken and approved/disapproved on a case by case basis.

Sec. 4.05.005 Keeping of chickens and roosters

- (a) The keeping of roosters on less than one (1) acre is prohibited. No more than one (1) rooster per lot will be permitted.

- (b) More than two (2) birds, but not more than twenty (20) birds, may be kept on one (1) single-family residentially zoned property in the city if the owner of the birds complies with the following restrictions:
 - (1) The birds must be kept on a lot or tract of land ~~under one (1) ownership~~ containing a minimum of 10,000 square feet;
 - (2) All birds must ~~be~~ contained in a coop, cage, or pen at all times and must be kept at least fifty (50) feet from an adjacent residential structure;
 - (3) The birds must be kept in a manner that does not create a public nuisance; ~~and~~
 - (4) ~~If exceeding twenty (20) birds, an excess animals permit required must be obtained in accordance with Section- 4.04.001—, and the birds must be contained on~~ a lot size of at least one (1) ~~acre, and the acre if exceeding twenty (20) birds. o~~The owner must also possess a current Texas Pullorum-Typhoid Certificate issued by the Texas Veterinary Medical Diagnostic Laboratory; ~~and-~~
 - (5) Obtain a fowl permit from Animal ~~Care~~ Services. This permit shall be free of charge.
- (c) Less than three (3) birds may be kept on one (1) single-family residentially zoned property in the city if the owner of the birds comply with the following restrictions:
 - (1) All birds must be contained in a coop, cage, or pen at all times and must be kept at least fifty (50) ~~feed~~ ~~feet~~ from an adjacent residential structure;
 - (2) The birds must be kept in a manner that does not create a public nuisance.

Honeybees:

~~(a) Restrictions. A person may not keep a bee colony that causes a threat to human or animal health or interferes with normal use and enjoyment of public or private property.~~

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~~(b) Apiary maintenance.~~

~~(1) A person shall keep a colony in a Langstroth type hive with removable frames that is maintained in sound and usable condition.~~

~~A person shall provide a source of water to a colony to prevent the bees from congregating at a water source used by humans, birds, or domestic pets.~~

~~A person shall store or dispose of bee comb or other material removed from a hive in a sealed container, building or other bee proof enclosure.~~

~~(2) A person shall provide a source of water to a colony to prevent the bees from congregating at a water source used by humans, birds, or domestic pets.~~

~~(3) A person shall store or dispose of bee comb or other material removed from a hive in a sealed container, building, or other bee proof enclosure.~~

~~(c) (e) Hive location.~~

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~~(1) A person shall not locate a hive within ten feet of the property line of a tract, as measured from the nearest point of the hive to the property line.~~

~~A person, who keeps a bee colony within 25 feet of the property line of a tract, as measured from the nearest point of a hive to the property line, shall establish and maintain a flyway barrier parallel to the property line.~~

~~(1) A person shall not locate a hive within ten feet of the property line of a tract, as measured from the nearest point of the hive to the property line~~

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~~(2) A person, who keeps a bee colony within 25 feet of the property line of a tract, as measured from the nearest point of a hive to the property line, shall establish and maintain a flyway barrier parallel to the property line.~~

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~~(d) Control of aggressive colony~~

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~~(1) A person shall immediately replace the queen in a colony that exhibits aggressive characteristics, including stinging or attempting to sting without provocation, or a disposition towards swarming. A person required to replace a queen under this subsection shall select the replacement from bee stock bred for gentleness and non-swarming characteristics.~~

~~(2) AAs required for swarm management, a person may maintain a nucleus colony for each two colonies allowed under this chapter. A person may house a nucleus colony in a structure not exceeding a standard 9 5/8 inch depth ten frame hive body with no supers attached. A person shall dispose of or combine a nucleus colony with an authorized colony not later than the 30th day after the date the nucleus colony is acquired.~~

~~(e) Colony density:~~

~~(1) A person may not keep more than:~~

~~a.~~

~~Two colonies on a tract one-quarter acre or smaller.~~

~~b. Four colonies on a tract larger than one-quarter acre but smaller than one-half acre.~~

~~c. Six colonies on a tract one-half acre or more but smaller than one acre.~~

~~d. Eight colonies on a tract one acre or more.~~

~~(2) A person may keep an unlimited number of colonies on a tract:~~

~~a. On which all hives are located at least 200 feet from each property line of the tract; or~~

~~b. Adjacent to undeveloped property for at least 200 feet from any hive.~~

~~(f) Hive identification and ownership:~~

~~(1) Except as provided in (f)(2) below, a person shall:~~

~~a. Brand, paint, or otherwise clearly mark the apiary owner's name or telephone number on at least two hives placed at opposite ends of an apiary; or~~

~~b. Post a conspicuous sign displaying the apiary owner's name and telephone number at the entrance to the apiary tract.~~

~~(2) A person is not required to place owner identification on or near a colony located on a tract on which the owner resides.~~

~~(g) Destruction of wild or abandoned bees:~~

~~(1) The animal control division can obtain an order from municipal court for the relocation of bees described in subsection (g)(2)a. c. if the relocation of the bees can be done without threatening human or animal health or interfering with the normal use and enjoyment of public or private property.~~

~~(2) If relocation of bees under subsection (g)(1) is not possible then, the animal control division may order destruction:~~

~~a. A colony not residing in a hive;~~

~~b. A swarm of bees; or~~

~~c. A colony residing in an abandoned standard or man-made hive.~~

~~Tampering with animal shelter or impoundment vehicle:~~

~~It shall be unlawful for any person to break into, open, pull down the enclosure of or make any opening into the animal shelter or any enclosure belonging to or used by the city to impound or keep animals. It shall also be unlawful for any person to turn out or release, cause to be turned out or released, or aid and abet the turning out or release of any animal from the animal shelter, from an impoundment vehicle or from an enclosure used by the city for the impoundment of animals.~~

~~Keeping of animals near city water supply. It is unlawful and constitutes an offense for any person, whether for himself or as the agent of another or others, to keep or to participate in keeping any horse, hog, cattle, sheep, goat, other livestock and/or fowl in any pen or lot used to confine any such multiple animal operation within 500 feet of any water supply wells from which the city obtains its principal water supply as specified in V.T.C.A., Texas Administrative Code tit. 31, § 290.41, as amended.~~

~~Submission of head for rabies diagnosis:~~

~~(a) If the animal that inflicted a bite or scratch on a person is a wild animal, the animal shall be humanely destroyed in such a manner that the brain is not mutilated. The head shall then be submitted to a laboratory certified by the Texas Department of State Health Services, or successor authority, for rabies diagnosis.~~

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~~(b) If an animal under quarantine becomes ill, it may be humanely destroyed in such a manner that the head is not mutilated. The head shall be submitted to a laboratory certified by the Texas Department of State Health Services, or successor authority, for rabies diagnosis. The head of an animal that dies while in quarantine shall also be submitted for rabies diagnosis.~~

~~Duty of motor vehicle operator to report accident involving animals.~~

~~(a) A person who strikes an animal while operating a motor vehicle within the city shall report the incident to the police department within a reasonable amount of time if the animal stricken is on or near the roadway and is a potential traffic hazard. It shall be an affirmative defense to any violation under this section that the incident occurred while the operator was responding to an emergency and that the incident was reported as soon as possible.~~

~~(b) A person who strikes a domestic animal while operating a motor vehicle within the city shall report the incident to the police department within a reasonable amount of time.~~

~~Animal defecation in certain areas.~~

~~(a) *Prohibited.* It is unlawful for the owner or person in control of an animal to intentionally, knowingly, recklessly, or with criminal negligence allow or permit such animal to defecate on any public property or improved private property other than the owners' property. That the animal was at large at the time it defecated on any property shall constitute prima facie evidence that the owner or person in control of the animal allowed or permitted the animal to so act.~~

~~(b) *Exception.* It is an exception to the application of this section that the owner or person in control of the animal immediately removed and cleaned up such animal's feces from public or private property.~~

SUGGESTED ADDITION (from Plano, Texas)

~~Animals deemed dangerous by other jurisdictions.~~

~~(a) The owner of an animal that has been determined to be dangerous by another jurisdiction, under guidelines similar to those in this chapter, is prohibited from bringing the animal into the city. Any animal that is brought into the city in violation of this section shall immediately be turned over to a city enforcement agent. On the sixteenth (16th) day, the impounded animal may be considered abandoned and disposed of as authorized in this chapter. The owner may elect to immediately remove the animal from the city and shall comply with the notice requirements of this chapter.~~

~~(1) A person commits an offense if he is the owner of an animal that has been determined to be dangerous by another jurisdiction and brings such animal into the city limits.~~

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CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 10

MEETING DATE: 04/13/2021

SUBJECT: Mayor and Council Reports on Items of Community Interest

PREPARED BY: Karen McCoy, Executive Assistant

COMMENTS

Pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 11

MEETING DATE: 04/13/2021

SUBJECT: Consider Approval of Minutes of the Special Work Session held on February 27, 2021 and the Regular City Council Meeting held on March 9, 2021

PREPARED BY: Angela Miller, City Secretary

BACKGROUND:

Minutes are approved by a majority vote of Council at the Council meetings and listed on the Consent Agenda.

IDENTIFIED NEED/S:

Council is encouraged to call the City Secretary's Office prior to the meeting with suggested changes. Upon doing so, staff will make suggested changes and the minutes may be left on the Consent Agenda in order to contribute to a time efficient meeting. If the change is substantial in nature, a copy of the suggested change will be provided to Council for consideration prior to the vote.

OPTIONS & RESULTS:

The City Council should review and consider approval of the minutes. Council's vote and approval of the minutes reflect agreement with the accuracy of the minutes.

PROGRESS TO DATE: (if appropriate)

The City Manager has reviewed the minutes and given approval to include the minutes in this packet.

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

To approve the minutes of the Special Work Session held on February 27, 2021 and the Regular City Council Meeting held on March 9, 2021.



**MINUTES OF THE SPECIAL WORK SESSION OF THE
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE MUNICIPAL SERVICE CENTER
948A HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS
SATURDAY, FEBRUARY 27, 2021**

OPEN SESSION

The Highland Village City Council met in a Special Work Session on the 27th day of February 2021.

1. Call Meeting to Order

Mayor Wilcox called the meeting to order at 8:30 a.m.

Roll Call

Present:

Charlotte J. Wilcox	Mayor
Jon Kixmiller	Councilmember
Mike Lombardo	Mayor Pro Tem
Barbara Fleming	Deputy Mayor Pro Tem
Tom Heslep	Councilmember
Robert Fiester	Councilmember
Dan Jaworski	Councilmember

Staff Members:

Paul Stevens	City Manager
Ken Heerman	Assistant City Manager
Angela Miller	City Secretary
Doug Reim	Chief of Police
Mike Thomson	Fire Chief
Scott Kriston	Public Works Director
Phil Lozano	Parks and Recreation Director
Jana Onstead	Human Resources Director
Sunny Lindsey	Information Services Director
Laurie Mullens	Marketing and Communic Director

2. Receive an Update on Fiscal Year 2020-2021 Budget

Assistant City Manager Ken Heerman reported the extended financial outlook indicates starting projections for the fund balance will meet targets for the next four years, however our revenue structure would need to be reviewed as an imbalance is anticipated in FY 2026. Mr. Heerman showed how the ramifications of SB2 and slowing growth rates as the city moves closer to buildout would affect the City's revenues over time.

Moving forward, Mr. Heerman suggested the following:

- Develop target thresholds for fund balance reduction and a restructure of revenue & expenditure balance to facilitate sustainability
- Consider a general policy strategy for managing property tax rate
- Develop a Capital Improvement Plan strategy

Mayor Wilcox announced there would be a short recess at 10:23 a.m. She reconvened the meeting at 10:38 a.m.

3. Discuss Future Potential Bond Projects

Mr. Heerman reported FY 2023, FY 2025 and FY 2028/2029 would be considered favorable years for potential debt issuance for CIP projects, such as parks and/or street improvement projects. He stated that larger street improvement projects have been included as bond projects and will likely continue to be in order to fund the larger, costly projects. Regarding park projects, Mr. Heerman stated that City staff reviewed potential projects at various parks, tennis courts/center, and trails throughout the City and that each of the projects were listed and segmented into one of five categories:

- Priority – Typically replacement equipment to maintain current service level
- Desired – Enhancements to current service level
- Grant – Projects to be pursued only in conjunction with grant funding
- Developer Funded – Desired projects to be funded by developers
- Self-Funded – Participation with private entity to fund amenities for profit, with City receiving a percentage

He suggested the following be taken into account when considering future Capital Improvement Projects for the Parks and Recreation Department:

- Preference for amenities that have funding sources, such as grants or private partnerships; and
- New amenities should be highly scrutinized regarding ongoing maintenance/operations costs, especially if increased staffing would be required

Mayor Pro Tem Lombardo clarified that the area located under the bridge at Copperas Branch Park is not owned by the City and voiced concern in doing improvements there because the City's use of the area could cease at any time. Parks and Recreation Director Phil Lozano reported property leases with the U.S. Army Corps of Engineers for Pilot Knoll and Copperas Branch Park have terms of twenty-five (25) years. Pros and cons of making improvements to the leased properties was discussed.

Looking ahead, Mr. Heerman reported the following are vulnerabilities that should be taken into consideration as we look ahead:

- The Shops of Highland Village funds two (2) police officer positions
- Valuation volatility
- Infrastructure maintenance / replacement
- A long-term animal care solution

Relating to the City's Animal Shelter, Police Chief Doug Reim reported staff is still meeting with the owners of the currently used facility to hopefully find a short-term solution as they continue to explore long-term opportunities.

4. Receive an Update and Discuss the Parks, Recreation and Open Space Master Plan

Discussion for Agenda Items #4 and #5 were combined – see discussion below with Item #5.

5. Receive an Update and Discuss the Trail System Master Plan

Mr. Lozano reported the current Parks, Recreation and Open Space Master Plan was adopted in April 2008, and the current Comprehensive Trail System Master Plan was last updated in September 2011; neither have been updated since adoption. He suggested the updates be combined and done at the same time. Mr. Lozano added that an updated Master Plan would accurately reflect the City today through build out, provide a more accurate picture of the parks and trails system to the community, and would provide opportunities to enhance the system through community and business engagement. An update could be combined to include: Parks, Recreation and Trails System, mobility and transportation options, identified missing trail segment and sidewalk connections, passive and programmed recreational activities, and create opportunities for a Blue Zone Community. Mr. Lozano added that once the update is completed, he believes future updates could be done internally since the City is near buildout.

Mr. Lozano stated there are opportunities for grant funding for related projects, however to meet eligibility requirements, an updated Master Plan is typically required.

6. Discuss an Update of the City's Comprehensive Plan and Zoning Ordinance

Regarding future development in Highland Village, City Manager Paul Stevens reported the focus has been on determination and provision of ongoing staffing levels that balance resource needs of a high service level city, but in a context of sustainability and affordability as revenues reach a plateau with buildout.

In pursuing development opportunities, Mr. Stevens stated the importance of maximizing economic benefit to the City while also enhancing the quality of life enjoyed by our residents. He added that in considering potential new revenues, consideration should be given to the cost of additional services and City personnel necessitated by growth. Both are important factors to consider as we look ahead.

With approximately 78 acres available for development in Highland Village, Mr. Stevens stated any update to City plans should include a focus on each of the available tracts, with consideration given of what would be the best development opportunity for the available land. While some tracts are well located for retail, others are more suitable for residential development. He added that development challenges include the availability of land, location of available tracts may not be conducive for use desired by potential developer(s), and any infrastructure challenges that may exist.

Mr. Stevens also voiced the challenge facing aging strip centers and how retail is also changing. Online shopping has changed the traditional brick and mortar retail model. Mr. Stevens added that COVID-19 has farther changed the retail experience with more online sales, curbside pickup, and delivery - all of which consumers have indicated will continue even after the pandemic.

Mr. Stevens reported there is a pent-up demand to go out to shop, visit restaurants and be entertained. He pointed out that outdoor walking and gathering areas have been a longstanding trend that will be even more important in the future. Mr. Stevens reported

the pandemic has accelerated the need for outdoor oriented projects with parks and trails, and a preference for being outside.

Looking ahead, Mr. Stevens stated there is a need for policies that will guide the reuse of existing buildings, cooperative parking and design standards, and our retail zone use charts. He proposed expanding the city's trail system to include FM 407 with consideration of the following:

- A multi-modal use (pedestrian, bicycles, golf carts) with connectivity between residential and commercial areas
- Interactive trail activation (micro-parks with WiFi hotspots along the trail)
- Visibility and activation of the existing commercial centers
- Enhanced streetscapes and public spaces with experiential elements
- Consider best uses for vacant parcels

Mr. Stevens suggested working with a consultant to develop an outline for a FM 407 Corridor Study, which would include the above items, conceptual design of the trail and amenities, design and use/adaptive reuse considerations, and the economic impact of development and redevelopment. The process would include input from the public, property owners and management companies.

Council consensus was to move forward with requests for proposals.

7. **Adjournment**

Mayor Wilcox adjourned the meeting at 12:00 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary



**MINUTES OF THE REGULAR MEETING OF THE
HIGHLAND VILLAGE CITY COUNCIL
HIGHLAND VILLAGE MUNICIPAL COMPLEX
1000 HIGHLAND VILLAGE ROAD, HIGHLAND VILLAGE, TEXAS
TUESDAY, MARCH 9, 2021**

EARLY WORK SESSION

Mayor Charlotte J. Wilcox called the meeting to order at 6:00 p.m. and announced pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act and in an effort to protect the health and safety of the public, the meeting is being conducted using social distancing practices. Members of the public are not allowed to attend the City Council meeting in person, but may view the City Council meeting live at no cost via www.highlandvillage.org/HVTV.

In addition, she reported any person wishing to provide comments on any matter to be considered on this agenda were to email such comments to the City Secretary by 1:00 p.m. on Tuesday, March 9, 2021.

Roll Call

Present:	Charlotte J. Wilcox	Mayor
	Jon Kixmiller	Councilmember
	Michael Lombardo	Mayor Pro Tem
	Barbara Fleming	Deputy Mayor Pro Tem
	Tom Heslep	Councilmember
	Robert A. Fiester	Councilmember
	Daniel Jaworski	Councilmember

Staff Members:	Paul Stevens	City Manager
	Ken Heerman	Assistant City Manager
	Kevin Laughlin	City Attorney
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Michael Thomson	Fire Chief
	Scott Kriston	Public Works Director
	Phil Lozano	Parks and Recreation Director
	Jana Onstead	Human Resources Director
	Sunny Lindsey	Information Services Director
	Laurie Mullens	Marketing & Communications Director
	Andrew Boyd	Media Specialist

1. Receive an Update on Information Services Operations and Projects

Information Services Director Sunny Lindsey presented an update on the Information Services Department. The update included the department's accomplishments and goals; technology enhancements; computer, network and firewall management; GIS maps and applications; automation and workflows; online programs that have been established for customer use and cybersecurity.

2. Receive a Presentation and Discuss the City's Water Meter Boxes and Accessibility

Public Works Director Scott Kriston reported with the recent winter storm, City staff received a complaint regarding access to the City's water meter boxes. Per City ordinance, only City employees or an agent of the City is allowed access to the City's water meter boxes without the consent of the City Council or City Manager. He explained water meter boxes have a locking lid to protect the water meter equipment located inside the box. The equipment purchased by the City and was a costly investment as there are approximately 5,630 water meters throughout Highland Village. Equipment that is damaged as a result of unauthorized access could result in fees charged to the property owner.

Mr. Kriston reported much of the residential properties constructed in the City since the 1970's have a private shut off valve that was installed by builders during initial construction of the infrastructure. He suggested property owners contact a licensed plumber to locate their private shut off valve and to install one if they do not currently have one at their property. City staff recommended not removing the locking lids on the water meter boxes.

In the case of an emergency, Councilmember Heslep asked if property owners could contact the City to turn off their water. Mr. Kriston reported they could contact the City in the case of an emergency, but still recommended property owners find their private shut off valve as that ensures quicker turn off in an emergency.

Mayor Wilcox suggested staff produce an instructional video to educate property owners on how to shut off their water. Councilmember Kixmiller encouraged residents to sign up for the *EyeOnWater* monitoring site where residents can set up alerts to notify when you may have a potential leak.

3. Clarification of Action Items listed on Today's City Council Meeting Agenda for March 9, 2021

Relating to Agenda Item #13, Mayor Wilcox stated during previous discussion regarding cancellation of the March 23, 2021 City Council meeting, a question was raised concerning the date to present the Comprehensive Annual Financial Report (CAFR). She reported that City Attorney Kevin Laughlin clarified the CAFR had to be delivered and filed each year with the City Secretary by March 31; the presentation can be made at a later date. With that, the March 23, 2021 could be cancelled.

Mayor Wilcox announced Council would meet in Closed Session and she read the agenda items for Closed Session.

CLOSED SESSION

Council convened into Closed Session at 6:54 p.m.

4. Hold a closed meeting in accordance with the following sections of the Texas Government Code:

(a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)

(b) Section 551.074 – Personnel – Deliberate the Employment and Evaluation of the City Manager and City Secretary

Council concluded Closed Session at 7:30 p.m.

OPEN SESSION

5. Call Meeting to Order

Mayor Charlotte J. Wilcox called the meeting to order at 7:35 p.m.

Roll Call

Present:	Charlotte J. Wilcox	Mayor
	Jon Kixmiller	Councilmember
	Michael Lombardo	Mayor Pro Tem
	Barbara Fleming	Deputy Mayor Pro Tem
	Tom Heslep	Councilmember
	Robert A. Fiester	Councilmember
	Daniel Jaworski	Councilmember

Staff Members:	Paul Stevens	City Manager
	Ken Heerman	Assistant City Manager
	Kevin Laughlin	City Attorney
	Angela Miller	City Secretary
	Doug Reim	Chief of Police
	Michael Thomson	Fire Chief
	Phil Lozano	Parks and Recreation Director
	Jana Onstead	Human Resources Director
	Laurie Mullens	Marketing & Communications Director
	Andrew Boyd	Media Specialist

6. Prayer led by Councilmember Tom Heslep

Councilmember Heslep gave the invocation.

7. Pledge of Allegiance to the U.S. and Texas flags led by Councilmember Tom Heslep

Councilmember Heslep led the Pledge of Allegiance to the U.S. and Texas flags.

8. Visitor Comments

Mayor Wilcox reported no visitor comments were received.

9. Mayor and Council Reports on Items of Community Interest pursuant to Texas Government Code Section 551.0415 the City Council may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety

Deputy Mayor Pro Tem Fleming wished Mayor Wilcox and Councilmembers Tom Heslep and Dan Jaworski a happy birthday as they all have birthdays in March.

- **Presentation of Proclamation celebrating Lieutenant Bobby Doyle Day in Highland Village**

Mayor Wilcox presented Lieutenant Doyle with a proclamation honoring him for his 20 years of service to Highland Village residents.

10. City Manager/Staff Reports

- **COVID-19 Update**

Fire Chief Mike Thomson provided an update on COVID-19 in Denton County and Highland Village, reporting the number of hospitalizations are going down. City Manager Paul Stevens shared the City's response to GA-34 issued by Governor Greg Abbott, which ends the statewide mask mandate and expands capacity to 100% for all Texas businesses. He explained GA-34 does allow organizations to require employees and the public to follow additional safety measures.

Mr. Stevens reported the City would continue to follow CDC guidelines and require face coverings in all City buildings. Facility rental and programming will resume in a tiered approach with outdoor pavilion rental resuming at 100% capacity and Senior All Star programming resuming at 100% with face coverings required for participants. Opening of indoor facility rentals will be evaluated on May 1.

- **State of the City Video**

City staff presented the annual State of the City video, which was shown at the State of the Cities luncheon earlier today. The luncheon is a joint event hosted by the cities of Lewisville and Highland Village, and Town of Flower Mound.

CONSENT AGENDA

- 11. Consider approval of Minutes of the Regular City Council Meeting held on February 23, 2021 and Special Work Session held on February 25, 2021**
- 12. Consider Ordinance 2021-1281 re-adopting in its Entirety Article 14.04 "Parks and Recreation" Division 7 "Youth Services Standards of Care" of the Code of Ordinances of the City of Highland Village, setting forth and adopting the Standards of Care for Youth Programs offered by the Parks and Recreation Department (2nd and final read)**
- 13. Consider Resolution 2021-2934 cancelling the March 23, 2021 City Council Meeting**
- 14. Consider Resolution 2021-2935 authorizing the Sale of a Firearm pursuant to Texas Government Code Section 614.051 to Lieutenant Robert Doyle on the Occasion of his Retirement from the Highland Village Police Department**
- 15. Receive Budget Reports for Period Ending January 31, 2021**

Motion by Councilmember Fiester, seconded by Councilmember Heslep, to approve Consent Agenda Items #11through #15. Motion carried 7-0.

Mayor Wilcox announced City Council would meet again in Closed Session but would move Late Work Session Agenda Item #17 up first.

LATE WORK SESSION

- 17. Status Reports on Current Projects and Discussion on Future Agenda Items (A Councilmember may inquire about a subject of which notice has not been given. A statement of specific information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.)**

Deputy Mayor Pro Tem Fleming reported the Flower Mound Area Republican Club was holding their annual candidate forum this evening and that their annual candidate forum is always held on a regular meeting date of the Highland Village City Council. She asked if Council would like to discuss and possibly request that Highland Village not be considered on their platform for future elections. City Attorney Kevin Laughlin stated the Flower Mound Area Republican Club is a separate organization from the City. He said an item could be included on a future agenda and that Council could, if they chose at that time, to make a statement of the Council. Mr. Laughlin added that ultimately it would be the discretion of the individual candidates to decide if they wanted to attend the forum. There was no further discussion on this topic.

Mayor Pro Tem Lombardo asked if representatives from CoServ would be providing an update at a future City Council meeting regarding their service during the recent winter storm. City Manager Paul Stevens reported CoServ is following a policy of not attending any City Council meetings but they will address any specific questions that Council may have.

Mayor Wilcox announced Council would be meeting in Closed Session and read Agenda Item #4(b).

CLOSED SESSION

Council convened into Closed Session at 8:09 p.m.

- 4. Hold a closed meeting in accordance with the following sections of the Texas Government Code:**
(b) Section 551.074 – Personnel – Deliberate the Employment and Evaluation of the City Manager and City Secretary

Council concluded Closed Session at 8:35 p.m. and reconvened into Open Session.

ACTION AGENDA

- 16. Take action, if any, on matters discussed in closed session in accordance with the following sections of the Texas Government Code:**
(a) Section 551.071 – Consultation with City Attorney Concerning Pending or Contemplated Litigation and on any Regular Session or Work Session Agenda

Item Requiring Confidential, Attorney/Client Advice Necessitated by the Deliberation or Discussion of Said Item (as needed)

NO ACTION TAKEN

(b) Section 551.074 – Personnel – Deliberate the Employment and Evaluation of the City Manager and City Secretary

Motion by Councilmember Kixmiller, seconded by Councilmember Jaworski, to amend the City Secretary's employment agreement to increase the annual contribution to her 401(a) account from \$5,000 to \$7,000. Motion carried 7-0.

18. Adjournment

Mayor Wilcox adjourned the meeting at 8:37 p.m.

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 12

MEETING DATE: 04/13/2021

SUBJECT: Receive the Comprehensive Annual Financial Report for FY 2020

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

Accountability is the essence of governmental financial reporting. The audit demonstrates this accountability. The Annual Financial Report represents a yearly audit of City finances and records.

IDENTIFIED NEED/S:

The Comprehensive Annual Financial Report is presented to Council for acceptance.

OPTIONS & RESULTS:

The City received an unqualified opinion from the auditors (Pattillo, Brown, & Hill L.L.P.) in this report – indicating that the financial statements present fairly, the financial position of the City of Highland Village, as of September 30, 2020.

The report was filed in the City Secretary's Office in March 2021 to satisfy City Charter requirements, as well as the report from the auditors. The document was also posted on the city website. With cancellation of the March 23rd council meeting, the official submission to Council was deferred to this meeting. It has also been submitted to GFOA for consideration of an Excellence in Financial Reporting Award. The link to the electronic version on the City web site follows:

[FY 2020 Comprehensive Financial Report](#)

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

Council to receive the City Financial Report for FY 2020.

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 13

MEETING DATE: 04/13/2021

SUBJECT: Receive Budget Reports for Period Ending February 28, 2021

PREPARED BY: Ken Heerman, Assistant City Manager

BACKGROUND:

In accordance with the City Charter, Section 6.12, paragraph D, a budget report is submitted monthly for Council Review.

The budget report submitted for February represents the fifth report in the Fiscal Year.

IDENTIFIED NEED/S:

N/A

OPTIONS & RESULTS:

N/A

PROGRESS TO DATE: (if appropriate)

N/A

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

N/A

RECOMMENDATION:

Council to receive the budget reports for the period ending February 28, 2021.

General Fund Summary

FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired

41.7%

Revenues	Original Budget	Revised Budget (Includes Budget Amendments)	Year to Date	Variance	% Received
Property Tax	\$ 11,527,507	\$ 11,527,507	\$ 11,020,551	\$ (506,956)	96%
Sales Tax	2,828,047	2,828,047	835,940	(1,992,107)	30%
Franchise Fees	1,581,265	1,581,265	329,591	(1,251,674)	21%
Licensing & Permits	336,833	336,833	118,685	(218,148)	35%
Park/Recreation Fees	227,745	227,745	45,504	(182,241)	20%
Public Safety Fees	34,100	34,100	11,291	(22,809)	33%
Rents	142,450	142,450	61,786	(80,664)	43%
Municipal Court	111,180	111,180	23,910	(87,270)	22%
Public Safety Charges for Svc	557,555	557,555	258,707	(298,848)	46%
Interest Income	150,000	150,000	20,774	(129,226)	14%
Miscellaneous	140,550	140,550	40,104	(100,446)	29%
Total Revenues	\$ 17,637,232	\$ 17,637,232	\$ 12,766,844	\$ (4,870,388)	72%

Other Sources

Transfers In	\$ 534,000	\$ 534,000	\$ -	\$ (534,000)	0%
Total Available Resources	\$ 18,171,232	\$ 18,171,232	\$ 12,766,844	\$ (5,404,388)	

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
City Manager Office	\$ 603,533	\$ 603,533	\$ 212,230	\$ 391,303	35%
Finance (includes Mun. Court)	1,345,313	1,345,313	662,437	682,876	49%
Human Resources	565,742	565,742	167,503	398,239	30%
City Secretary Office	398,216	398,216	99,954	298,262	25%
Information Services	1,084,104	1,084,104	495,000	589,105	46%
Marketing and Communications	403,772	403,772	140,459	263,313	35%
Police	5,329,007	5,329,007	2,059,142	3,269,865	39%
Fire	3,126,013	3,126,013	1,246,249	1,879,764	40%
Community Services	422,845	422,845	197,109	225,736	47%
Streets/Drainage	1,651,199	1,651,199	822,726	828,473	50%
Maintenance	1,087,030	1,087,030	809,919	277,111	75%
Parks	2,166,750	2,166,750	915,272	1,251,478	42%
Recreation	564,343	564,343	133,306	431,037	24%
Total Expenditures	\$ 18,747,868	\$ 18,747,868	\$ 7,961,306	\$ 10,786,562	42%

Capital Summary

(Included in totals above - summary information only)

Equipment Replacement	\$ 417,000	\$ 417,000	\$ 376,844	\$ 40,156	90%
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Other Uses

Transfers Out	\$ 36,000	\$ 36,000	\$ -	\$ 36,000	0%
Total Expenditures	\$ 18,783,868	\$ 18,783,868	\$ 7,961,306	\$ 10,822,562	

Fund Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	5,844,759	7,952,600	7,952,600
+ Net Increase (Decrease)	(612,636)	(612,636)	4,805,538
Ending Fund Balance	\$ 5,232,123	\$ 7,339,964	\$ 12,758,138

Audited FY20

Fund Balance Detail	Original Budget	Revised Budget	Year to Date
Reserve Fund Balance (15% of Total Expenditures)	\$ 2,812,180	\$ 2,812,180	\$ 1,194,196
Restricted	11,500	11,500	11,500
Unassigned	2,408,443	4,516,284	11,552,442
Total Fund Balance	\$ 5,232,123	\$ 7,339,964	\$ 12,758,138

General Fund Expenditure Summary

FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired

41.7%

- - - Summary - - -

	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 13,487,531	\$ 13,487,531	\$ 5,282,176	\$ 8,205,355	39%
Services / Supplies	4,843,337	4,843,337	2,302,286	2,541,051	48%
Capital	417,000	417,000	376,844	40,156	90%
	\$ 18,747,868	\$ 18,747,868	\$ 7,961,306	\$ 10,786,562	42%

- - - Detail - - -

Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 9,627,087	\$ 9,627,087	\$ 3,766,643	\$ 5,860,444	39%
<i>Employee Benefits</i>	3,860,445	3,860,445	1,515,533	2,344,911	39%
<i>Total Personnel</i>	\$ 13,487,531	\$ 13,487,531	\$ 5,282,176	\$ 8,205,355	39%
Services / Supplies					
<i>Professional Services</i>	\$ 1,736,379	\$ 1,736,379	\$ 738,541	\$ 997,838	43%
<i>Employee Development</i>	358,750	358,750	75,764	282,986	21%
<i>Office Supplies / Equipment</i>	1,255,449	1,255,449	893,091	362,359	71%
<i>Utilities</i>	311,408	311,408	111,417	199,991	36%
<i>Other</i>	1,181,351	1,181,351	483,473	697,878	41%
<i>Total Services / Supplies</i>	\$ 4,843,337	\$ 4,843,337	\$ 2,302,286	\$ 2,541,051	48%
Capital					
<i>Equipment / Vehicles</i>	\$ 417,000	\$ 417,000	\$ 376,844	\$ 40,156	90%
<i>Total Capital</i>	\$ 417,000	\$ 417,000	\$ 376,844	\$ 40,156	90%
Total General Fund Expenditure Summary	\$ 18,747,868	\$ 18,747,868	\$ 7,961,306	\$ 10,786,562	42%

General Fund Revenue

FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired

41.7%

Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Property Tax	\$ 11,527,507	\$ 11,527,507	\$ 11,020,551	\$ (506,956)	96%
Sales Tax	2,828,047	2,828,047	835,940	(1,992,107)	30%
Franchise Fees	1,581,265	1,581,265	329,591	(1,251,674)	21%
Licensing & Permits	336,833	336,833	118,685	(218,148)	35%
Park/Recreation Fees	227,745	227,745	45,504	(182,241)	20%
Public Safety Fees	34,100	34,100	11,291	(22,809)	33%
Rents	142,450	142,450	61,786	(80,664)	43%
Municipal Court	111,180	111,180	23,910	(87,270)	22%
Public Safety Charges for Svc	557,555	557,555	258,707	(298,848)	46%
Interest Income	150,000	150,000	20,774	(129,226)	14%
Miscellaneous	140,550	140,550	40,104	(100,446)	29%
Total Revenues	\$ 17,637,232	\$ 17,637,232	\$ 12,766,844	\$ (4,870,388)	72%

City Manager Office FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 386,792	\$ 386,792	\$ 146,263	\$ 240,529	38%
Services / Supplies	216,741	216,741	65,967	150,774	30%
Capital	-	-	-	-	0%
	\$ 603,533	\$ 603,533	\$ 212,230	\$ 391,303	35%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 306,308	\$ 306,308	\$ 120,422	\$ 185,886	39%
<i>Employee Benefits</i>	80,484	80,484	25,841	54,643	32%
Total Personnel	\$ 386,792	\$ 386,792	\$ 146,263	\$ 240,529	38%

Services / Supplies					
<i>Professional Services (City-wide legal - \$130,260)</i>	\$ 140,260	\$ 140,260	\$ 18,665	\$ 121,595	13%
<i>Employee Development</i>	16,140	16,140	4,032	12,108	25%
<i>Supplies / Equipment</i>	10,053	10,053	538	9,515	5%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Contingency)</i>	50,288	50,288	42,731	7,557	85%
Total Services / Supplies	\$ 216,741	\$ 216,741	\$ 65,967	\$ 150,774	30%

Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total City Manager	\$ 603,533	\$ 603,533	\$ 212,230	\$ 391,303	35%
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Finance Department FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 873,264	\$ 873,264	\$ 340,901	\$ 532,363	39%
Services / Supplies	472,050	472,050	321,536	150,513	68%
Capital	-	-	-	-	0%
	\$ 1,345,313	\$ 1,345,313	\$ 662,437	\$ 682,876	49%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 628,280	\$ 628,280	\$ 247,062	\$ 381,218	39%
<i>Employee Benefits</i>	244,983	244,983	93,839	151,144	38%
Total Personnel	\$ 873,264	\$ 873,264	\$ 340,901	\$ 532,363	39%

Services / Supplies					
<i>Professional Services</i> <i>(City-wide liability insurance - \$168,832 / DCAD - \$85,400)</i>	\$ 447,610	\$ 447,610	\$ 312,550	\$ 135,060	70%
<i>Employee Development</i>	13,371	13,371	6,250	7,121	47%
<i>Supplies / Equipment</i>	8,069	8,069	2,737	5,332	34%
<i>Utilities</i>	-	-	-	-	0%
<i>Other [Data Processing \$3,000]</i>	3,000	3,000	-	3,000	0%
Total Services / Supplies	\$ 472,050	\$ 472,050	\$ 321,536	\$ 150,513	68%

Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%
Total Finance Department	\$ 1,345,313	\$ 1,345,313	\$ 662,437	\$ 682,876	49%

Human Resources FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 446,765	\$ 446,765	\$ 142,713	\$ 304,052	32%
Services / Supplies	118,977	118,977	24,790	94,187	21%
Capital	-	-	-	-	0%
	\$ 565,742	\$ 565,742	\$ 167,503	\$ 398,239	30%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 324,861	\$ 324,861	\$ 98,233	\$ 226,628	30%
<i>Employee Benefits</i>	121,904	121,904	44,480	77,424	36%
Total Personnel	\$ 446,765	\$ 446,765	\$ 142,713	\$ 304,052	32%

Services / Supplies					
<i>Professional Services</i>	\$ 47,670	\$ 47,670	\$ 13,690	\$ 33,980	29%
<i>Employee Development</i>	64,257	64,257	10,524	53,733	16%
<i>Supplies / Equipment</i>	975	975	377	598	39%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Safety Programs)</i>	6,075	6,075	199	5,876	3%
Total Services / Supplies	\$ 118,977	\$ 118,977	\$ 24,790	\$ 94,187	21%

Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total Human Resources	\$ 565,742	\$ 565,742	\$ 167,503	\$ 398,239	30%
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City Secretary Office FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 229,499	\$ 229,499	\$ 54,481	\$ 175,019	24%
Services / Supplies	168,717	168,717	45,474	123,243	27%
Capital	-	-	-	-	-
	<u>\$ 398,216</u>	<u>\$ 398,216</u>	<u>\$ 99,954</u>	<u>\$ 298,262</u>	<u>25%</u>

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 163,794	\$ 163,794	\$ 44,708	\$ 119,086	27%
<i>Employee Benefits</i>	65,705	65,705	9,772	55,933	15%
Total Personnel	<u>\$ 229,499</u>	<u>\$ 229,499</u>	<u>\$ 54,481</u>	<u>\$ 175,019</u>	<u>24%</u>

Services / Supplies					
<i>Professional Services</i>	\$ 51,300	\$ 51,300	\$ 2,321	\$ 48,979	5%
<i>Employee Development</i> <i>(City Council related \$38,392)</i>	54,217	54,217	11,221	42,996	21%
<i>Supplies / Equipment</i>	17,100	17,100	4,332	12,768	25%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Outside Services)</i>	46,100	46,100	27,600	18,500	60%
Total Services / Supplies	<u>\$ 168,717</u>	<u>\$ 168,717</u>	<u>\$ 45,474</u>	<u>\$ 123,243</u>	<u>27%</u>

Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>0%</u>

Total City Secretary Office	<u>\$ 398,216</u>	<u>\$ 398,216</u>	<u>\$ 99,954</u>	<u>\$ 298,262</u>	<u>25%</u>
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Information Services FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 712,321	\$ 712,321	\$ 293,462	\$ 418,859	41%
Services / Supplies	371,783	371,783	124,157	247,626	33%
Capital	-	-	77,380	(77,380)	0%
	\$ 1,084,104	\$ 1,084,104	\$ 495,000	\$ 589,105	46%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used

Personnel					
Salaries / Wages	\$ 543,765	\$ 543,765	\$ 216,138	\$ 327,627	40%
Employee Benefits	168,556	168,556	77,325	91,232	46%
Total Personnel	\$ 712,321	\$ 712,321	\$ 293,462	\$ 418,859	41%

Services / Supplies					
Professional Services <i>(Maintenance Contracts \$167,110)</i>	\$ 208,610	\$ 208,610	\$ 79,890	\$ 128,720	38%
Employee Development	31,705	31,705	1,173	30,532	4%
Supplies / Equipment	4,160	4,160	2,397	1,763	58%
Utilities	20,308	20,308	4,934	15,375	24%
Other (Data Processing)	107,000	107,000	35,764	71,236	33%
Total Services / Supplies	\$ 371,783	\$ 371,783	\$ 124,157	\$ 247,626	33%

Capital					
Equipment / Vehicles - Network Storage Device <i>(Added via Budget Amendment)</i>	-	-	77,380	(77,380)	0%
Total Capital	\$ -	\$ -	\$ 77,380	\$ (77,380)	0%

Total City Secretary Office	\$ 1,084,104	\$ 1,084,104	\$ 495,000	\$ 589,105	46%
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Marketing and Communications FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 289,268	\$ 289,268	\$ 106,236	\$ 183,033	37%
Services / Supplies	114,504	114,504	34,223	80,281	30%
Capital	-	-	-	-	0%
	\$ 403,772	\$ 403,772	\$ 140,459	\$ 263,313	35%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 217,333	\$ 217,333	\$ 81,924	\$ 135,409	38%
<i>Employee Benefits</i>	71,935	71,935	24,312	47,623	34%
Total Personnel	\$ 289,268	\$ 289,268	\$ 106,236	\$ 183,033	37%

Services / Supplies					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Professional Services</i>	\$ 84,924	\$ 84,924	\$ 27,789	\$ 57,135	33%
<i>Employee Development</i>	7,680	7,680	908	6,772	12%
<i>Supplies / Equipment</i>	-	-	-	-	0%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Special Events)</i>	21,900	21,900	5,526	16,374	25%
Total Services / Supplies	\$ 114,504	\$ 114,504	\$ 34,223	\$ 80,281	30%

Capital					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total City Secretary Office	\$ 403,772	\$ 403,772	\$ 140,459	\$ 263,313	35%
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Police Department FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 4,775,377	\$ 4,775,377	\$ 1,847,379	\$ 2,927,998	39%
Services / Supplies	398,630	398,630	210,208	188,422	53%
Capital	<u>155,000</u>	<u>155,000</u>	<u>1,555</u>	<u>153,445</u>	<u>1%</u>
	\$ 5,329,007	\$ 5,329,007	\$ 2,059,142	\$ 3,269,865	39%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used

Personnel					
<i>Salaries / Wages</i>	\$ 3,494,485	\$ 3,494,485	\$ 1,355,114	\$ 2,139,371	39%
<i>Employee Benefits</i>	<u>1,280,892</u>	<u>1,280,892</u>	<u>492,265</u>	<u>788,627</u>	<u>38%</u>
Total Personnel	\$ 4,775,377	\$ 4,775,377	\$ 1,847,379	\$ 2,927,998	39%

Services / Supplies					
<i>Professional Services</i>	\$ 143,787	\$ 143,787	\$ 120,292	\$ 23,495	84%
<i>Employee Development</i>	45,339	45,339	6,612	38,727	15%
<i>Supplies / Equipment</i>	141,216	141,216	60,179	81,037	43%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Animal Care - \$52,028)</i>	<u>68,288</u>	<u>68,288</u>	<u>23,125</u>	<u>\$ 45,163</u>	<u>34%</u>
Total Services / Supplies	\$ 398,630	\$ 398,630	\$ 210,208	\$ 188,422	53%

Capital					
<i>Equipment / Vehicles</i>	155,000	155,000	1,555	153,445	1%
Total Capital	\$ 155,000	\$ 155,000	\$ 1,555	\$ 153,445	1%

Total Police Department	\$ 5,329,007	\$ 5,329,007	\$ 2,059,142	\$ 3,269,865	39%
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Fire Department FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 2,689,052	\$ 2,689,052	\$ 1,095,811	\$ 1,593,242	41%
Services / Supplies	419,961	419,961	150,438	269,523	36%
Capital	<u>17,000</u>	<u>17,000</u>	<u>-</u>	<u>17,000</u>	<u>0%</u>
	\$ 3,126,013	\$ 3,126,013	\$ 1,246,249	\$ 1,879,764	40%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used

Personnel					
<i>Salaries / Wages</i>	\$ 1,855,182	\$ 1,855,182	\$ 749,578	\$ 1,105,603	40%
<i>Employee Benefits</i>	<u>833,870</u>	<u>833,870</u>	<u>346,232</u>	487,638	42%
Total Personnel	\$ 2,689,052	\$ 2,689,052	\$ 1,095,811	\$ 1,593,242	41%

Services / Supplies					
<i>Professional Services</i>	\$ 122,170	\$ 122,170	\$ 35,344	\$ 86,826	29%
<i>Employee Development</i> <i>(Training - \$52,950)</i>	68,317	68,317	25,055	43,262	37%
<i>Supplies / Equipment</i>	188,624	188,624	66,127	122,497	35%
<i>Utilities</i>	1,800	1,800	698	1,102	39%
<i>Other</i> <i>(Safety Programs)</i>	<u>39,050</u>	<u>39,050</u>	<u>23,214</u>	<u>15,836</u>	<u>59%</u>
Total Services / Supplies	\$ 419,961	\$ 419,961	\$ 150,438	\$ 269,523	36%

Capital					
<i>Equipment / Vehicles</i>	17,000	17,000	-	17,000	0%
Total Capital	\$ 17,000	\$ 17,000	\$ -	\$ 17,000	0%

Total Fire Department	\$ 3,126,013	\$ 3,126,013	\$ 1,246,249	\$ 1,879,764	40%
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Community Services FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 401,977	\$ 401,977	\$ 192,327	\$ 209,649	48%
Services / Supplies	20,868	20,868	4,782	16,086	23%
Capital	-	-	-	-	0%
	\$ 422,845	\$ 422,845	\$ 197,109	\$ 225,736	47%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used

Personnel					
<i>Salaries / Wages</i>	\$ 277,555	\$ 277,555	\$ 133,028	\$ 144,527	48%
<i>Employee Benefits</i>	124,422	124,422	59,300	65,122	48%
<i>Total Personnel</i>	\$ 401,977	\$ 401,977	\$ 192,327	\$ 209,649	48%

Services / Supplies					
<i>Professional Services</i>	\$ 7,200	\$ 7,200	\$ 826	6,374	11%
<i>Employee Development</i>	6,230	6,230	1,432	4,798	23%
<i>Supplies / Equipment</i>	6,618	6,618	2,524	4,094	38%
<i>Utilities</i>	-	-	-	-	0%
<i>Other</i>	820	820	-	820	0%
<i>Total Services / Supplies</i>	\$ 20,868	\$ 20,868	\$ 4,782	\$ 16,086	23%

Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
<i>Total Capital</i>	\$ -	\$ -	\$ -	\$ -	0%

<i>Total Building Operations</i>	\$ 422,845	\$ 422,845	\$ 197,109	\$ 225,736	47%
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Streets Division FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 802,489	\$ 802,489	\$ 302,730	\$ 499,759	38%
Services / Supplies	708,710	708,710	307,163	401,547	43%
Capital	<u>140,000</u>	<u>140,000</u>	<u>212,834</u>	<u>(72,834)</u>	<u>152%</u>
	\$ 1,651,199	\$ 1,651,199	\$ 822,726	\$ 828,473	50%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used

Personnel					
<i>Salaries / Wages</i>	\$ 548,690	\$ 548,690	\$ 210,673	\$ 338,017	38%
<i>Employee Benefits</i>	<u>253,799</u>	<u>253,799</u>	<u>92,056</u>	<u>161,742</u>	<u>36%</u>
Total Personnel	\$ 802,489	\$ 802,489	\$ 302,730	\$ 499,759	38%

Services / Supplies					
<i>Professional Services</i>	\$ 74,466	\$ 74,466	\$ 9,310	\$ 65,156	13%
<i>Employee Development</i>	10,719	10,719	1,386	9,333	13%
<i>Supplies / Equipment</i>	46,975	46,975	5,251	41,724	11%
<i>Utilities (Streetlights)</i>	86,000	86,000	33,965	52,035	39%
<i>Other (Street Maintenance)</i>	<u>490,550</u>	<u>490,550</u>	<u>257,251</u>	<u>233,299</u>	<u>52%</u>
Total Services / Supplies	\$ 708,710	\$ 708,710	\$ 307,163	\$ 401,547	43%

Capital					
<i>Equipment / Vehicles</i>	140,000	140,000	212,834	(72,834)	<u>152%</u>
Total Capital	\$ 140,000	\$ 140,000	\$ 212,834	\$ (72,834)	152%

Total Streets	\$ 1,651,199	\$ 1,651,199	\$ 822,726	\$ 828,473	50%
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Maintenance Division FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 365,535	\$ 365,535	\$ 154,969	\$ 210,567	42%
Services / Supplies	721,495	721,495	654,950	66,545	91%
Capital	-	-	-	-	0%
	\$ 1,087,030	\$ 1,087,030	\$ 809,919	\$ 277,111	75%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 256,876	\$ 256,876	\$ 109,753	\$ 147,123	43%
<i>Employee Benefits</i>	108,659	108,659	45,215	63,444	42%
Total Personnel	\$ 365,535	\$ 365,535	\$ 154,969	\$ 210,567	42%

Services / Supplies					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Professional Services</i>	\$ 69,148	\$ 69,148	\$ 22,976	\$ 46,172	33%
<i>Employee Development</i>	4,480	4,480	802	3,678	18%
<i>Supplies / Equipment</i> <i>(Fuel - \$162,732, Parts / Repairs - \$91,610, Building - \$244,100)</i>	577,867	577,867	604,034	(26,167)	105%
<i>Utilities</i>	70,000	70,000	27,138	42,862	39%
<i>Other</i>	-	-	-	-	0%
Total Services / Supplies	\$ 721,495	\$ 721,495	\$ 654,950	\$ 66,545	91%

Capital					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total Maintenance	\$ 1,087,030	\$ 1,087,030	\$ 809,919	\$ 277,111	75%
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Parks Division FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 1,309,354	\$ 1,309,354	\$ 538,931	\$ 770,423	41%
Services / Supplies	752,396	752,396	291,266	461,130	39%
Capital	<u>105,000</u>	<u>105,000</u>	<u>85,075</u>	<u>19,925</u>	<u>81%</u>
	\$ 2,166,750	\$ 2,166,750	\$ 915,272	\$ 1,251,478	42%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel					
<i>Salaries / Wages</i>	\$ 839,782	\$ 839,782	\$ 347,203	\$ 492,580	41%
<i>Employee Benefits</i>	<u>469,572</u>	<u>469,572</u>	<u>191,728</u>	<u>277,844</u>	41%
Total Personnel	\$ 1,309,354	\$ 1,309,354	\$ 538,931	\$ 770,423	41%

Services / Supplies					
<i>Professional Services</i>	\$ 339,234	\$ 339,234	\$ 94,888	\$ 244,346	28%
<i>Employee Development</i>	25,770	25,770	4,440	21,330	17%
<i>Supplies / Equipment</i>	253,142	253,142	144,597	108,545	57%
<i>Utilities</i>	133,300	133,300	44,683	88,617	34%
<i>Other</i>	<u>950</u>	<u>950</u>	<u>2,659</u>	<u>(1,709)</u>	<u>280%</u>
Total Services / Supplies	\$ 752,396	\$ 752,396	\$ 291,266	\$ 461,130	39%

Capital					
<i>Equipment / Vehicles</i>	105,000	105,000	85,075	19,925	81%
Total Capital	105,000	105,000	85,075	19,925	81%

Total Parks	\$ 2,166,750	\$ 2,166,750	\$ 915,272	\$ 1,251,478	42%
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Recreation Division FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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- - - Summary - - -					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 205,838	\$ 205,838	\$ 65,974	\$ 139,864	32%
Services / Supplies	358,505	358,505	67,332	291,173	19%
Capital	-	-	-	-	0%
	\$ 564,343	\$ 564,343	\$ 133,306	\$ 431,037	24%

- - - Detail - - -					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used

Personnel					
<i>Salaries / Wages</i>	\$ 170,176	\$ 170,176	\$ 52,807	\$ 117,369	31%
<i>Employee Benefits</i>	35,662	35,662	13,167	22,495	37%
Total Personnel	\$ 205,838	\$ 205,838	\$ 65,974	\$ 139,864	32%

Services / Supplies					
<i>Professional Services</i>		\$ -	\$ -	\$ -	0%
<i>Employee Development</i>	10,525	10,525	1,929	8,596	18%
<i>Supplies / Equipment</i>	650	650	-	650	0%
<i>Utilities</i>	-	-	-	-	0%
<i>Other (Recreation Programs)</i>	347,330	347,330	65,403	281,927	19%
Total Services / Supplies	\$ 358,505	\$ 358,505	\$ 67,332	\$ 291,173	19%

Capital					
<i>Equipment / Vehicles</i>	-	-	-	-	0%
Total Capital	\$ -	\$ -	\$ -	\$ -	0%

Total Recreation	\$ 564,343	\$ 564,343	\$ 133,306	\$ 431,037	24%
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Equipment Replacement / Capital Schedule FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
City Manager Office Capital Outlay	-	-	-	-	0%
Finance Capital Outlay	-	-	-	-	0%
Human Resources Capital Outlay	-	-	-	-	0%
City Secretary Capital Outlay	-	-	-	-	0%
Information Services Capital Outlay	-	-	77,380	(77,380)	0%
Marketing Capital Outlay	-	-	-	-	0%
Police Dept Capital Outlay	155,000	155,000	1,555	153,445	1%
Fire Dept Capital Outlay	17,000	17,000	-	17,000	0%
Community Services Capital Outlay	-	-	-	-	0%
Streets Dept Capital Outlay	140,000	140,000	212,834	(72,834)	152%
Maintenance Capital Outlay	-	-	-	-	0%
City Parks Capital Outlay	105,000	105,000	85,075	19,925	81%
City Recreation Capital Outlay	-	-	-	-	0%
Total Expenditures	\$ 417,000	\$ 417,000	\$ 376,844	\$ 40,156	90%

Utility Fund Revenues

FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired	41.7%
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Fees	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Electronic Payment</i>	\$ (182,000)	\$ (182,000)	\$ (67,543)	\$ (114,458)	37%
<i>Charges / Penalties</i>	102,000	102,000	23,532	78,468	23%
Total Fees	\$ (80,000)	\$ (80,000)	\$ (44,011)	\$ (35,989)	55%

Licenses & Permits

<i>Construction Inspection</i>	\$ -	\$ -	\$ -	\$ -	0%
Total Licenses & Permits	\$ -	\$ -	\$ -	\$ -	0%

Charges for Services

<i>Water Sales</i>	\$ 5,696,163	\$ 5,696,163	\$ 1,606,470	\$ 4,089,693	28%
<i>Sewer Sales</i>	4,402,397	4,402,397	1,596,833	2,805,564	36%
<i>Inspection Fees</i>	4,100	4,100	1,430	2,670	35%
Total Charges for Service	\$ 10,102,660	\$ 10,102,660	\$ 3,204,733	\$ 6,897,927	32%

Interest

<i>Interest (Operations)</i>	\$ 30,000	\$ 30,000	\$ 5,646	\$ 24,354	19%
<i>Interest (Capital Projects)</i>	20,000	20,000	3,584	16,416	18%
Total Interest	\$ 50,000	\$ 50,000	\$ 9,230	\$ 40,770	18%

Impact Fees

<i>Impact Fees</i>	\$ 184,852	\$ 184,852	\$ 69,594	\$ 115,258	38%
Total Impact Fees	\$ 184,852	\$ 184,852	\$ 69,594	\$ 115,258	38%

Miscellaneous Income

<i>Miscellaneous Income</i>	\$ 5,000	\$ 5,000	\$ 784	\$ 4,216	16%
Total Miscellaneous Income	\$ 5,000	\$ 5,000	\$ 784	\$ 4,216	16%

Total Utility Fund Revenues	\$ 10,262,512	\$ 10,262,512	\$ 3,240,330	\$ 7,022,182	32%
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Utility Division FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired	41.7%
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--- Summary - Operations ---					
	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ 1,793,029	\$ 1,793,029	\$ 691,125	\$ 1,101,905	39%
Services / Supplies	6,383,149	6,383,149	2,692,888	3,690,261	42%
Capital	225,000	225,000	119,148	105,852	53%
Total Utility Division	\$ 8,401,178	\$ 8,401,178	\$ 3,503,160	\$ 4,898,018	42%

--- Detail - Operations ---					
Category	Original Budget	Revised Budget	Year to Date	Variance	% Used

Personnel					
<i>Salaries / Wages</i>	\$ 1,203,096	\$ 1,203,096	\$ 460,073	\$ 743,023	38%
<i>Employee Benefits</i>	589,933	589,933	231,052	358,881	39%
Total Personnel	\$ 1,793,029	\$ 1,793,029	\$ 691,125	\$ 1,101,905	39%

Services / Supplies					
<i>Professional Services</i>	\$ 429,323	\$ 429,323	\$ 59,131	\$ 370,191	14%
<i>Employee Development</i>	63,428	63,428	17,375	46,053	27%
<i>Supplies / Equipment</i>	84,362	84,362	17,593	66,769	21%
<i>Utilities</i>	375,136	375,136	132,400	242,736	35%
<i>Other (Well Lot Maintenance)</i>	953,085	953,085	705,869	247,216	74%
Sub-Total - Operations Services / Supplies	\$ 1,905,334	\$ 1,905,334	\$ 932,368	\$ 972,965	49%

Wholesale Water / Wastewater					
Note: UTRWD billing reflects a one month delay					
<i>UTRWD - Administration Fees</i>	\$ 5,105	\$ 5,105	\$ 5,103	\$ 2	100%
<i>UTRWD - Water Volume Cost</i>	903,036	903,036	317,690	585,346	35%
<i>UTRWD - Water Demand Charges</i>	1,365,450	1,365,450	568,938	796,513	42%
<i>UTRWD - Sewer Effluent Volume Rate</i>	619,814	619,814	209,090	410,724	34%
<i>UTRWD - Capital Charge Joint Facilities</i>	1,350,870	1,350,870	562,863	788,008	42%
<i>UTRWD - HV Sewer Line to UTRWD</i>	233,540	233,540	96,837	136,703	41%
<i>UTRWD - Wtr Transmission - Opus Develop</i>	-	-	-	-	0%
Sub-Total - Wholesale Water / Wastewater	\$ 4,477,815	\$ 4,477,815	\$ 1,760,519	\$ 2,717,296	39%

Total Services / Supplies	\$ 6,383,149	\$ 6,383,149	\$ 2,692,888	\$ 3,690,261	42%
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Capital					
<i>Equipment / Vehicles</i>	225,000	225,000	119,148	105,852	53%
Total Capital	\$ 225,000	\$ 225,000	\$ 119,148	\$ 105,852	53%

Total Utility Division - Operations	\$ 8,401,178	\$ 8,401,178	\$ 3,503,160	\$ 4,898,018	42%
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Utility Fund Working Capital FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Water Sales</i>	\$ 5,696,163	\$ 5,696,163	\$ 1,606,470	\$ 4,089,693	28%
<i>Sewer Sales</i>	4,402,397	4,402,397	1,596,833	2,805,564	36%
<i>Other Fees / Charges</i>	111,100	111,100	25,746	85,355	23%
<i>Electronic Payment Credit</i>	(182,000)	(182,000)	(67,543)	(114,458)	37%
<i>Interest</i>	30,000	30,000	5,646	24,354	19%
Total Revenues	\$ 10,057,660	\$ 10,057,660	\$ 3,167,152	\$ 6,890,508	31%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Administration</i>	\$417,071	\$417,071	\$ 158,986	\$ 258,085	38%
<i>Operations</i>	3,281,292	3,281,292	1,464,507	1,816,785	45%
<i>UTRWD</i>	4,477,815	4,477,815	1,760,519	2,717,296	39%
<i>Debt Service</i>	1,228,139	1,228,139	1,078,969	149,170	88%
<i>Capital Projects</i>	-	-	-	-	0%
<i>Equipment Replace / Capital</i>	225,000	225,000	119,148	105,852	53%
Total Expenditures	\$ 9,629,317	\$ 9,629,317	\$ 4,582,129	\$ 5,047,188	48%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Transfers In (Applied Impact Fees)</i>	\$ 150,000	\$ 150,000		\$ 150,000	0%
<i>Operating Transfers Out / Utility Capital Projects</i>	-	-	-	-	0%
<i>Operating Transfers Out / General Fund</i>	(470,000)	(470,000)		(470,000)	0%
Total Other Sources (Uses)	\$ (320,000)	\$ (320,000)	\$ -	\$ (320,000)	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Net Increase/Decrease</i>	108,343	108,343	(1,414,977)
Beginning Working Capital			
<i>Operations</i>	2,063,070	2,063,070	2,063,070
<i>Available Impact Fees</i>	1,046,951	1,046,951	1,046,951
Total Available Working Capital	\$ 3,110,021	\$ 3,110,021	\$ 3,110,021
Ending Working Capital			
<i>Operations</i>	2,171,413	2,171,413	648,093
<i>Designated Capital Project</i>	-	-	-
<i>Available Impact Fees</i>	1,081,803	1,081,803	1,116,545
Total Available Working Capital	\$ 3,253,216	\$ 3,253,216	\$ 1,764,638

<i>Impact Fees</i>			
<i>Beginning Balance</i>	1,046,951	1,046,951	1,046,951
<i>+ Collections</i>	184,852	184,852	69,594
<i>- Applied to offset Debt Service</i>	(150,000)	(150,000)	-
<i>Ending Balance</i>	1,081,803	1,081,803	1,116,545

*The working Capital Analysis is prepared to provide a picture of the "cash position" of this enterprise fund. Income restricted for specific use and non-operating expenses are excluded. Impact fees are excluded from revenues, however included for working capital balances - as they are available to address contingency expenditures.

Corps Leased Parks Fund FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Park Entry Fees</i>	\$ 538,550	\$ 538,550	\$ 209,126	\$ 329,424	39%
<i>Annual Park Passes</i>	48,000	48,000	11,475	36,525	24%
<i>Concession Sales</i>	-	-	-	-	0%
<i>Interest</i>	200	200	10	190	5%
Total Revenues	\$ 586,750	\$ 586,750	\$ 220,612	\$ 366,138	38%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Personnel</i>	\$ 182,245	\$ 182,245	\$ 65,844	\$ 116,401	36%
<i>Services / Supplies</i>	207,218	207,218	44,693	162,525	22%
<i>Capital</i>	-	-	-	-	0%
Total Expenditures	\$ 389,463	\$ 389,463	\$ 110,537	\$ 278,926	28%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In / General Fund</i>	-	-	-	-	0%
Total Other Sources (Uses)	\$ -	\$ -	\$ -	\$ -	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 400,022	\$ 406,008	\$ 406,008
<i>+ Net Increase (Decrease)</i>	197,287	197,287	110,075
Ending Fund Balance	\$ 597,309	\$ 603,295	\$ 516,083

Audited FY20

Debt Service Fund

FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired	41.7%
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Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Property Tax Revenues</i>	\$2,046,737	\$ 2,046,737	\$ 1,957,120	\$ 89,617	96%
<i>Interest Income</i>	5,000	5,000	175	4,825	4%
Total Revenues	\$ 2,051,737	\$ 2,051,737	\$ 1,957,296	\$ 94,441	95%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Principal Payments</i>	\$ 2,250,000	\$ 2,250,000	\$ 2,250,000	\$ -	100%
<i>Interest Payments</i>	590,220	590,220	309,131	281,089	52%
<i>Paying Agent Fees</i>	3,000	3,000	1,381	1,619	46%
Total Expenditures	\$ 2,843,220	\$ 2,843,220	\$ 2,560,512	\$ 282,708	90%

Other Sources (Uses)	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Transfers In (Out) [To 4B]</i>	804,482	804,482	758,219	\$ 46,263	94%
<i>Proceeds from Refunding Debt</i>	-	-	-	-	0%
<i>Debt Issuance Cost</i>	-	-	-	-	0%
<i>Payment to Escrow Agent</i>	-	-	-	-	0%
Total Financing Sources	\$ 804,482	\$ 804,482	\$ 758,219	\$ 46,263	94%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 123,770	\$ 126,236	\$ 126,236
<i>+ Net Increase (Decrease)</i>	12,999	12,999	155,002
Ending Fund Balance	\$ 136,769	\$ 139,235	\$ 281,238

Audited FY20

Capital Projects Fund

FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired	41.7%
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Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Grants	\$ -	\$ -	\$ -	\$ -	0%
Contributions	80,000	80,000	23,745	56,255	30%
Interest Income	15,000	15,000	3,585	11,415	24%
Total Revenues	\$ 95,000	\$ 95,000	\$ 27,330	\$ 67,670	100%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
2018 GO Bond (Parks/Streets/Drainage)	2,771,154	2,771,154	434,272	2,336,882	16%
2018 Bond Issue (Streets)	978,854	978,854	63,508	915,346	6%
2018 Bond Issue (Parks)	1,792,300	1,792,300	370,764	1,421,536	21%
Total Expenditures	\$ 2,771,154	\$ 2,771,154	\$ 434,272	\$ 2,336,882	16%

Other Financing Sources (Uses)	Original Budget	Revised Budget	Year to Date	Variance	% Received
Bond Issue Proceeds	\$ -	\$ -	\$ -	\$ -	0%
Bond Discount / Premium	-	-	-	-	0%
Debt Issuance	-	-	-	-	0%
Transfers In	-	-	-	-	0%
Transfer Out	-	-	-	-	0%
Total Financing Sources	\$ -	\$ -	\$ -	\$ -	0%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning fund balance</i>	\$ 2,777,849	\$ 3,222,762	\$ 3,222,762
<i>+Net Increase (Decrease)</i>	(2,676,154)	(2,676,154)	(406,943)
Ending Fund Balance	\$ 101,695	\$ 546,608	\$ 2,815,819

Audited FY20

Drainage Utilities FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired	41.7%
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Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Drainage Conversion Fee</i>	\$ -	\$ -	\$ 5,436	\$ (5,436)	0%
<i>Drainage Fee Receipts</i>	505,000	505,000	188,873	316,127	37%
<i>Miscellaneous</i>	-	-	-	-	0%
<i>Interest</i>	4,000	4,000	92	3,908	2%
Total Revenues	\$ 509,000	\$ 509,000	\$ 194,402	\$ 314,598	38%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Personnel</i>	\$ 377,298	\$ 377,298	\$ 130,645	\$ 246,653	35%
<i>Services / Supplies</i>	138,385	138,385	47,796	90,589	35%
<i>Capital</i>	30,000	30,000	16,049	13,951	53%
Total Expenditures	\$ 545,683	\$ 545,683	\$ 194,491	\$ 351,192	36%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Transfers In - City Impervious / General Fund</i>	\$ 36,000	\$ 36,000	\$ -	\$ 66	0%
<i>Operating TransfersOut / General Fund</i>	(16,000)	(16,000)	-	(16,000)	0%
Total Other Sources (Uses)	\$ 20,000	\$ 20,000	\$ -	\$ (15,934)	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 295,384	\$ 333,898	\$ 333,898
<i>+ Net Increase (Decrease)</i>	(16,683)	(16,683)	(89)
Ending Fund Balance	\$ 278,701	\$ 317,215	\$ 333,809

Audited FY20

Park Development Fee Fund FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired	41.7%
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Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>Interest</i>	\$ -	\$ -	\$ 38	\$ (38)	0%
<i>Community Park Fees</i>	-	-	-	-	0%
<i>Linear Park Fees</i>	-	-	-	-	0%
<i>Neighborhood Park Fees</i>	-	-	-	-	0%
<i>Service Area II</i>	-	-	-	-	0%
<i>Service Area IV</i>	-	-	-	-	0%
Total Revenues	\$ -	\$ -	\$ 38	\$ (38)	0%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Unity Park</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Capital Outlay (Unity Park)</i>	-	-	-	-	0%
<i>Capital Outlay (Village Park)</i>	-	-	-	-	0%
<i>Capital Outlay - (St James development, Area I)</i>	-	-	-	-	0%
Total Expenditures	\$ -	\$ -	\$ -	\$ -	0%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Operating Transfers Out (Funding for projects at Unity Park with FY2012 bond)</i>	-	-	-	-	0%
Total Other Sources (Uses)	\$ -	\$ -	\$ -	\$ -	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 80,081	\$ 80,076	\$ 80,076
<i>+ Net Increase (Decrease)</i>	-	-	38
Ending Fund Balance	\$ 80,081	\$ 80,076	\$ 80,114

Audited FY20

Ending Fund Balance Detail	Original Budget	Year to Date
<i>Community Park Fees</i>	\$ -	-
<i>Linear Park Fees</i>	-	-
<i>Neighborhood Park Fees (Area I)</i>	-	-
<i>Neighborhood Park Fees (Area II)</i>	80,081	80,114
<i>Neighborhood Park Fees (Area IV)</i>	-	-
Total	\$ 80,081	\$ 80,114

Public Safety Special Revenue Fund

FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired	41.7%
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Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues	\$ 26,070	\$ 26,070	\$ 22,375	\$ 3,695	86%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
Personnel	\$ -	\$ -	\$ -	\$ -	0%
Services / Supplies	3,600	3,600	3,817	(217)	106%
Capital	-	-	-	-	0%
Total Expenditures	\$ 3,600	\$ 3,600	\$ 3,817	\$ (217)	106%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
Operating Transfers In	\$ -	\$ -	\$ -	\$ -	0%
Operating Transfers Out	(20,000)	(20,000)	-	(20,000)	0%
Total Other Sources (Uses)	\$ (20,000)	\$ (20,000)	\$ -	\$ (20,000)	0%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
Beginning Fund Balance	\$ 26,499	\$ 28,406	\$ 28,406
+ Net Increase (Decrease)	2,470	2,470	18,557
Ending Fund Balance	\$ 28,969	\$ 30,876	\$ 46,963

Audited FY20

Municipal Court Technology Fee Fund FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

Percent of Budget Year Transpired	41.7%
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Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues	\$ 3,500	\$ 3,500	\$ 821	2,679	23%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Services / Supplies</i>	\$ 12,525	\$ 12,525	\$ 7,670	\$ 4,855	61%
<i>Total Expenditures</i>	\$ 12,525	\$ 12,525	\$ 7,670	\$ 4,855	61%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Operating Transfers Out</i>	-	-	-	-	0%
<i>Total Other Sources (Uses)</i>	\$ -	\$ -	\$ -	\$ -	0%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 21,911	\$ 21,998	\$ 21,998
<i>+ Net Increase (Decrease)</i>	(9,025)	(9,025)	(6,849)
<i>Ending Fund Balance</i>	\$ 12,886	\$ 12,973	\$ 15,149

Audited FY20

Municipal Court Building Security Fund FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
Revenues (Court Fines)	\$ 2,750	\$ 2,750	\$ 987	\$ 1,763	36%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Personnel (Bailiff)</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Services / Supplies</i>	-	-	-	-	0%
Total Expenditures	\$ -	\$ -	\$ -	\$ -	0%

Beginning & Ending Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning Fund Balance</i>	\$ 38,223	\$ 38,197	\$ 38,197
<i>+ Net Increase (Decrease)</i>	2,750	2,750	987
Ending Fund Balance	\$ 40,973	\$ 40,947	\$ 39,184

Audited FY20

Highland Village Community Development Corporation
Working Capital Analysis (FY 2021)

	<i>Actual 2018-2019</i>	<i>Actual 2019-2020</i>	<i>Budget 2020-2021</i>	<i>YTD 2020-2021</i>
Beginning Fund Balance	\$ 30,523	\$ 98,102	\$ 70,647	\$ 117,323
Revenues				
4B Sales Tax	1,384,756	1,381,630	1,348,631	399,661
Park Fees (Rental)	54,651	41,854	44,000	5,890
Linear Park Fees	-	-	-	-
Miscellaneous Income	-	-	-	-
Interest Income	734	633	800	53
Total	\$ 1,440,141	\$ 1,424,117	\$ 1,393,431	\$ 405,603
Expenditures				
Personnel	311,612	324,743	370,603	133,219
Services / Supplies	182,692	213,475	208,614	43,493
Reimburse GF (Support Functions)	-	28,000	28,000	
Reimburse GF (Debt Service)	834,827	808,286	804,482	758,219
Total Non-Capital Expenditures	\$ 1,329,131	\$ 1,374,504	\$ 1,411,699	\$ 934,931
Capital				
Engineering	-	-	-	-
Projects Funded Directly	-	30,392	-	-
Transfer to 4B Capital Projects	-	30,392	-	-
Equipment	43,431	-	-	-
Net Increase / (Decrease)	67,579	19,221	(18,268)	(529,328)
Working Capital Balance	\$ 98,102	\$ 117,323	\$ 52,379	\$ (412,005)

PEG Fee Fund

FY 2020/2021 Budget

YEAR TO DATE FEBRUARY

<i>Percent of Budget Year Transpired</i>	41.7%
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Revenues	Original Budget	Revised Budget	Year to Date	Variance	% Received
<i>PEG Fee Receipts</i>	\$ 42,772	\$ 42,772	\$ 10,445	\$ 32,327	24%
Total Revenues	\$ 42,772	\$ 42,772	\$ 10,445	\$ 32,327	24%

Expenditures	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Personnel</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Services / Supplies</i>	7,600	7,600	520	7,080	7%
<i>Capital</i>	21,000	21,000	18,273	2,727	0%
Total Expenditures	\$ 28,600	\$ 28,600	\$ 18,793	\$ 9,807	66%

Other Sources/Uses	Original Budget	Revised Budget	Year to Date	Variance	% Used
<i>Operating Transfers In</i>	\$ -	\$ -	\$ -	\$ -	0%
<i>Operating Transfers Out</i>	-	-	-	-	0%
Total Other Sources (Uses)	\$ -	\$ -	\$ -	\$ -	0%

Fund Balance	Original Budget	Revised Budget	Year to Date
<i>Beginning fund balance</i>	\$ 122,098	\$ 118,660	\$ 118,660
<i>+Net Increase (Decrease)</i>	14,172	14,172	(8,349)
Ending Fund Balance	\$ 136,270	\$ 132,832	\$ 110,312

Audited FY20

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 15

MEETING DATE: 04/13/2021

SUBJECT: Consider Resolution 2021-2936 authorizing the City Manager to negotiate and award a contract with WEIL Construction, Inc. for construction of the City of Highland Village Facilities Upgrades

PREPARED BY: Scott Kriston, Director of Public Works

BACKGROUND:

Previous Council action dated April 28, 2020 approved the design of security upgrades for the four main City buildings (Municipal Complex, Municipal Service Center, Fire station and Police Department).

The City must be prepared to protect its staff and visitors at all four sites from potential violence in public facilities. Since the terrorist attacks of Sept. 11, 2001, the public has grown accustomed to and expect the presence of physical features in government facilities. Council received a Physical Security Assessment Report and presentation during the early work session dated Jan. 28, 2020 from Staff and Kirkpatrick Architectural Studio as it related to Municipal building security. The report outlined the situation, risk assessment methodology, Municipal facilities and recommendations.

Staff and consultant prepared the plans and specifications, bid the project and are now ready to move into the construction phase. The project consists of updating the access control system, architectural security upgrades and mechanical upgrades for the four main City buildings (Municipal Complex, Municipal Service Center, Fire station and Police Department).

The construction estimate for this project was \$500,000.00.

IDENTIFIED NEED/S:

Architectural, access control and mechanical modifications are identified as security gaps for the four main City buildings (Municipal Complex, Municipal Service Center, Fire station and Police Department).

OPTIONS & RESULTS:

Protecting City personnel from harm and preventing disruption of municipal services is the primary goal of the City's risk Management Program. The City must balance an acceptable level of public access with the need to protect personnel, equipment, data and other assets from harm, damage or loss.

PROGRESS TO DATE: (if appropriate)

Project was designed and bid. Four bids were received on March 2, 2021. Bids were evaluated with the lowest responsible bid being from WEIL Construction, Inc.

Nouveau Const. & Tech Serv., LP	JB & Co., LLC	MSB Constructors, Inc.	WEIL Const., Inc.
\$496,300.00	\$485,000.00	\$695,500.00	\$454,384.00

BUDGETARY IMPACT/ORDINANCE CHANGE: (if appropriate)

Funding through the General Fund.

RECOMMENDATION:

To approve Resolution 2021-2936 authorizing a contract with Weil Construction for the Facility Upgrades Project.

CITY OF HIGHLAND VILLAGE, TEXAS

RESOLUTION NO. 2021-2936

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND VILLAGE, TEXAS, AWARDED AND AUTHORIZING A CONTRACT WITH WEIL CONSTRUCTION, INC. FOR CONSTRUCTION OF THE CITY OF HIGHLAND VILLAGE FACILITIES UPGRADES PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City administration, having solicited, received, and reviewed the bids for the City of Highland Village Facilities Upgrades Project (the "Project") for the architectural, access control and mechanical modifications for the four main City buildings (Municipal Complex, Municipal Service Center, Fire station and Police Department), has determined that WEIL Construction, Inc. has submitted the lowest responsive bid in the amount of \$454,384.00 and recommends award of a contract for the Project to said bidder; and

WHEREAS, the City Council of the City of Highland Village, Texas, finds it to be in the public interest to accept the recommendation of the City administration.

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

SECTION 1. The City Manager is hereby authorized to execute a contract with WEIL Construction, Inc. in the amount of \$454,384.00 for the Project and, subject to applicable state laws, city policies, and, in the event change order(s) result in an increase in the contract amount, the availability of funds for such purpose, to negotiate and sign such change order(s) to said contract as the City Manager determines to be in the best interest of the City.

SECTION 2. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED THIS 13TH DAY OF APRIL, 2021.

APPROVED:

Charlotte J. Wilcox, Mayor

ATTEST:

Angela Miller, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Kevin B. Laughlin, City Attorney

(kbl:4/7/21:121675)

CITY OF HIGHLAND VILLAGE
COUNCIL BRIEFING

AGENDA# 18

MEETING DATE: 04/13/2021

**SUBJECT: Status Reports on Current Projects and Discussion on Future
Agenda Items**

PREPARED BY: Karen McCoy, Executive Assistant

COMMENTS

This item is on the agenda to allow a Councilmember to inquire about a subject of which notice has not been given. A statement of specific information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.



UPCOMING MEETINGS

April 13, 2021	Regular City Council Meeting - 7:00 pm
April 19, 2021	Parks & Recreation Advisory Board Meeting – 6:00 pm
April 20, 2021	Planning & Zoning Commission Meeting – 7:00 pm
April 27, 2021	Regular City Council Meeting - 7:00 pm
May 6, 2021	Zoning Board of Adjustment Meeting - 6:00 pm
May 11, 2021	Regular City Council Meeting - 7:00 pm
May 17, 2021	Parks & Recreation Advisory Board Meeting – 6:00 pm
May 18, 2021	Planning & Zoning Commission Meeting – 7:00 pm
May 25, 2021	Regular City Council Meeting - 7:00 pm
May 31, 2021	City Offices Closed for the Memorial Day Holiday
June 3, 2021	Zoning Board of Adjustment Meeting - 6:00 pm
June 8, 2021	Regular City Council Meeting - 7:00 pm
June 15, 2021	Planning & Zoning Commission Meeting – 7:00 pm
June 21, 2021	Parks & Recreation Advisory Board Meeting – 6:00 pm
June 22, 2021	Regular City Council Meeting - 7:00 pm

Note – The Zoning Board of Adjustment, Parks & Recreation Advisory Board, and the Planning & Zoning Commission meetings are held monthly, IF NEEDED. Please visit www.highlandvillage.org or the City Hall bulletin board for the latest meeting additions and updates.

By: Karen McCoy, Executive Assistant – City of Highland Village