



JOINT MEETING - BUILDING & STANDARDS COMMISSION AND THE EVERMAN CITY COUNCIL

Tuesday, September 10, 2024 at 6:00 PM
213 North Race Street Everman, TX 76140

AGENDA

1. CITY COUNCIL MEETING CALLED TO ORDER
2. BUILDING AND STANDARDS COMMISSION MEETING CALLED TO ORDER
3. INVOCATION
4. PLEDGE OF ALLEGIANCE
5. CITIZEN'S COMMENTS
6. CITY COUNCIL MEETING IS RECESSED
7. DELIBERATION AND DETERMINATION ON CASES
 - A. Case # 1394, Continuation/Deferred Decision

Continued hearing to receive sworn testimony concerning whether the following structures complies with the standards set for in the City of Everman Code of Ordinances, Chapter 4, Article IV and the 2018 International Property Maintenance Code as adopted in Article XVIII of the Code; the Building Code, Chapter 4, Article III; Electrical Code, Chapter 4 Article V; Residential Code, Chapter 4 Article VI; Mechanical Code, Chapter 4, Article VII; and the Plumbing Code, Chapter 4 Article VIII .

(1) The Paradise Apartments, 929 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

(2) The Paradise Apartments, 928 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

(3) The Paradise Apartments, 917 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

(4) The Paradise Apartments, 901 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

(5) The Paradise Apartments, 900 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

After hearing testimony, the Building Standards Commission will discuss and consider action on whether the building(s) the subject of the public hearing comply with the standards set for in the City of Everman Code of Ordinances, Chapter 4, Article IV and the 2018 International Property Maintenance Code as adopted in Article XVIII of the Code; the Building Code, Chapter 4, Article III; Electrical Code, Chapter 4 Article V; Residential Code, Chapter 4 Article VI; Mechanical Code, Chapter 4, Article VII; and the Plumbing Code, Chapter 4 Article VIII, (the "Code").

Should the building(s) be found in violation of the standards set forth in the Code, the Building Standards Commission will take any action, which may include an order that the building(s) be demolished by the owner, mortgagee, lien holder, or other person with an interest in the property within thirty (30) days from the date of the order. The owner of record is Paradise Apartments, LLC, CEO Hermann Vorhand, 14 Bourbon Court Lakewood, NJ 08701-3784.

8. ADJOURNMENT OF THE BUILDING AND STANDARDS COMMISSION MEETING

9. THE EVERMAN CITY COUNCIL MEETING IS RECONVENED

10. DISCUSSION ITEMS

- A.** Texas Municipal League (TML) Region 8 Director Election
- B.** Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election
- C.** Staff Report - Tarrant Area Food Bank Food & Community Resource Event

11. CONSIDERATION AND POSSIBLE ACTION

- A.** ORDINANCE # 821 - AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 7 TITLED "FIRE PREVENTION AND PROTECTION" BY AMENDING ARTICLE I TITLED "FIRE PREVENTION AND PROTECTION IN GENERAL" BY ADDING A NEW SECTION 7-5 TITLED "MITIGATION RATES FOR DELIVERY OF EMERGENCY AND NON-EMERGENCY SERVICES BY FIRE DEPARTMENT" TO ESTABLISH AND IMPLEMENT A PROGRAM TO CHARGE MITIGATION RATES FOR DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES PROVIDED/RENDERED BY THE EVERMAN FIRE DEPARTMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.
- B.** Actions Concerning Appointments to Various Boards, Commissions, or Committees.

12. CITY MANAGERS REPORT

13. MAYOR'S REPORT

14. ADJOURN

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday, September 6, 2024.

/s/ Mindi Parks
City Secretary

Citizens may watch city council meetings live on YouTube. A link to the City of Everman YouTube channel is provided on the city website at: www.evermantx.us/government/citycouncil/

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

Pursuant to Section 551.071, Chapter 551 of the Texas Government Code, Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting, to receive advice from its attorney on any posted agenda item, as permitted by Law. Additionally, Council may convene into Executive Session to discuss the following:

- A. Section 551.071 - Pending or Contemplated Litigation or to Seek Advice of the City Attorney.
- B. Section 551.072 - Purchase, Sale, Exchange, Lease, or Value of Real Property.
- C. Section 551.073 - Deliberation Regarding Prospective Gift.
- D. Section 551.074 - Personnel Matters.
- E. Section 551.087- Deliberation Regarding Economic Development Negotiations.
- F. Section 551.089 - Deliberations Regarding Security Devices or Security Audits.

Citizens wishing to submit written comments should e-mail the City Secretary at mparks@evermantx.net. Comments that are received at least one-hour prior to the start of the meeting will be provided to all council members.

According to the City of Everman Policy on Governance Process, individual citizen comments will be restricted to three (3) minutes unless otherwise determined by a majority vote of the Council. The mayor is responsible to enforce the time limit. Citizens may address City Council either during the Citizen Comments portion of the meeting or during deliberation of a listed agenda item. City Council is only permitted by Law to discuss items that are listed on the agenda. Citizens wishing to make comments should notify the City Secretary as soon as possible.

City Hall is wheelchair accessible. Parking spaces for disabled citizens are available. Requests for sign interpretative services must be made 48 hours prior to the meeting. To make arrangements, call 817.293.0525 or TDD 1.800.RELAY TX, 1.800.735.2989.



OFFICIAL BALLOT

Texas Municipal League (TML) Region 8 Director Election

This is the official ballot for the election of the Region 8 director of the TML Board of Directors. You received this ballot because you are the city’s primary contact person with TML. Each TML member city is entitled to one vote, which vote must be cast by a majority vote of the city’s governing body. Please record your city’s choice by placing an “X” in the square beside the candidate’s name or writing in the name of an eligible person in the space provided. You can only vote for one candidate.

The officials listed on this ballot have been nominated to serve a two-year term on the TML Board of Directors. A brief biography for each candidate is included after the ballot.

Ballots must reach the TML office by 5:00 p.m. Central Time on October 3, 2024. Ballots received after this date cannot be counted. **The ballot must be properly signed and mailed to: Rachael Pitts, Texas Municipal League, 1821 Rutherford Lane, Suite 400, Austin, TX 78754, or scanned and emailed to rpitts@tml.org. If the ballot is not signed, it will not be counted.**

Region 8 Director (select one)

Troy Dunn, Councilmember, Haltom City

Kim Greaves, Mayor, Westlake

Jon McKenzie, Councilmember, Hurst (Incumbent)

Mary Sarver, Mayor Pro Tem, Grandview

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the city named below.

Witness my hand, this _____ day of _____, 2024.

Signature of Authorized Official

Title

Printed Name of Authorized Official

Printed Name of City

Region 8 Director Candidate Biographies (printed on both sides of the page)



Troy Dunn, Councilmember, Haltom City

Troy Dunn and his wife own Troy Dunn Insurance Agency, which is very active in the community. Dunn is a member of the Birdville Education Foundation Board of Directors, served on the 2022 Birdville ISD Bond Committee, and has been offering a Troy Dunn Insurance Scholarship for Haltom High seniors for six years. He is very active in his community and is the Northeast Tarrant Chamber incoming chair and a Haltom City Council councilmember. He previously served on the Haltom City Economic Development Corporation for three years, the Zoning Board of Adjustments for three years, and the Parks Board for five years. Dunn is a community partner with Haltom Senior Center Bingo each month and has been a luncheon sponsor at the Center for the past four years. He is also on the North Richland Lions Club Board of Directors. Dunn is a community partner first and foremost in his personal and business life.



Kim Greaves, Mayor, Westlake

Kim Greaves was a financial services executive with a breadth of success across numerous organizations from start-ups to enhancing mature organizations. As a collaborative leader, he has demonstrated successes by directing cross-functional teams to plan effectively, develop strategically, and execute tactically to exceed business, delivery, and financial expectations. Over the course of his career, Kim managed over 7,000 employees and managed billions in mortgage servicing portfolios. Kim developed a reputation for improving every organization he managed while successfully driving unprecedented growth for companies such as JPMorgan Chase, Citibank, Nationstar Mortgage, and Citizens Bank. Kim retired in 2021 and has dedicated his time to serving his community. After getting involved with Westlake Academy athletics, Kim started attending town council/schoolboard meetings and was frustrated with issues and unanswered questions. He decided to run for the Westlake Town Council/School Board and was elected in 2022. After serving his first term as a councilmember, Kim decided to run for mayor and bring respect and ethics back to the mayor’s office. He was elected with 82% of the vote. (Note: The Town of Westlake runs a municipality and a charter school, nationally ranked Westlake Academy. Town councilmembers are also school board members.) Kim attended high school at New Mexico Military Institute, holds a BBA in Finance from the University of North Texas and an MBA from the University of Notre Dame. In addition to town responsibilities, Kim currently serves as the vice chairman of the New Mexico Military Institute Foundation and is active in the Metroport Chamber of Commerce.

Region 8 Director Candidate Biographies (printed on both sides of the page)



Jon McKenzie, Councilmember, Hurst (Incumbent)

Jon McKenzie is an engaged community leader and dedicated family man. He and his wife, Brianne, have been childhood sweethearts, and together they raise their two daughters, Avery (16) and Claire (12), in his hometown of Hurst. Jon has a strong record of public service. He has been an elected member of the Hurst City Council since 2018. He also serves on several local boards and committees, including the United Way Northeast Steering Committee (as chair), the United Way of Tarrant County Board of Directors, the NCTCOG Regional Transportation Committee (as alternate), the 6 Stones Advisory Board, and the HEBISD Education Foundation. Professionally, Jon has worked as a minister at Bridgewood Church of Christ since 2003. In this role, his responsibilities include preparing and delivering sermons, teaching classes, creating online content, congregational communication, and community outreach. Before entering ministry, he worked as a Radio

Frequency Technician at Atlantic Western Communication from 2000-2003. He holds a Master of Business Administration with a focus on Strategic Leadership from the University of Dallas. He received a bachelor's degree in communications and business administration from Texas Wesleyan University. Jon currently serves as the TML Region 8 board director. His involvement with the Texas Municipal League has been a great way for him to learn and connect within the region and state, and he would appreciate the opportunity to continue serving as the Region 8 board director. His main priorities would continue to be making beneficial connections and sharing information and resources with cities throughout Region 8.



Mary Sarver, Mayor Pro Tem, Grandview

Mayor Pro Tem Mary Sarver has demonstrated a strong commitment to public service through her tenure on various boards and as a member of the Grandview City Council. She has served on the Grandview City Council since June 2022. She is a member of the Economic Development Type A Board, vice chair of the National League of Cities' Small Cities Board, a member of the National League of Cities Economic Development Federal Advocacy Committee, and a member of the North Central Texas Council of Government Economic Development District Board. Along with her responsibilities with the NLC, Mayor Pro Tem Sarver consistently engages in Texas Municipal League (TML) training and conferences. Her dedication to public service is evident in her efforts to collaborate with neighboring cities and county officials to advance the interests of TML Region 8. She actively participates in meetings with local, state, and

national municipal leaders to further these goals. Since her election, Mayor Pro Tem Sarver has actively engaged in a wide array of trainings and conferences hosted by the Texas Municipal League (TML), demonstrating a strong commitment to her professional development and the advancement of municipal governance. Her participation in these events underscores her dedication to staying informed about best practices, emerging trends, and legislative changes affecting local governments. In addition to her personal involvement, Mayor Pro Tem Sarver takes a proactive approach in promoting the benefits of TML to her colleagues and elected officials in neighboring cities. She encourages her peers to leverage the extensive resources and networking opportunities provided by TML, recognizing the value these resources bring to effective municipal management and collaboration. Her efforts not only enhance her own capabilities but also foster a broader culture of informed and collaborative leadership across the region.

OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

This is the official ballot for the election of Places 11 – 14 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name or writing in the name of an eligible person in the space provided. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees. The names of the candidates for each Place on the Board of Trustees are listed in alphabetical order on this ballot.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2024. Ballots received after September 30, 2024, cannot be counted. **The ballot must be properly signed, and all pages of the ballot must be mailed to: Trustee Election, David Reagan, Secretary of the Board, P.O. Box 149194, Austin, Texas 78714-9194. If the ballot is not signed, it will not be counted.**

PLACE 11

- Randy Criswell.** (Incumbent) Randy Criswell is currently the City Manager of Wolfforth (Region 3), a position he's held since 2022. He has served on the TML Risk Pool Board of Trustees since 2015 and as Chair of the Board from 2020 to 2022. He has been in public service since 1994, having served the City of Canyon in three administrative roles including City Manager, the City of Mineral Wells as City Manager, and his current position. Mr. Criswell has a Bachelor of Science Degree from Texas Tech University in Engineering Technology and is a Certified Public Manager. He is a member of TCMA and a past member of the TCMA Board of Directors. He and his wife Janie have three grown children, and he enjoys golf, his Harley Davidson motorcycle, and spending time with Janie.

- Robert S. Davis.** Robert Davis serves as the City Attorney for the City of Bullard (Region 15). He is a Senior Partner at Flowers Davis PLLC in Tyler and oversees the Business and Commercial Litigation, Insurance Defense, Defense of Governmental Entities, Employment Law, and Medical Liability Sections of the law firm. Mr. Davis has extensive experience in representing governmental entities and government officials in all types of litigation. He also has extensive experience in litigation for major insurance carriers and drafting coverage opinions for insurance carriers. Through the years, he has written many papers for and made numerous presentations to Texas Sheriff's Association, Texas Association of Counties, Texas Jail Association, and Texas Chief Deputies' Association.

WRITE IN CANDIDATE:

PLACE 12

- Cedric Davis, Sr.** Cedric Davis is the City Manager of the City of Mathis (Region 11). He joined the city’s administration team on January 3, 2024, and has more than three decades of experience as a public servant. He served as the City Manager of Mathis for over four years, and is a former Chief of Police and Public Educator. He is a graduate of Law Enforcement Management Institute of Texas and the Advanced Military Academy of Texas. He has a Bachelor of Science degree in Criminal Justice Administration from Sam Houston State University. He is a licensed Master Peace Officer, Police Instructor, Investigator, and holds certifications in Public Management, Smart City Practitioner, and Public Finance Investment Officer. In 2008 he served as Mayor of Balch Springs.

- Rocky Hawkins.** Rocky Hawkins is a Councilmember for the City of Gladewater (Region 15), and served as such for four years. He has also served on the Gladewater Lake Board for 10 years, as a Chamber of Commerce Volunteer, as a member of the “Friends of the Library” at the Lee-Bardwell Public Library in Gladewater, and on various boards and committees at First Baptist Church for 30 years. Mr. Hawkins began his career with a brief stint as a Parole Officer for Gregg County; later spent almost 15 years in the Hospitality/Restaurant Business; and finished his career with 30 years at Eastman Chemical Co. He holds an associate’s degree in business management from Kilgore College and a B.S. degree in Criminal Justice from Sam Houston State University.

- Allison Heyward.** (Incumbent) Allison Heyward has served as Councilmember for the City of Schertz (Region 7) since 2018. She also serves on the TML Board of Directors and is currently the TML President Elect. She previously served in 2022 on the TMLIRP Board as the TML Board representative. In January 2023, she was appointed to Place 12 on the TMLIRP Board to fill a vacancy. She holds a Bachelor’s Degree in Accounting from Texas Southern University, and is a 2020 graduate of the Chamber Leadership Core Program. Mrs. Heyward is also a TML Leadership Fellow and a Certified Municipal Officer (CMO), having received the TMLI CMO (Certified Municipal Official Designation) Award of Excellence for maintaining the designation for 5 continuous years. She has also been recognized with the President's Award for being one of the top 2 highest earners of Continuing Education Units.

- Rudy Zepeda.** Rudy Zepeda has served as the Finance Director for the City of Santa Fe (Region 14) since 2021. Before joining Santa Fe, Mr. Zepeda served eight years in Dayton, Texas, as Assistant City Manager and Finance Director. He holds a degree in Classics from the University of Arizona and certification in Certified Public Management from Stephen F. Austin University. While Finance Director in Santa Fe, the city earned the Government Finance Officers Association (GFOA) Budget Presentation Award and the Excellence in Financial Reporting award. This year, the city was recognized by the State Comptroller’s Office with its Traditional Finances Star Award. Mr. Zepeda’s career spans 30 years, with significant experience in both public and private sectors, including 14 years in local government.

WRITE IN CANDIDATE:

PLACE 13

- Harlan Jefferson.** (Incumbent) Deputy City Manager for the City of Burleson (Region 13). Mr. Jefferson has been in public service for 41 years, serving as a Risk Manager for the City of Denton early in his career and serving as Town Manager for Flower Mound and Prosper, Texas. Mr. Jefferson is an active member of the Texas City Management Association (TCMA), having served on its Board of Directors and is a Past President of the North Texas City Manager Association. He holds a Bachelor of Arts in Political Science and a Master of Public Administration from the University of North Texas. Additionally, he is an Adjunct Faculty member in the Master of Public Administration Program at the University of North Texas.

- James Quin.** City Administrator for the City of Hutchins (Region 13) since March 2022. He served as City Administrator of Haslet for 8 years and City Manager for Richland Hills for 16 years. Mr. Quin earned a Bachelor of Science Education degree and a Master of Public Administration degree from Missouri State University. He is a member of the International City/County Management Association (ICMA) and maintains the ICMA Credentialed Manager (CM) designation. In April 2022, he was awarded the High Performance Leadership Academy Certificate issued by ICMA Professional Development Academy. Also, he is a full member of TCMA, and previously served on the HCA Medical City Alliance Hospital Board for 6 years.

WRITE IN CANDIDATE:

PLACE 14

- Mike Land** (Incumbent) City Manager for the City of Coppell (Region 13) since 2017, and Deputy City Manager from 2012-2017. Previously, he was Town Manager for Prosper, City Manager for Gainesville, and Executive Director for the Southwestern Diabetic Foundation. Mr. Land serves on the International City/County Management (ICMA) Board of Directors and is the 2024-25 ICMA President-Elect. Additionally, he serves on the Texas Women's Leadership Institute Advisory Board, the Texas A&M University's Development Industry Advisory Council, and the UTA MPA Advisory Board. He has also served as School Board Trustee for Gainesville Independent School District and as President of TCMA.

WRITE IN CANDIDATE:

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness my hand, this _____ day of _____, 2024.

Signature of Authorized Official

Title

Printed Name of Authorized Official

Printed Name of Political Entity

ORDINANCE NO. 821

AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 7 TITLED "FIRE PREVENTION AND PROTECTION" BY AMENDING ARTICLE I TITLED "FIRE PREVENTION AND PROTECTION IN GENERAL" BY ADDING A NEW SECTION 7-5 TITLED "MITIGATION RATES FOR DELIVERY OF EMERGENCY AND NON-EMERGENCY SERVICES BY FIRE DEPARTMENT" TO ESTABLISH AND IMPLEMENT A PROGRAM TO CHARGE MITIGATION RATES FOR DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES PROVIDED/RENDERED BY THE EVERMAN FIRE DEPARTMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the emergency and non-emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training, creating additional demands on all operational aspects of the fire department services; and

WHEREAS, the fire department has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the fire department decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

WHEREAS, raising real property tax to meet the increase in service demands would not be fair when the responsible party(s) should be held accountable for their actions; and

WHEREAS, the City Council of the Everman desires to implement a fair and equitable procedure by which to collect said mitigation rates and shall establish a billing system in accordance with applicable laws, regulations and guidelines;

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

Section 1 - The City of Everman Code of Ordinances is hereby amended by amending Chapter 7 titled "Fire Prevention and Protection" by amending Article I titled "Fire Prevention and Protection In General" by adding a new Section 7-5 titled "Mitigation Rates for Delivery of Emergency and Non-Emergency Services by Fire Department", to read in its entirety as follows:

“CHAPTER 7

FIRE PREVENTION AND PROTECTION

ARTICLE I Fire Prevention and Protection in General

...

Sec. 7-5 Mitigation rates for delivery of emergency and non-emergency services by fire department

(a) The mitigation rates for the delivery of emergency and non-emergency services by the City of Everman through the Everman Fire Department and/or its authorized contractors for personnel, supplies and equipment to the scene of emergency and non-emergency incidents shall be as set forth in the Exhibit “A” attached hereto and incorporated herein by this reference and further shall be included in Appendix A - Fee Schedule (the "Fee Schedule") to the Code of Ordinances of the City of Everman. The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in the Fee Schedule, which may include any services, personnel, supplies, and equipment and with baselines established herein.

(b) The mitigation rates provided in Fee Schedule will annually increase by the greater of 1.5% or a percentage based on the annual percentage increase in the Consumer Price Index (CPI), as developed by the Bureau of Labor Statistics of the U.S. Department of Labor. Rate adjustments will occur on the anniversary date of passage of this Ordinance to keep the fire department's cost recovery program in conformity with increasing operating expenses.

(c) A claim shall be filed to the responsible party(s) through their insurance carrier. In some circumstances, the responsible party(s) will be billed directly.

(d) The City Council may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this section, as it may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.”

Section 2. All ordinances of the City of Everman in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Everman not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances and ordinances of the City, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 4. If any section, paragraph, sentence, subdivision, clause, phrase or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the ordinances of the City of Everman.

Section 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS ON THIS THE _____ DAY OF _____, 2024.

APPROVED:

Ray Richardson, Mayor

APPROVED AS TO FORM:

ATTEST:

Victoria Thomas, City Attorney

Mindi Parks, City Secretary

EXHIBIT A MITIGATION RATES

The mitigation rates below are average “billing levels”, and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

MOTOR VEHICLE INCIDENTS

Level 1 - \$550.00

Provide hazardous materials assessment and scene stabilization. This will be the most common “billing level”. This occurs almost every time the fire department responds to an accident/incident.

Level 2 - \$626.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 – CAR FIRE - \$765.00

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, TIC use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

ADD-ON SERVICES:

Extrication - \$1,800.00

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Creating a Landing Zone - \$2,200.00

Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates, for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

ADDITIONAL TIME ON-SCENE

Engine billed at \$506 per hour.

Truck billed at \$632 per hour.

Miscellaneous equipment billed at \$371.

Chief response at \$315 per hour

HAZMAT

Level 1 - \$887.00

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$3,166.00

Intermediate Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.

Level 3 – \$7,471.00

Advanced Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - **each additional hour @ \$365.00 per HAZMAT team.**

ADDITIONAL TIME ON-SCENE (for all levels of service)

Engine billed at \$506 per hour.
Truck billed at \$582 per hour.
Miscellaneous equipment billed at \$371.

FIRE INVESTIGATION

Fire Investigation Team - \$349.00 per hour.

Includes:

- Scene Safety
- Investigation
- Source Identification
- K-9/Arson Dog Unit
- Identification Equipment
- Mobile Detection Unit
- Fire Report

The claim begins when the Fire Investigator responds to the incident and is billed for logged time only.

FIRES

Assignment - \$506.00 per hour, per engine / \$582.00 per hour, per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common “billing level”. This occurs almost every time the fire department responds to an incident.

OPTIONAL: A fire department has the option to bill each fire as an independent event with custom mitigation rates.

Itemized, per person, at various pay levels and for itemized products use.

ILLEGAL FIRES

Assignment - \$506.00 per hour, per engine / \$632.00 per hour, per truck

When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response.

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common “billing level”. This occurs almost every time the fire department responds to a water incident.

Billed at \$506 plus \$63 per hour, per rescue person.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$1,013 plus \$63 per hour, per rescue person.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,536 plus \$63 per hour per rescue person, plus \$127 per hour per HAZMAT team member.

Level 4

Itemized Response: At City option, each incident may be billed as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

Minimum billed \$406 for the first response vehicle plus \$63 per rescue person. Additional rates of \$575 per hour per response vehicle and \$63 per hour per rescue person.

CHIEF RESPONSE

This includes the set-up of Command and providing direction of the incident. This could include operations, safety, and administration of the incident.

Billed at \$315 per hour.

MISCELLANEOUS / ADDITIONAL TIME ON-SCENE

Engine billed at \$506 per hour.
Truck billed at \$632 per hour.
Miscellaneous equipment billed at \$371.

GAS LEAKS (Natural)

**LEVEL 1
(Natural Gas Leak Outside Without Fire)**

Description: Minimal danger to life, property, and the environment, leak typically for mechanical damage to a meter or pipe.

Actions: Evacuate immediate area, notify gas company, evaluate hazards including exposures, environment, vehicular traffic etc. Conduct fence line monitoring to determine control zones. Remove ignition sources from the area, consider non-intervention strategy, if offensive tactics selected, ensure proper PPE, respiratory protection, thermal protection, and tactics are utilized.

Assignment -\$506.00 per hour, per engine / \$582.00 per hour, per truck

**LEVEL 2
(Natural Gas Leak Outside with Fire)**

Description: Moderate danger to life, property, and the environment, leak typically caused from

mechanical damage with nearby operating equipment (car, backhoe, etc.) causing a fire.

Actions: Evacuate immediate area, notify gas company, protect hazards from fire damage, do not extinguish the fire unless directed to do so by the gas company, consider water supply options.

Assignment- \$748 per hour, per engine / \$58 per hour, per rescue person.

**LEVEL 3
(Natural Gas Leak inside Structure)**

Description: Significant danger to life, property, and the environment, leak is typically difficult to identify and locate.

Actions: Evacuate building and nearby structures, notify gas company, position apparatus away from the structure, attempt to control gas where it enters the building, ventilate the building (using intrinsically safe methods), remove ignition sources from inside but shutting off power on the outside of the structure.

Assignment- \$932 per hour, per engine / \$58 per hour, per rescue person.

MITIGATION RATE NOTES

The mitigation rates above are average “billing levels”, and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department’s “actual personnel expense” and not just a firefighter’s basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

4895-0900-4509, v. 1

Daniela Soria
511 W Enon Ave
Everman, TX 76140

August 20, 2024

City of Everman
212 N Race St
Everman, TX 76140

Dear Craig Spencer and City of Everman,

I am writing to formally resign from my position as Board Member for the Everman Community Development Corporation, effective immediately. I am currently in the transition of moving cities and will soon no longer be an Everman resident. Serving in this role has been a great honor and privilege, and I am deeply grateful for the trust and support that the City has placed in me. During my tenure, I have worked diligently to represent our community's interests, and I am proud of the progress we have made together. Thank you for the opportunity to serve, and I look forward to continuing to contribute to our community in different ways in the future. I will always cherish the experiences and relationships I have gained during my time on the board.

Sincerely,



Daniela Soria

Thursday, September 5, 2024



Boards & Commissions Application

City of Everman - Application for appointment to council appointed boards and commissions, corporations

Name

Michelle Hudson

Address

[Redacted Address]

Phone Number

[Redacted Phone Number]

Email

[Redacted Email]

Occupation

Attendance Control Specialist

Business Phone

[Redacted Business Phone]

Interests and/or Hobbies:

I love family and enjoy watching all sports. My hobbies - time with family and the grandkids

I wish to be considered for appointment to:

Board of Adjustments/Board of Appeals

Please tell us why you would like to serve on the board/commission you selected:

Provide insight and solutions as needed.

Signature