

**WORK SESSION AGENDA OF THE CITY COUNCIL OF HURST, TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
FIRST FLOOR CONFERENCE ROOM
TUESDAY, OCTOBER 22, 2019 – 4:30 P.M.**

I. Call to Order

II. Informational Items

-) **Update and Discussion of appointments to Boards, Commissions and Committees**
-) **Discussion of operational cost recovery and resource analysis**
-) **Update and Discussion of City of Hurst Veteran's Day parade**

III. Discussion of Agenda Item(s) 4

Consider Ordinance 2456, first reading, amending Chapter 22, Section 22-1 Bingo Tax

Clayton Fulton

IV. Discussion of Agenda Item(s) 5

Consider authorizing the City Manager to enter into a title policy with Rattikin Title Company and fund additional closing cost with funding from the Animal Shelter & Adoption Center Project

Kyle Gordon

V. Discussion of Agenda Item(s) 6

Consider authorizing the city manager to purchase annual IT equipment replacement including city wide computers, printers and hardware

Sunny Patel

VI. Discussion of Agenda Item(s) 7

Consider authorizing the city manager to enter into Purchase Agreements with Galls, Got You Covered, and GT Distributors for police department uniforms and equipment

Steven Niekamp

VII. Discussion of Agenda Item(s) 8

Consider authorizing the city manager to enter into a purchase agreement with NMS Labs and Tarrant County Medical Examiner for evidence processing services

Steven Niekamp

VIII. Discussion of Agenda Item(s) 9

Consider authorizing the city manager to purchase (1) vehicle and (2) pieces of equipment including a backhoe, concrete saw, and 14' EMS Unit for the fire department

Malaika Marion Farmer

IX. Discussion of Agenda Item(s) 10

Consider canceling the November 26, 2019 and December 24, 2019 regular City Council meetings

Rita Frick

X. Discussion of Agenda Item(s) 11 and 12

Conduct a Public Hearing to consider SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1, Taylor Addition, being .784 acre located at 751 Pipeline Court

Consider Ordinance 2455, first reading, SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1, Taylor Addition, being .784 acre located at 751 Pipeline Court

Michelle Lazo

XI. Discussion of Agenda Item(s) 13

Consider P-19-04, Woodbridge Plaza Addition, a replat of Lot 2R1 to Lots 2R1-1 and 2R1-2, Block 2, Woodbridge Plaza Addition, being 2.12 acres located at 400 Grapevine Highway

Michelle Lazo

XII. Discussion of Agenda Item(s) 14

Consider Ordinance 2457, first reading, providing for increased prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Hurst, and establishing an effective date for the ordinance

Matia Messemer

XIII. Discussion of Agenda Item(s) 15

Consider Ordinance 2458, first reading, amending Chapter 12 of the Hurst Code of Ordinances by amending and adding Article XIII, "Convenience Stores"

Steven Niekamp

XIV. Discussion of Agenda Item(s) 16

Consider Resolution 1749 Supporting Application for the Combined Mental Health Coordinator Grant to the Office of the Governor for the cities of Hurst, Bedford, and Euless to operate a Combined Mental Health Coordinator

Steven Niekamp

XV. Discussion of Agenda Item(s) 17

Consider authorizing the city manager to award the Construction Contracts to Green Scaping and City approved vendors for State Highway 10 Phase IV Landscaping Project

Kyle Gordon

XVI. Discussion of Agenda Item(s) 18

Consider authorizing the city manager to enter into an Agreement with Dunaway Associates, L.P., to proceed with the Dog Park architectural and engineering services

Kyle Gordon

XVII. EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, Authorized by Tex. Government Code 551.074, Personnel - (Evaluation of City Council Appointees) and to reconvene in Open Session at the conclusion of the Executive Session

ADJOURNMENT

Posted by: _____

This the 18th of October 2019, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

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 (817) 788-7041 or FAX (817) 788-7054, or call TDD 1-800-RELAY-TX (1-800-735-2989) for information or assistance.

**REGULAR MEETING AGENDA OF THE CITY COUNCIL OF HURST, TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
TUESDAY, OCTOBER 22, 2019**

AGENDA:

4:30 p.m. - Work Session (City Hall, First Floor Conference Room)

6:30 p.m. - City Council Meeting (City Hall, Council Chamber)

CALL TO ORDER

INVOCATION (Councilmember Jon McKenzie)

PLEDGE OF ALLEGIANCE

PRESENTATION(S) AND PROCLAMATION(S)

1. Presentation of the Texas Amateur Athletic Federation Awards

CONSENT AGENDA

2. Consider approval of the minutes for the September 24, 2019 City Council meetings
3. Consider Ordinance 2454, second reading, amending City of Hurst Code of Ordinances Section 27-24 "Nonconforming Uses" by adding Section 27-24(n) regarding nonconforming uses created by the right-of-way acquisition by governmental agency
4. Consider Ordinance 2456, first reading, amending Chapter 22, Section 22-1 Bingo Tax
5. Consider authorizing the City Manager to enter into a title policy with Rattikin Title Company and fund additional closing cost with funding from the Animal Shelter & Adoption Center Project
6. Consider authorizing the city manager to purchase annual IT equipment replacement including city wide computers, printers and hardware
7. Consider authorizing the city manager to enter into Purchase Agreements with Galls, Got You Covered, and GT Distributors for police department uniforms and equipment
8. Consider authorizing the City Manager to enter into a purchase agreement with NMS Labs and Tarrant County Medical Examiner for evidence processing services
9. Consider authorizing the City Manager to purchase (1) vehicle and (2) pieces of equipment including a backhoe, concrete saw, and 14' EMS Unit for the fire department

10. Consider canceling the November 26, 2019 and December 24, 2019 regular City Council meetings

PUBLIC HEARING(S) AND RELATED ITEM(S)

11. Conduct a Public Hearing to consider SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1, Taylor Addition, being .784 acre located at 751 Pipeline Court
12. Consider Ordinance 2455, first reading, SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1, Taylor Addition, being .784 acre located at 751 Pipeline Court

PLAT(S)

13. Consider P-19-04, Woodbridge Plaza Addition, a replat of Lot 2R1 to Lots 2R1-1 and 2R1-2, Block 2, Woodbridge Plaza Addition, being 2.12 acres located at 400 Grapevine Highway

ORDINANCE(S)

14. Consider Ordinance 2457, first reading, providing for increased prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Hurst, and establishing an effective date for the ordinance
15. Consider Ordinance 2458, first reading, amending Chapter 12 of the Hurst Code of Ordinances by amending and adding Article XIII, "Convenience Stores"

RESOLUTION(S)

16. Consider Resolution 1749 Supporting Application for the Combined Mental Health Coordinator Grant to the Office of the Governor for the cities of Hurst, Bedford, and Euless to operate a Combined Mental Health Coordinator

OTHER BUSINESS

17. Consider authorizing the city manager to award the Construction Contracts to Green Scaping and City approved vendors for State Highway 10 Phase IV Landscaping Project
18. Consider authorizing the city manager to enter into an Agreement with Dunaway Associates, L.P., to proceed with the Dog Park architectural and engineering services
19. Review of board, commission and committee meeting minutes:
 - Ñ Library Board
 - Ñ Parks and Recreation Board

Ñ Hurst Senior Citizens Advisory Board

Ñ Planning and Zoning Commission

20. Review of upcoming calendar items
21. City Council Reports - Items of Community Interest

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED

EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, Authorized by Tex. Government Code 551.074, Personnel - (Evaluation of City Council Appointees) and to reconvene in Open Session at the conclusion of the Executive Session

22. Take any and all action ensuing from Executive Session

ADJOURNMENT

Posted by: _____

This 18th day of October 2019, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

Any item on this posted agenda could be discussed in executive session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and section 561.087 of the Texas Government Code.

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 (817) 788-7041 or FAX (817) 788-7054, or call TDD 1-800-RELAY-TX (1-800-735-2989) for information or assistance.

City Council Staff Report

SUBJECT: Presentation of the Texas Amateur Athletic Federation Awards

Supporting Documents:

Meeting Date: 10/22/2019
Department: Community Services
Reviewed by: Kyle Gordon
City Manager Review:

Background/Analysis:

The City of Hurst Recreation Center received the 2018-2019 Texas Amateur Athletic Federation (TAAF) Platinum Member City Award at the 2019 Annual TAAF Conference on September 19, 2019, in Galveston, Texas. The award is for outstanding registration support for teams, individuals, and training programs. The Hurst Recreation Center registers teams, umpires, and officials in our very popular Adult Softball and Adult Basketball League Programs that brings visitors to Hurst from all over the state.

Recreation Manager, Jennifer Kashner, received the 2019 TAAF Region 4 Professional Service Award for her dedication, influence, and leadership in the Recreation field.

Funding Sources and Community Sustainability:

There are no required funding sources.

In an effort to remain a vibrant community, this program addresses the City Council's Strategic Priority for Leadership, Innovation, and Economic Vitality by continually improving the programming and services offered at the Recreation Center.

Recommendation:

There is no staff recommendation.

**Minutes
Hurst City Council
Work Session
Tuesday, September 24, 2019**

On the 24th day of September 2019, at 5:30 p.m., the City Council of the City of Hurst, Texas, convened in Work Session at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Henry Wilson	)	Mayor
Larry Kitchens	)	Mayor Pro Tem
David Booe)	
Bill McLendon)	
Cathy Thompson)	
Cindy Shepard)	
Jon McKenzie)	
Clay Caruthers	)	City Manager
John Boyle	)	City Attorney
Matthew Boyle	)	City Attorney
Rita Frick	)	City Secretary
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Kyle Gordon	)	Executive Director of Community Services
Robert Wallace	)	Building Official
Michelle Lazo	)	Executive Director of Development
Steve Niekamp	)	Police Chief

With the following Councilmembers absent: none: constituting a quorum, at which time, the following business was transacted:

I. Call to Order – the meeting was called to order at 5:30 p.m.

EXECUTIVE SESSION in Compliance With the Provisions of the Texas Open Meetings Law, Authorized by Government Code, Section 551.087 deliberation and conducting of economic development negotiations regarding financial information relative to prospective business expansion in the city and Section 551.071, Consultation with City Attorney to seek advice regarding Pending or Contemplated Litigation or Settlement Offers (Dakota Place Apartments) to reconvene in Open Session at the conclusion of the Executive Session

Mayor Wilson recessed the meeting to Executive Session at 5:30 p.m. in compliance with the provisions of the Texas Open Meetings Law, authorized by Government Code, Section 551.087 deliberation and conducting of economic development negotiations regarding financial information relative to prospective business expansion in the city and Section 551.071, consultation with City Attorney to seek advice regarding pending or contemplated

litigation or settlement offers (Dakota Place Apartments) and reconvened Open Session at 5:56 p.m.

- J **Informational Items** – City Manager Caruthers noted the Boards, Commissions and Committees Orientation is scheduled for Monday, October 28.
- J **Discuss future Texas Parks and Wildlife presentation** – Executive Director of Community Services Kyle Gordon provided a flyer announcing a Texas Parks and Wildlife presentation regarding a migratory bird education session to be held at the Main Fire Station, September 26, at 6:00 p.m.
- J **Update and discussion of the October 1, 2019 National Night Out event** – Assistant City Manager Malaika Marion Farmer provided an overview of the National Night Out event.
- J **Discussion of proposed ordinance related to the security and safety of convenience store operations** – Police Chief Steve Niekamp provided an overview of a proposed ordinance regarding security at convenience stores including training, sign documentation regarding training, visibility, alarm system, camera and alarm system and timelines to meet the new obligations.
- J **Update of the Public Facility Corporation** – City Manager Caruthers noted paperwork has been submitted for filing with the state and upon completion, a special meeting will be held.

Work Session Items II and III were not discussed in work session.

II. Discussion of Agenda Item(s) 3 and 4

Conduct a Public Hearing regarding a proposed order for the repair, removal or demolition of property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments).

Consider ordering the repair, removal or demolition of property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments).

III. Discussion of Agenda Item(s) 5, 6, 7, 8

Consider Ordinance 2450(a), second reading, adopting budget for fiscal year beginning October 1, 2019 and ending September 30, 2020.

Consider Ordinance 2450(b), second reading, ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2019-2020 Budget.

Consider Ordinance 2451, second reading, setting the tax rate for the 2019 tax year.

Consider Ordinance 2452, second reading, approving all water and wastewater rates for Fiscal Year 2019-2020.

IV. Discussion of Agenda Item(s) 9 and 10

Conduct a public hearing to consider amending City of Hurst Code of Ordinances Section 27/24 “Nonconforming Uses” by adding Section 27-24(n) regarding nonconforming uses created by the right-of-way acquisition by governmental agency.

Consider Ordinance 2454 amending City of Hurst Code of Ordinances Section 27/24 “Nonconforming Uses” by adding Section 27-24(n) regarding nonconforming uses created by the right-of-way acquisition by governmental agency.

City Manager Caruthers briefed Council on a couple of right-of-way acquisitions to widen the Pipeline Road, which removed parking spaces from businesses. He stated the proposed Ordinance ensures property owners that any zoning violation, due to the right-of-way acquisition, is treated as a nonconforming use, protecting the businesses.

V. Discussion of Agenda Item(s) 11

Approval of Resolution 1747 nominating candidates to the Tarrant Appraisal District (TAD) Board of Directors.

Mayor Wilson briefed Council on the nomination process and stated if there are no nominations, he believes it best to wait and vote on the slate nominees.

VI. Adjournment – The meeting adjourned at 6:21 p.m.

APPROVED this the 22nd day of October 2019.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Henry Wilson, Mayor

City Council Minutes
Tuesday, September 24, 2019

On the 24th day of September 2019, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Henry Wilson	)	Mayor
Larry Kitchens	)	Mayor Pro Tem
David Booe	)	Councilmembers
Bill McLendon)	
Jon McKenzie)	
Cathy Thompson)	
Cindy Shepard)	
Clay Caruthers	)	City Manager
John Boyle	)	City Attorney
Matthew Boyle	)	Assistant City Attorney
Rita Frick	)	City Secretary
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Robert Wallace	)	Building Official

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Councilmember Thompson gave the Invocation.

The Pledge of Allegiance was given. The Texas Pledge was given.

PRESENTATION(S) AND PROCLAMATION(S)

1. Presentation by Hurst-Eules-Bedford Independent School District representative on the progress of the HEB Reads! program.

Mayor Wilson recognized Library Director Jesse Loucks who introduced H-E-B ISD Librarian Kiera Elledge who provided information regarding the 2019 H-E-B Reads collaborative initiative. Ms. Elledge reviewed reading minute statistics from each city noting the huge success in Hurst. She outlined the elements and benefits of the program, reviewed accomplishments, and plans for the future. Councilmembers noted the importance of a strong reading foundation and the positive impact of the program.

CONSENT AGENDA

2. Considered approval of the minutes for the September 10, 2019 City Council meetings.

Councilmember Kitchens moved to approve the consent agenda. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, McLendon and Shepard
No: None

PUBLIC HEARINGS AND RELATED ITEM(S)

3. Conducted a Public Hearing regarding a proposed order for the repair, removal or demolition of property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments).

Mayor Wilson announced a public hearing regarding a proposed order for the repair, removal or demolition of property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments) and recognized Building Official Robert Wallace who reviewed City of Hurst substandard code requirements and issues regarding code compliance over the years. He reviewed inspection findings by third party contractors Childress Engineering regarding roof and structural assessment; Farmer Environmental Group regarding odors, HVAC conditions, water damage to various units, stains and substantial debris in the air and mold spores in specific units; and Bureau Veritas inspection noting violations in all units, exposed wiring, improper electrical junctions, infestation including mold, roaches, gnats, and rodents and holes in balcony floors. Pictures were shown of various code violations. Mr. Wallace reviewed current compliance status stating no building permit was issued for electrical or roof work. He reviewed meetings with the owner, staff and legal counsel where the owner admitted to non-permitted electrical and roof work being completed. And, that the owner provided an "engineering report" in support of roof work that only addresses the owner's photographs of work done on five units. He stated the owner was instructed to apply for a retroactive Building Permit, provide complete scope of work, obtain licensed electrician's report as to non-permitted electrical work, and a full engineer's report on the non-permitted roof work. He stated the owner owes substantial re-inspection fees to the City and none of the demands were met. Mr. Wallace stated notice was sent to the owner declaring the apartments substandard as described in Chapter 5, Article VII, Section 5-295 of the Hurst Code of Ordinances; a list of deficiencies was attached; an order was issued to repair and rehabilitate all of the required improvements on the complex; and the notice granted 15 days to apply for permits to repair and rehabilitate the building and 90 days to complete the work once the permits were issued. Also noted was during the specified period and to date, no permit applications for the work have been submitted to the City. He stated the recommendation is to consider an order to repair, remove, or demolish the buildings at 450 E. Hurst Blvd.

Assistant City Attorney Matthew Boyle provided a notebook to Council and noted he has

also provided a copy to the owner Mr. Mercer. He requested Mr. Wallace and any other witnesses going to speak tonight, during the public hearing, to be sworn in. City Secretary Rita Frick swore in all individuals providing testimony. Mr. Boyle also requested a copy of a notebook that has been provided to Mr. Mercer and each member of the Council be accepted as evidence. Mayor Wilson accepted the evidence. Mr. Boyle reviewed the information provided in the notebook, including the time line, which started in June 2014, and noted that since that time there have been and remain serious structural deficiencies with the roofs. He noted numerous complaints about the condition and status of roofs. Also noted were the various third party reports, notices to the property owner and the proposed draft order. He also stated the notebook includes inspections and various complaints. Mr. Boyle noted in July 2016, the property owner was ordered by staff to replace the roofs, and since that date, none of the roofs have been repaired and no permits applied for or obtained. Mr. Boyle reviewed the building permit process and explained an application for a permit describes the work to be done, which is then inspected for code compliance. He stated the permitting process is designed to protect the health, safety, and welfare of the residents of the complex. Mr. Boyle reviewed his meeting with Mr. Mercer and his attorney. He reviewed a draft order asking the Council to order the repair within 30 days. If more than 30 days is needed, then the property owner bears responsibility to provide a scope of work and timeline for repair.

Mayor Wilson recognized Jeff Duncan, 2841 Prairie View Drive, Northlake, Texas, 76226 who stated he was not employed by Mr. Mercer, but a contractor that has worked for Mr. Mercer. He stated Mr. Mercer is of good character, and these issues are due to the inefficiencies of the building inspection department. Mr. Duncan explained he has been trying to obtain a permit for years and the City's timeline is incorrect, and provided his opinion of the roof damage and necessary repairs. He indicated he has been helping Mr. Mercer make repairs and the roof issue is his responsibility. Mr. Duncan stated a storm damaged the roof and reviewed the different roof materials and components and work that was done. He stated permits were not pulled in that it was not a permissible repair and the roof was restored. He further stated the roof repair included all City requirements. He continued his explanation of the roof damage and repairs and again stated he has attempted to get permits.

Mayor Wilson recognized Charles Mercer, 6101 Terrace Oaks Lane, Fort Worth, Texas, 76112, who provided a handout of information to the Council. Mr. Mercer stated he is the owner of Dakota Apartments, which he bought about five years ago. He stated when he bought the property the City wanted an upgrade to the electrical system and the previous owners completed half of an electrical upgrade, and he completed the upgrade. He stated Building Inspector Richard Clark recommended the contractor who did the repairs. He stated he paid the contractor \$20,000 and later looked at inspections where the work requested was not noted in the inspection. He stated the contractor then wanted to do the second half of the work. That they bid the work and found another contractor for \$4,000. He expressed concern that when he hired another contractor Richard Clark started citing him for various violations. Mr. Mercer expressed concern work was finalized, but not inspected, work was without a permit. He explained timing and weather conditions regarding roof damage and that he had Jeff repair the roof. Mr. Mercer stated Richard Clark decided he needed a whole new roof structure. He stated he

requested to have a structural engineer and Mr. Clark said no. He stated Mr. Clark is not a structural engineer, so he appealed his decision, which he lost, and now he has to replace all four buildings. Mr. Mercer stated he has tried to pull permits, but no response. He expressed his opinion that inspectors said there were failures in the roof and leaks, but there were not, just false reports. Mr. Mercer continued to express his belief of false reports, work demanded to be completed, which was not necessary and did not need permits, and other code compliance items, which he completed, but staff kept extending what work needed to be done. Mr. Mercer expressed his belief, in regards to cleanliness, that it was the City's responsibility to tell the tenants they are not up to standard. Also stated was his belief the reports were written vaguely and no communication from the City so there would be re-inspection fees. He expressed his opinion the City Council should instruct their staff to follow the rules passed by the Council.

Mayor Wilson recognized City Attorney Matthew Boyle who reviewed the roof condition, how the roof structure is comprised and what it would take to repair the roof with Building Official Robby Wallace. Mr. Wallace described the type of roof and material needed for this building, and needed repairs per the code. He stated the Building Official required the expertise of a design engineer to ensure the roof would be code compliant. He stated the Childress Report was clear that the roof repairs should be designed and certified complete by a licensed engineer. Mr. Boyle requested Chief Palla to testify and City Secretary Rita Frick swore in Chief Palla. In response to questions from Mr. Boyle, Chief Palla stated the fire department's standard operating procedure for the Dakota Apartments is that they are not to get on the roof under any circumstances. He stated staff was notified the roof was substandard and there is no tactical reason to be on the roof. Mr. Mercer questioned Building Official Robby Wallace regarding the water damage stating there was far more water when the hurricane came through four years ago than is now trapped. Mr. Wallace described how these types of roofs are typically constructed with weatherproofing material. Mr. Jeff Duncan also provided information related to roof composition. City Attorney Boyle noted binder of information he provided to the Council and Mr. Mercer including a timeline, presentation, latest code compliance inspection report, Farmer Environmental Report (excluding appendices), Childress Engineering Roof and Structural Assessment, Notices, Draft Order, Inspections and Complaints regarding roof leaks and miscellaneous complaints. He stated the City of Hurst is trying to take the correct steps for the seventy-seven families residing in the apartments. Mr. Boyle reviewed the issues existing in 2016 that remain today and noted illegal electrical work without a permit or performed by an unlicensed contractor. He requested the Council consider approval of the proposed order.

Mr. Mercer again reiterated earlier comments expressing his belief the roof is fixed and again questioned the inspections and requirements.

There being no one else to speak, Mayor Wilson closed the public hearing.

4. Considered ordering the repair, removal or demolition of property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments).

Councilmember Thompson moved to order the structures on the property to be repaired, removed, or demolished no later than October 24, 2019 and adopt the Order as presented by staff. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, McLendon and Shepard
No: None

BUDGET RELATED ITEM(S)

5. Considered Ordinance 2450(a), second reading, adopting budget for fiscal year beginning October 1, 2019 and ending September 30, 2020.

City Manager Clay Caruthers advised this is the second reading of the proposed budget for fiscal year beginning October 1, 2019 and ending September 30, 2020. He stated they have complied with all state requirements for the adoption of the budget.

Councilmember Kitchens moved to approve Ordinance 2450(a). Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, McLendon and Shepard
No: None

6. Considered Ordinance 2450(b), second reading, ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2019-2020 Budget.

City Manager Clay Caruthers advised this ordinance is simply ratifying the previous ordinance, which is required anytime you exceed the effective tax rate. He also noted that next year the vernacular will change regarding adoption of the tax rate. Mr. Caruthers stated all required hearings were held and reminded the audience of the voter approved bonds for the new Animal Shelter and Adoption facility is supported by the increased tax rate, and otherwise, the rate supports the maintenance and operation rate increase of 1.24%. Mayor Wilson also noted Tarrant County College approved the land purchase contract for the Animal Shelter and Adoption facility.

Councilmember McKenzie moved to approve the consent agenda. Motion seconded by Councilmember Thompson. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, McLendon and Shepard
No: None

7. Considered Ordinance 2451, second reading, setting the tax rate for the 2019 tax year.

City Manager Clay Caruthers stated comments made for agenda item 6 were the same discussion for this item.

Councilmember Booe moved to approve Ordinance 2451, second reading, that the property tax rate be increased by the adoption of a tax rate of \$0.597299, which is effectively a 9.6% increase in the tax rate. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, McLendon and Shepard
No: None

8. Considered Ordinance 2452, second reading, approving all water and wastewater rates for Fiscal Year 2019-2020.

Assistant City Manager Clayton Fulton noted the discussion during the budget process for the proposed water and wastewater rates and that revenue comes from the rate payers, with the major obligations the wholesale costs. He stated, since 2013, the wholesale costs have continued to increase up to 40% of the total budget. He reviewed the City's rate smoothing process, which prevents huge fluctuations for the citizens. Mr. Fulton stated the impact to the average customer is about \$2.20 a month.

Councilmember McLendon moved to approve Ordinance 2452, including the proposed Water and Wastewater rates effective October 1, 2019, to be included in all City utility bills processed on, or after, November 1, 2019. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, McLendon and Shepard
No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

9. Conducted a public hearing to consider amending City of Hurst Code of Ordinances Section 27/24 "Nonconforming Uses" by adding Section 27-24(n) regarding nonconforming uses created by the right-of-way acquisition by governmental agency.

Mayor Wilson announced the public hearing to consider amending City of Hurst Code of Ordinances Section 27-24 "Nonconforming Uses" by adding Section 27-24(n) regarding nonconforming uses created by the right-of-way acquisition by governmental agency and recognized City Manager Clay Caruthers who stated staff is working diligently to complete construction on Pipeline Road, and that there have been a couple of right-of-way acquisitions to widen the road, which has removed some parking spaces away from the businesses. He stated the proposed Ordinance ensures property owners that any zoning violation, due to the right-of-way acquisition, is treated as a nonconforming use, protecting the businesses.

There being no one to speak, Mayor Wilson closed the public hearing.

10. Considered Ordinance 2454 amending City of Hurst Code of Ordinances Section 27/24

“Nonconforming Uses” by adding Section 27-24(n) regarding nonconforming uses created by the right-of-way acquisition by governmental agency.

Councilmember Thompson moved to approve Ordinance 2454 amending the City of Hurst Code of Ordinances Section 27-24 “Non-Conforming Uses” by adding Section 27-24(n) regarding Non-Conforming Uses created by right-of-way acquisition by a governmental agency. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, McKenzie, Thompson, McLendon and Shepard
No: None

RESOLUTION(S)

11. Approval of Resolution 1747 nominating candidates to the Tarrant Appraisal District (TAD) Board of Directors.

No action was taken on this item.

OTHER BUSINESS

12. Council reviewed the following board, commission and committee meeting minutes:
 - Ñ Hurst Senior Citizens Advisory Board
 - Ñ Parks and Recreation Board
 - Ñ Library Board
13. Review of upcoming calendar items - City Manager Caruthers reviewed calendar items noted in the packet. Also noted were plans for a helicopter at the Fire Department Open House, the Fall Festival, October 5, 2019 will be in the parking lot in front of Nordstrom’s at Northeast Mall and plans to have hayrides, pumpkins and children’s activities.
14. City Council Reports - Items of Community Interest

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED. No one spoke.

EXECUTIVE SESSION in Compliance With the Provisions of the Texas Open Meetings Law, Authorized by Government Code, Section 551.087 deliberation and conducting of economic development negotiations regarding financial information relative to prospective business expansion in the city and Section 551.071, Consultation with City Attorney to seek advice regarding Pending or Contemplated Litigation or Settlement Offers (Dakota Place Apartments) to reconvene in Open Session at the conclusion of the Executive Session.

Mayor Wilson did not recess to Executive Session.

15. Take any and all action ensuing from Executive Session. No action was taken

ADJOURNMENT

The meeting adjourned at 8:52 p.m.

APPROVED this the 22nd day of October 2019.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Henry Wilson, Mayor

City Council Staff Report

SUBJECT: Approval of Ordinance 2454 amending the City of Hurst Code Of Ordinances Section 27-24 "Non-Conforming Uses" by adding Section 27-24(n) regarding Non-Conforming Uses created by right-of-way acquisition by a governmental agency

Supporting Documents:

Ordinance 2454

Meeting Date: 10/22/2019
 Department: Development
 Reviewed by: Michelle Lazo
 City Manager Review:

Background/Analysis:

The proposed update to the City's zoning ordinance ensures property owners that any zoning violation, due to right-of-way acquisition, by any governmental agency will be treated as a nonconforming use, allowing uses to continue subject to regulations specified in Section 27-24.

The ordinance does specify that the allowance of the nonconformity would not apply if the property owner was offered compensation for the demolition, removal, relocation or replacement of improvements.

Funding Sources and Community Sustainability:

There is no fiscal impact.

This ordinance is a direct representation of Council's goal for Redevelopment.

Recommendation:

Staff recommends City Council approve Ordinance 2454 amending the City of Hurst Code of Ordinances Section 27-24 "Non-Conforming Uses" by adding Section 27-24(n) regarding Non-Conforming Uses created by right-of-way acquisition by a governmental agency.

ORDINANCE 2454

AN ORDINANCE AMENDING CITY OF HURST CODE OF ORDINANCES SECTION 27-24 “NONCONFORMING USES” BY ADDING SECTION 27-24(n) REGARDING NONCONFORMING USES CREATED BY THE RIGHT-OF-WAY ACQUISITION BY GOVERNMENTAL AGENCY; DETERMINING THAT THE CHANGE IS IN ACCORDANCE WITH A COMPREHENSIVE PLAN FOR THE PURPOSE OF PROMOTING THE PUBLIC INTEREST, MORALS AND GENERAL WELFARE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in the City of Hurst at least 15 days before such hearing; and

WHEREAS, the City Council of the City of Hurst, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, that the zoning change does not unreasonably invade the rights of those who bought or improved property with reference to the classification which existed at the time their original investment was made; and

WHEREAS, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Hurst; and

WHEREAS, the City is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this ordinance; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including, but not limited to the Open Meetings Act; and

WHEREAS, the purpose of this ordinance is to promote the public health, safety, and general welfare of the citizens of the City of Hurst.

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

SECTION 1. THAT, the statements contained in the preamble to this ordinance are hereby adopted as findings of fact and as a part of the operative provisions hereof.

SECTION 2. THAT, Sec 27-24 of the Code of Ordinances of the City of Hurst is hereby amended by adding Sec. 27-24(n), which shall read as follows:

(n) *Right-of-way acquisition by governmental agency.*

(1) Definitions. As used in this section, the following terms shall have the respective meanings ascribed to them:

- a. Governmental agency shall mean the United States of America, State of Texas, County of Tarrant, the City of Hurst, or any other governmental agency with the ability to exercise eminent domain powers.

- b. Right-of-way acquisition shall mean the securing of right-of-way through negotiation, purchase, bargain, trade, donation, condemnation, or other means by use or threat of eminent domain, but not including the dedication of right-of-way through platting or zoning processes.
 - c. Damages to the remainder shall mean the diminution or reduction of value of the remainder property suffered as a result of the acquisition of a portion of property for a public purpose.
- (2) *Exemption permitted.* In the event a right-of-way acquisition by a governmental agency causes a property or its existing improvements to be in violation of a city zoning ordinance, subdivision rule, or other land use regulation or ordinance, the property shall be exempt from the provision to the extent the violation is caused by the right-of-way acquisition, subject to the following:
- a. *Zoning change.*
 - 1. The exemption shall not apply to a property that undergoes a zoning change initiated by the property owner subsequent to the right-of-way acquisition; instead, the property shall have a non-conforming status to the extent that any nonconformance with city ordinances resulted from a right-of-way acquisition by a governmental agency prior to the rezoning, and shall be treated as a nonconforming use or structure pursuant to the city's comprehensive zoning ordinance.
 - 2. A zoning change initiated by the city shall not cause a property to lose the exemption provided by this section for property affected by right-of-way acquisitions.
 - b. *Safety Hazard.* Nothing in this provision shall be construed to permit any site element to create a traffic safety hazard or another life safety hazard.
 - c. *Compensation for noncompliance.*
 - 1. The exemption shall not apply to property if the right-of-way acquisition renders the remainder of the property unusable, and the governmental agency compensates the property owner for the damage to the remainder. Where such compensation is provided, the property owner is responsible for any curative measures necessary to bring the property in compliance with city codes, ordinances, and regulations.
 - 2. The exemption shall not apply to the property if the governmental agency offered compensation to the property owner for demolition, removal, relocation, or replacement of improvements or other measures curative of the violation of city codes or ordinances caused by the right-of-way acquisition.
 - 3. For property ineligible for an exemption by this subsection (c), the director of planning and community development is authorized to provide notice to any affected property owner, lienholder, and/or certificate of occupancy holder, listing any items of noncompliance; and file an affidavit in the Tarrant County Deed Records noting the item(s) of noncompliance, advising that compensation was paid for such noncompliance, and that a certificate of occupancy shall not issue until such

noncompliance is cured. Once the property and its improvements are brought into full compliance with all applicable ordinances of the city, the planning director is authorized to file an affidavit in the Tarrant County Deed Records noting such compliance.

- 4. If a property is ineligible for an exemption by this subsection (c), the building official is authorized to revoke a certificate of occupancy of any building or structure for noncompliance with a code, ordinance, or regulation. The Codes, Appeals and Advisory Board is authorized to issue an order of demolition a minimum of 90 days after the certificate of occupancy has been revoked for any building or structure on property ineligible for an exemption under subsection (c).

(3) *Effective date.* The provisions of this section shall apply to any property acquired by eminent domain after October 22, 2019.

SECTION 3. THAT, all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect.

SECTION 4. THAT, should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or be 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 thereof other than the part thereof decided to be unconstitutional, illegal, or invalid, and the same shall not affect the validity of the Code of Ordinances of the City of Hurst, Texas as a whole.

SECTION 5. THAT, this ordinance shall take effect immediately following its passage, approval, and publication as provided by law, and it is accordingly so ordained.

AND IT IS SO ORDERED.

Passed on the first reading on the 24th day of September 2019 by a vote of 6 to 0.

Approved on the second reading on the 22nd day of October 2019 by a vote of ___ to ___.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney

City Council Staff Report

SUBJECT: Consider Ordinance 2456 amending the Hurst Code of Ordinances, Section 22-1 – Bingo Tax

Supporting Documents:

Ordinance 2456

Meeting Date: 10/22/2019

Department: Fiscal Services

Reviewed by: Clayton Fulton

City Manager Review:

Background/Analysis:

Pursuant to House Bill 914, the City of Hurst passed Resolution 1740, which called for the City to continue collection of the Bingo Tax. In preparing to administer the tax, staff noticed that Section 22-1 of the Hurst Code of Ordinances was no longer in compliance with state law regarding Bingo Taxes.

Ordinance 2456 would amend the Hurst Code of Ordinances to ensure the City is in compliance with state law in administration of the Bingo Tax.

Funding Sources and Community Sustainability:

Consistent with the Council's Strategic Plan and the priorities of Economic Vitality, and the Financial Sustainability component of the Hurst Way, the annual budget includes projected revenues from Bingo Taxes. Various bingo parlors operate in the City and the Bingo Tax supports City services. This also helps ensure the City uses the revenue tools afforded to the City by the State of Texas.

Recommendation:

It is recommended the City Council approve Ordinance 2456, first reading amending the Hurst Code of Ordinances, Section 22-1, Bingo Tax

ORDINANCE 2456

AN ORDINANCE AMENDING SECTION 22-1 – BINGO TAX OF THE HURST CODE OF ORDINANCES

WHEREAS, the 86th Legislature of the State of Texas passed House Bill (HB) 914; and

WHEREAS, the Governor of the State of Texas approved HB 914 requiring municipalities to administer their own collections of the Bingo Tax; and

WHEREAS, state law governs the fee the City may impose.

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

Section 1: THAT Section 22-1 – Bingo Tax of the Hurst Code of Ordinances be amended to read as follows:

“Section 22-1. – Bingo Tax

The City shall administer the bingo tax in accordance with the laws of the State of Texas”.

AND IT IS SO ORDERED.

Passed on the first reading on the 22nd day of October 2019 by a vote of _____ to _____.

Approved on the second reading on the 12th day of November 2019 by a vote of _____ to _____.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney

City Council Staff Report

SUBJECT: Approval for the city manager to enter into a Title Policy with Rattikin Title Company to fund additional closing costs for the Tarrant County College land acquisition

Supporting Documents:

Meeting Date: 10/22/2019
Department: Community Services
Reviewed by: Kyle Gordon
City Manager Review:

Background/Analysis:

The City Council authorized the city manager to enter into a contract for the purchase of Tarrant County College property on September 10, 2019. In order to protect the City's investment of the land, and any improvements to the land, a title policy is being issued for the full voter approved bond amount of \$7.5 million from Rattikin Title Company. In addition, funding to update and finalize the plat and process closing documents will be required. It is estimated that \$35,000 is needed to complete the final phase of the land acquisition.

Funding Sources and Community Sustainability:

The funding, in the amount of \$35,000, has been identified in the Animal Shelter and Adoption Center Project budget.

In an effort to remain a vibrant community, this project addresses the City Council's Strategic Priorities for Redevelopment and Infrastructure by protecting the City's investment.

Recommendation:

It is recommended the City Council authorize the city manager to enter into a Title Policy with Rattikin Title Company to fund additional closing cost, for the Tarrant County College land acquisition, in an amount not to exceed \$35,000.

City Council Staff Report

SUBJECT: Annual Replacement Program for Computers, Printers, and Other Information Technology Infrastructure

Supporting Documents:

Meeting Date: 10/22/2019
Department: Information Technology
Reviewed by: Clayton Fulton
City Manager Review:

Background/Analysis:

The City of Hurst's Information Technology (I.T.) Department provides state-of-the-art technology to the employees. The computers, printers, and infrastructure hardware is depreciated over time and replaced on a regular schedule managed by the Information Technology Advisory Committee; this plan provides for a hardware replacement schedule based on a minimum five-year or greater life expectancy.

In order for the I.T. Department to provide reliable service on such a large scale, the Department has standardized much of the City's hardware. This standardization increases productivity and reduces the maintenance costs associated with keeping mismatched equipment operational.

The I.T. Department currently uses HP, Lenovo, Getac, and Panasonic as the primary hardware vendors. The I.T. Department uses approved vendors on the State of Texas DIR purchasing contract, as well as other national purchasing agreements (such as WSCA and GSA). These purchasing consortiums offer the City bulk pricing, well below the pricing offered to retail, small businesses, or through the City's bidding process.

Funding Sources and Community Sustainability:

The total amount needed for the 2019 I.T. Hardware Replacement Program is \$131,900. Funding for this project has been identified in the FY 19-20 I.T. operating budget.

In an effort to remain a vibrant community this project addresses the City Council's Strategic Priorities for Innovation and Infrastructure by improving and maintaining the City's I.T. components.

Recommendation:

It is recommended the City Council authorize the I.T. Director, on behalf of the City Manager, to purchase hardware through approved purchasing vendors and contracts, not to exceed the amount of \$131,900.

City Council Staff Report

<p>SUBJECT: Consider authorizing the city manager to enter into Purchase Agreements with Galls, Got You Covered, and GT Distributors for police department uniforms and equipment</p>	
<p>Supporting Documents:</p>	<p>Meeting Date: 10/22/2019 Department: Police Department Reviewed by: Steve Niekamp City Manager Review:</p>
<p>Background/Analysis:</p> <p>The police department annually budgets for uniforms for sworn and civilian personnel to include necessary ancillary items, such as ballistic vests/body armor, badges, nametags, holsters, belts, jackets, and other protective gear. The police department has approved access for best-pricing through government purchasing contracts such as the Tarrant County Cooperative Purchasing Agreement, HGAC, Buy Board, TXDIR, etc. The police department’s vendors access these cooperative contracts.</p> <p>Due to the need to purchase ballistic vests/body armor and the price of uniform items from Galls, Got You Covered, and GT Distributors, the total may exceed \$25,000 for an individual company.</p>	
<p>Funding Sources and Community Sustainability:</p> <p>In support of the City Council’s Public Safety Strategic Priority, providing uniforms and safety equipment will support the Police Department’s efforts to provide excellent and responsive services to the community. Two of The Hurst Way’s components, Financial Sustainability and Public Service, provided the filter for determining the cost and benefits of this purchase.</p> <p>Funds have been allocated in the current General and Anti-Crime Funds.</p>	
<p>Recommendation:</p> <p>Staff recommends the City Council authorize the city manager to enter into a Purchase Agreement with Galls, Got You Covered, and GT Distributors, for an amount up to \$88,780.</p>	

City Council Staff Report

SUBJECT: Consider authorizing the city manager to enter into a Purchase Agreement with NMS Labs and Tarrant County Medical Examiner for evidence processing services

Supporting Documents:

Meeting Date: 10/22/2019
 Department: Police Department
 Reviewed by: Steve Niekamp
 City Manager Review:

Background/Analysis:

The Police Department annually budgets for professional evidence processing services to include toxicology testing, drug testing, and other evidence processing services requiring a certified laboratory technician. Many of these services are required by state law, including mandatory drug and alcohol toxicology testing in certain Driving While Intoxicated offenses. The Police Department's primary evidence processing laboratories are NMS Labs in Bedford, Texas and the Tarrant County Medical Examiner's office in Fort Worth, Texas.

Due to the need for professional processing services for a large amount of evidence, the cost of these services is expected to be up to \$75,000. The anticipated expenditure amount requires City Council to authorize the city manager to enter into a Purchase Agreement with NMS Labs and the Tarrant County Medical Examiner's office.

Funding Sources and Community Sustainability:

In support of the City Council's Public Safety Strategic Priority, professional processing services will support the Police Department's efforts to provide excellent and responsive services to the community. Two of The Hurst Way's components, Financial Sustainability and Public Service, provided the filter for determining the cost and benefits of this purchase.

Funds have been allocated in the current General and Anti-Crime Funds.

Recommendation:

Staff recommends the City Council authorize the city manager to enter into a Purchase Agreement with NMS Labs and the Tarrant County Medical Examiner's Officer, for an amount up to \$75,000.

City Council Staff Report

SUBJECT: Consider authorizing the city manager to purchase (1) vehicle and (2) pieces of equipment from approved vendors

Supporting Documents:

Meeting Date: 10/22/2019
 Department: Administration
 Reviewed by: Malaika Marion Farmer
 City Manager Review:

Background/Analysis:

The Fleet Services Division is committed to maintaining, repairing, and replacing City vehicles and equipment in a timely and cost-effective manner so as to prevent interruptions in City services. The Fleet Services Division follows a replacement schedule to determine vehicle and equipment depreciation and estimate service life. During the vehicle's or equipment's service life, all parts, fuel and repairs are tracked. Each year during the budget process, all vehicles and equipment are evaluated based on their age, mileage, maintenance and repair costs. Following this evaluation process, the necessary vehicles and equipment are budgeted to be replaced in the upcoming fiscal year. After vehicles are approved for replacement, Fleet Services staff examine them to determine if any equipment can be reused, in an effort to lower costs.

For Fiscal Year (FY) 2020, the following vehicle and equipment are scheduled and budgeted for replacement: one (1) Case 590SN backhoe and one (1) Husqvarna FS3500 concrete saw for the Street Division and one (1) Ford F-450 Frazer 14' EMS unit for the Fire Department.

Associated Supply Company submitted quotes in the amount of \$126,500 for Street Division equipment and Frazer/Sterling McCall Ford submitted a quote of \$289,495 for the Fire EMS vehicle. The City of Hurst is a member of the BuyBoard and HGAC purchasing consortiums, which provide substantial cost savings for the purchase of vehicles and equipment from approved vendors. When making purchases through BuyBoard and HGAC, the City can purchase directly from Associated Supply Company and Frazer/Sterling McCall Ford as low bidders. The total for all quotes received is \$415,995, and \$452,000 was budgeted for the replacement of these units. The remaining budgeted funds will be used to purchase and install the necessary equipment after examinations determine what can be reused from the existing units. This equipment and vehicle decaling will be purchased following City standard purchasing policies and procedures.

Funding Sources and Community Sustainability:

Funding for these units has been identified within FY 2020 Fleet Service Fund. The fleet replacement scheduled is designed to be fiscally responsible while at the same time provide excellent service.

Recommendation:

It is recommended that the City Council authorize the city manager to purchase (1) vehicle and (2) pieces of equipment from approved vendors, in the amount of \$415,995.

City Council Staff Report

SUBJECT: Consider canceling the November 26, 2019 and December 24, 2019, regular City Council meetings

Supporting Documents:

Meeting Date: 10/22/2019
Department: Legislative and Judicial Services
Reviewed by: Rita Frick
City Manager Review:

Background/Analysis:

This item provides for City Council to cancel the November 26, 2019 and December 24, 2019, regular City Council meetings.

Funding Sources and Community Sustainability:

There is no fiscal impact.

Recommendation:

Staff recommends City Council move to cancel the November 26, 2019, and December 24, 2019, regular City Council meetings.

City Council Staff Report

SUBJECT: SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1, Taylor Addition, being .784 acre located at 751 Pipeline Court

Supporting Documents:

Ordinance 2455
Area map
Legal notice
Ownership Data
Site Plan –Exhibit "A"
Landscape Plan – Exhibit "B"
Building elevations – Exhibit "C-F"

Meeting Date: 10/22/2019
Department: Development
Reviewed by: Michelle Lazo
City Manager Review:

Background/Analysis:

An application has been made by Gerald and Janet Tompkins for a site plan on Lot A, Block 1, Taylor Addition, being .784 acre located at 751 Pipeline Ct. The property is zoned MU-PD (Mixed Use Planned Development).

The applicant is requesting the site plan in order to construct four townhomes and a two unit apartment building. The site plan indicates four (4) two-story townhomes with a single-car garage and a two (2) unit apartment building with a single unit on the first floor and a single unit on the second floor.

The units will face each other and share a common area for parking. There will be one access drive to Pipeline Ct. Building "A" will face south and will have two (2) attached townhome units with three (3) bedrooms and two and a half baths (2.5). The building will also have two (2) attached apartments with two (2) bedrooms and two (2) baths. The rear yard will be adjacent to Pipeline Road.

Building "B" will face north and will have two attached townhomes. All townhomes will have the same lay-out with 1,470 square feet of living space. The apartments will have 970 sq. ft. of living space.

The building elevation indicates a brick veneer exterior with hardie plank siding and a composition roof. There will be a privacy fence around all rear yards and in between townhome units. The MU-PD zoning district allows a vegetative screen in lieu of a masonry wall adjacent to Pipeline Rd.

This lot is covered with many mature trees. The applicant will be removing 227 caliper inches of trees and mitigating 56 caliper inches. The applicant will be preserving several mature trees along Pipeline Road to serve as a rear buffer yard. The applicant will be planting 14 Red Oaks, 11 Crape Myrtle, Indica Boxwood, Carolina Jasmine, and Bermuda sod.

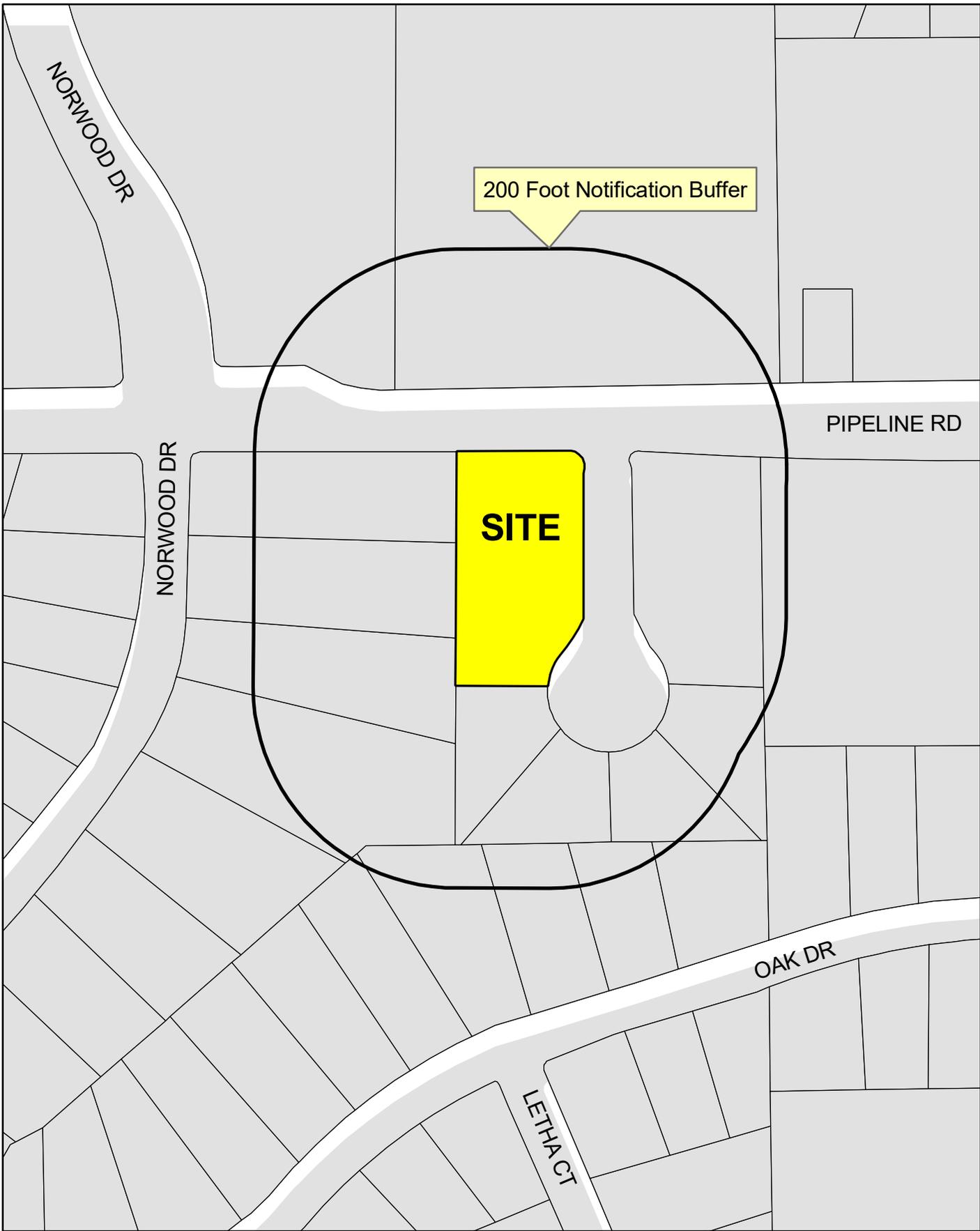
Funding Sources and Community Sustainability:

There is no fiscal impact.

Reviewing the site plan is a direct representation of Council's goal for Redevelopment.

Recommendation:

Based upon the Planning and Zoning Commission vote of 6-0, the recommendation is that City Council move to approve SP-19-08 Tompkins Townhomes, a site plan located at 751 Pipeline Court.



<p>CASE NO: SP-19-08 Tompkins Townhomes</p>	<p>LEGAL DESCRIPTION: LOT A, BLOCK 1 TAYLOR ADDITION</p>	<p>AGENDA DATE: 09/30/2019</p>
<p>REQUESTED ACTION: Site Plan Approval</p>	<p>LOCATION; 751 PIPELINE CT</p>	



SP-19-08

LEGAL NOTICE

A PUBLIC HEARING WILL BE HELD BY THE HURST CITY COUNCIL ON TUESDAY, OCTOBER 22, 2019 AT 6:30 P.M. AT HURST CITY HALL, 1505 PRECINCT LINE ROAD TO CONSIDER A SITE PLAN FOR LOT A, BLOCK 1 TAYLOR ADDITION, BEING .78 ACRES LOCATED AT 751 PIPELINE COURT.

TOMPKINS TOWNHOMES

Lot A, Block 1 Taylor Addition
751 Pipeline Court



SP-19-08

**APPLICATION FOR SITE PLAN
OWNERSHIP DATA**

TO THE HURST PLANNING AND ZONING COMMISSION:

The following described real property is under application for approval of a site plan revision.

Tompkins Townhomes
Site Plan
Lot A, Block 1, Tompkins Townhomes
751 Pipeline Court

The following is a list of the property owners, legal description of their property, and mailing address of the owners of the property within 200 feet of the above-described property, which is under application for a site plan:

PROPERTY OWNER	LOT	BLK	ADDITION	ADDRESS
VALLEY OAKS APARTMENTS	3R	BLK 1	HILLTOP	2600 S DOUGLAS RD 1101 CORAL GABLES, FL 33134
HURST CHRISTIAN CHURCH	TR1 C1	A 1627	WILSON, GULAVER SURVEY	754 BROWN TR HURST TX 76053
DENNIS, ROBERT E EST	13	BLK 13	BELLVUE	213 OAK DR E HURST TX 76053
SANCHEZ, RAMON	12	BLK 13	BELLVUE	209 OAK DR E HURST TX 76053
FROST, VELDA ELLIOTT	11	BLK 13	BELLVUE	205 OAK DR E HURST TX 76053
SHIFLET, LEE	10	BLK 13	BELLVUE	201 OAK DR E HURST TX 76053
VALLEY OAKS APARTMENTS	2R	BLK 1	HILLTOP	2600 S DOUGLAS RD 1101 CORAL GABLES, FL 33134
REO CH OF JESUS CHRIST OF LATT	B	BLK 1	TAYLOR	1001 W WALNUT ST INDEPENENCE, MO 64050
TOMPKINS, GERALD B	A	BLK 1	TAYLOR	615 TRAILHEAD DR SOUTHLAKE TX 76092
TOMPKINS, JANET T	28	BLK 13	BELLVUE	615 TRAILHEAD DR SOUTHLAKE TX 76092
BROWN, JOHN CHRIS	27	BLK 13	BELLVUE	6604 MEADOWRIDGE CT NRH TX 76180
JAIMES, ERIC	9	BLK 13	BELLVUE	135 OAK DR E HURST TX 76053
DESPAIN, BRANDON	26	BLK 13	BELLVUE	748 NORWOOD DR HURST TX 76053
WHITLEY, T M	25	BLK 13	BELLVUE	744 NORWOOD DR HURST TX 76053

MCNARY PROPERTIES	4R	BLK 1	TAYLOR	1230 BROWN TR STE 107 BEDFORD, TX 76022
HOOVER, DEBORAH L	1	BLK 1	TAYLOR	1230 BROWN TR STE 107 BEDFORD, TX 76022
WILSON JOHN J & JOYCE C REVOCA	2	BLK 1	TAYLOR	3270 STROLLING HILLS RD SHINGLE SPRINGS, CA 95682
HOOVER, DEBORAH	3R	BLK 1	TAYLOR	1230 BROWN TR STE 107 BEDFORD, TX 76022
OCCUPANT	3R	BLK 1	WOODBIDGE PLAZA	101 E PIPELINE RD HURST, TX 76053
OCCUPANT	2R	BLK 1	WOODBIDGE PLAZA	101 E PIPELINE RD HURST, TX 76053
OCCUPANT	B	BLK 1	WOODBIDGE PLAZA	750 E PIPELINE RD HURST, TX 76053
OCCUPANT	A	BLK 1	WOODBIDGE PLAZA	751 E PIPELINE CT HURST, TX 76053
OCCUPANT	28	BLK 13	CLASSIC CONCEPTS PLAZA	756 NORWOOD DR HURST, TX 76053
OCCUPANT	27	BLK 13	WOODBIDGE PLAZA	752 NORWOOD DR HURST, TX 76053
OCCUPANT	4R	BLK 1	WOODBIDGE PLAZA	746 E PIPELINE CT HURST, TX 76053
OCCUPANT	1	BLK 1	WOODBIDGE PLAZA	747 E PIPELINE CT HURST, TX 76053
OCCUPANT	2	BLK 1	WOODBIDGE PLAZA	743 E PIPELINE CT HURST, TX 76053
OCCUPANT	3R	BLK 1	WOODBIDGE PLAZA	742 E PIPELINE CT HURST, TX 76053

EXHIBIT A

LEGEND:

- - - - - PROPERTY LINE
- - - - - EX. CONTOURS
- - - - - PROP. CONTOURS
- - - - - EASEMENT
- - - - - BUILDING SETBACK
- - - - - VALLEY
- [Hatched Box] PROPOSED STRUCTURE
- [Thick Line] RETAINING WALL
- [Thick Line with 538] FEMA FLOOD ELEVATION
- [Dashed Line] LIMITS OF FLOOD PLAIN

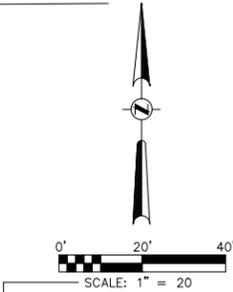
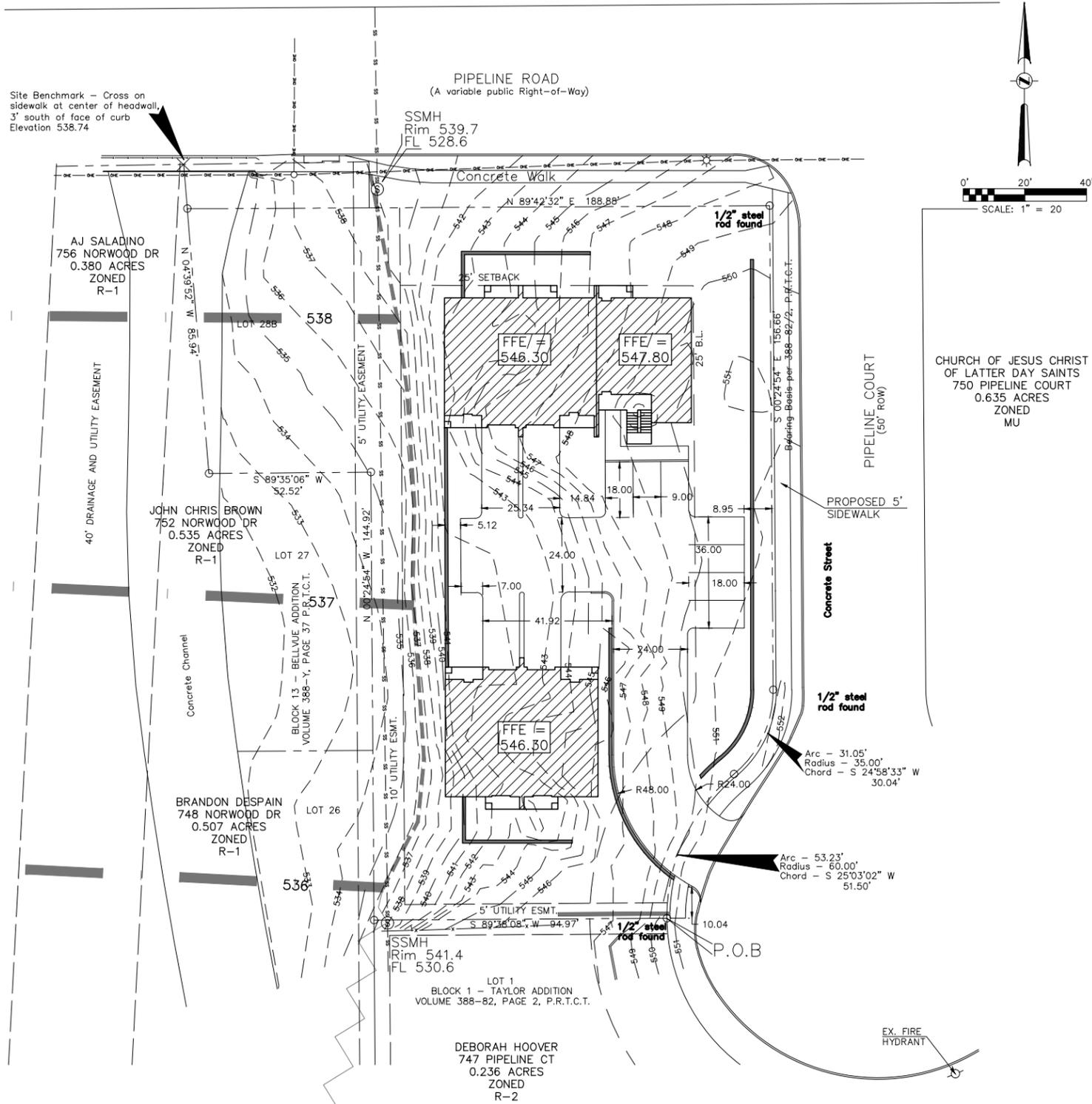
SITE SUMMARY - LOT A	
TOWNHOME AND APARTMENT	
0.7845 ACRES (34,172 SF) BEFORE DEDICATION 0.020 ACRES (889 SF) ROW DEDICATION 0.7641 ACRES (33,283 SF) AFTER DEDICATION	
EXISTING ZONING	MULTIFAMILY
PROPOSED ZONING	MULTIFAMILY
BUILDING AREA	3,060 SF FIRST FLOOR 1,538 SF SECOND FLOOR 4,598 SF TOTAL 6,342 SF TOTAL LIVING AND NON-LIVING SPACE
NORTH BUILDING	
SOUTH BUILDING	1,966 SF FIRST FLOOR 1,538 SF SECOND FLOOR 3,504 SF TOTAL 3,816 SF TOTAL LIVING AND NON-LIVING SPACE
BUILDING HEIGHT	NORTH BUILDING 31'-2" ROOF NORTH BUILDING 34'-2" FIRE WALL SOUTH BUILDING 31'-2" ROOF SOUTH BUILDING 34'-2" FIRE WALL
PARKING	REQUIRED TOTAL 2 PER UNIT TOTAL REQUIRED = 10 PARKING PROVIDED TOTAL 4 GARAGE SPACES + 7 REGULAR SPACES 11 SPACES TOTAL PARKING AREA = 1,782 SF
IMPERVIOUS COVER	0.234 ACRES (10,192 SF) 30.6%
BUILDING LOT COVERAGE	15.1%
SETBACKS	PIPELINE ROAD 25' BUILDING SETBACK PIPELINE COURT 25' BUILDING SETBACK REAR/SIDE 10' BUILDING SETBACK

PRIVATE PAVING SECTION:
5" OF 3,500 PSI CONCRETE WITH #4 BAR
18" O.C.E.W OVER SUBGRADE COMPACTED TO
95% PROCTOR DENSITY, +2 TO +4%
OPTIMUM MOISTURE CONTENT.

METES AND BOUNDS DESCRIPTION OF A 0.7645 ACRE TRACT OF LAND

BEING A TRACT OF LAND SITUATED IN THE S. MCDANIEL SURVEY, ABSTRACT NO. 1108 AND SITUATED IN THE CITY OF HURST, TARRANT COUNTY, TEXAS, AS SURVEYED BY MILLER SURVEYING, INC. OF HURST, TEXAS IN AUGUST OF 2019, SAID TRACT BEING A PORTION OF LOT A, BLOCK 1, TAYLOR ADDITION, AN ADDITION TO THE CITY OF HURST, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-82, PAGE 2 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS AND ALSO INCLUDING THE PORTION OF LOT 28, BLOCK 13, BELLVUE ADDITION DESCRIBED AS "TRACT 1" IN THE DEED TO GERALD B TOMPKINS, II AND JANET T, TOMPKINS RECORDED AS INSTRUMENT NO. D217076735 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID BELLVUE ADDITION BEING AN ADDITION TO THE CITY OF HURST, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-Y, PAGE 37 OF SAID PLAT RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- BEGINNING AT A 1/2 INCH STEEL ROD FOUND FOR THE MOST SOUTHEAST CORNER OF SAID LOT A, SAID ROD BEING IN THE WESTERLY RIGHT-OF-WAY LINE OF PIPELINE COURT;
- THENCE SOUTH 89 DEGREES 38 MINUTES 08 SECONDS WEST WITH THE SOUTHERLY BOUNDARY LINE OF SAID LOT A A DISTANCE OF 94.97 FEET TO A 1/2 INCH "MILLER 5665" CAPPED STEEL ROD SET FOR THE SOUTHWEST CORNER THEREOF;
- THENCE NORTH 00 DEGREES 24 MINUTES 54 SECONDS WEST WITH THE WESTERLY BOUNDARY LINE OF SAID LOT A A DISTANCE OF 144.92 FEET TO A 1/2 INCH "MILLER 5665" CAPPED STEEL ROD SET FOR THE SOUTHWEST CORNER OF SAID TOMPKINS TRACT 1;
- THENCE SOUTH 89 DEGREES 35 MINUTES 06 SECONDS WEST WITH THE SOUTHERLY BOUNDARY LINE OF SAID TOMPKINS TRACT 1 A DISTANCE OF 52.52 FEET TO A CROSS IN CONCRETE SET FOR THE SOUTHWEST CORNER THEREOF;
- THENCE NORTH 04 DEGREES 39 MINUTES 52 SECONDS WEST WITH THE WESTERLY BOUNDARY LINE OF SAID TOMPKINS TRACT 1 A DISTANCE OF 85.94 FEET TO A CROSS IN CONCRETE SET IN THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF PIPELINE ROAD;
- THENCE NORTH 89 DEGREES 42 MINUTES 32 SECONDS EAST A WITH SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 188.88 FEET TO A 1/2 INCH STEEL ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT A, SAID ROD BEING THE INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID WESTERLY RIGHT-OF-WAY LINE OF PIPELINE COURT;
- THENCE SOUTH 00 DEGREES 24 MINUTES 54 SECONDS EAST WITH THE EASTERLY BOUNDARY LINE OF SAID LOT A AND WITH SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 156.66 FEET TO A 1/2 INCH STEEL ROD FOUND FOR THE BEGINNING OF A CURVE TO THE RIGHT WITH A RADIUS OF 35.00 FEET AND WHOSE CHORD BEARS SOUTH 24 DEGREES 58 MINUTES 33 SECONDS WEST AT 30.04 FEET;
- THENCE SOUTHERLY CONTINUING WITH SAID EASTERLY BOUNDARY LINE AND SAID WESTERLY RIGHT-OF-WAY LINE AND WITH SAID CURVE ALONG AN ARC LENGTH OF 31.05 FEET AND THROUGH A DELTA ANGLE OF 50 DEGREES 49 MINUTES 46 SECONDS TO A 1/2 INCH "MILLER 5665" CAPPED STEEL ROD SET FOR THE BEGINNING OF A CURVE TO THE LEFT WITH A RADIUS OF 60.00 FEET AND WHOSE CHORD BEARS SOUTH 25 DEGREES 03 MINUTES 02 SECONDS WEST AT 51.50 FEET;
- THENCE SOUTHERLY CONTINUING WITH SAID EASTERLY BOUNDARY LINE AND SAID WESTERLY RIGHT-OF-WAY LINE AND WITH SAID CURVE ALONG AN ARC LENGTH OF 53.23 FEET AND THROUGH A DELTA ANGLE OF 50 DEGREES 49 MINUTES 48 SECONDS TO THE POINT OF BEGINNING AND CONTAINING 0.7645 ACRES OF LAND, MORE OR LESS.



CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
750 PIPELINE COURT
0.635 ACRES
ZONED MU

The seal appearing on this document was authorized by
Ian Norfolk, P.E.
83550
on Sept. 25, 2019

FLOOD PLAIN NOTE:
ACCORDING TO THE INFORMATION SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) "FLOOD INSURANCE RATE MAP" (FIRM), COMMUNITY PANEL NO. 48201C0660M, REVISED JUNE 9, 2014, NO PORTION OF THIS PROPERTY APPEARS TO LIE WITHIN THE "SPECIAL FLOOD HAZARD AREA (SFHA) - AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMINISTRATION, OR THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

NOTE:
CONTRACTOR TO VERIFY HORIZONTAL & VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO BEGINNING ANY CONSTRUCTION/EXCAVATION AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES EXISTING UTILITIES SHOWN ON THESE PLANS ARE BASED ON COMBINATION OF FIELD SURVEY & CITY RECORD DRAWINGS

BEFORE YOU DIG CALL:
1-800-245-4545



TEXAS 811
TEXAS ONE CALL SYSTEM
SOU REG 0408

REVISIONS

#	REVISION	DATE

TOMPKINS
616 TRAILHEAD DRIVE
SOUTH LAKE, TEXAS 76063
GBTOMPKINS@PEOPLETIC.COM
MR. & MRS. TOMPKINS
PH: (817)820-4001

SITE PLAN

TOMPKINS
TOWN HOMES
751 PIPELINE COURT
HURST, TEXAS

WHITWORTH ENGINEERING
D I A M O N D J W I N C
4200 NORTH MAIN, SUITE 150
FORT WORTH, TX 76106
(817)236-6106, (817)236-6184 FAX
ENGINEERING FIRM NUMBER - 3873



ISSUE DATE
SEPT. 25, 2019

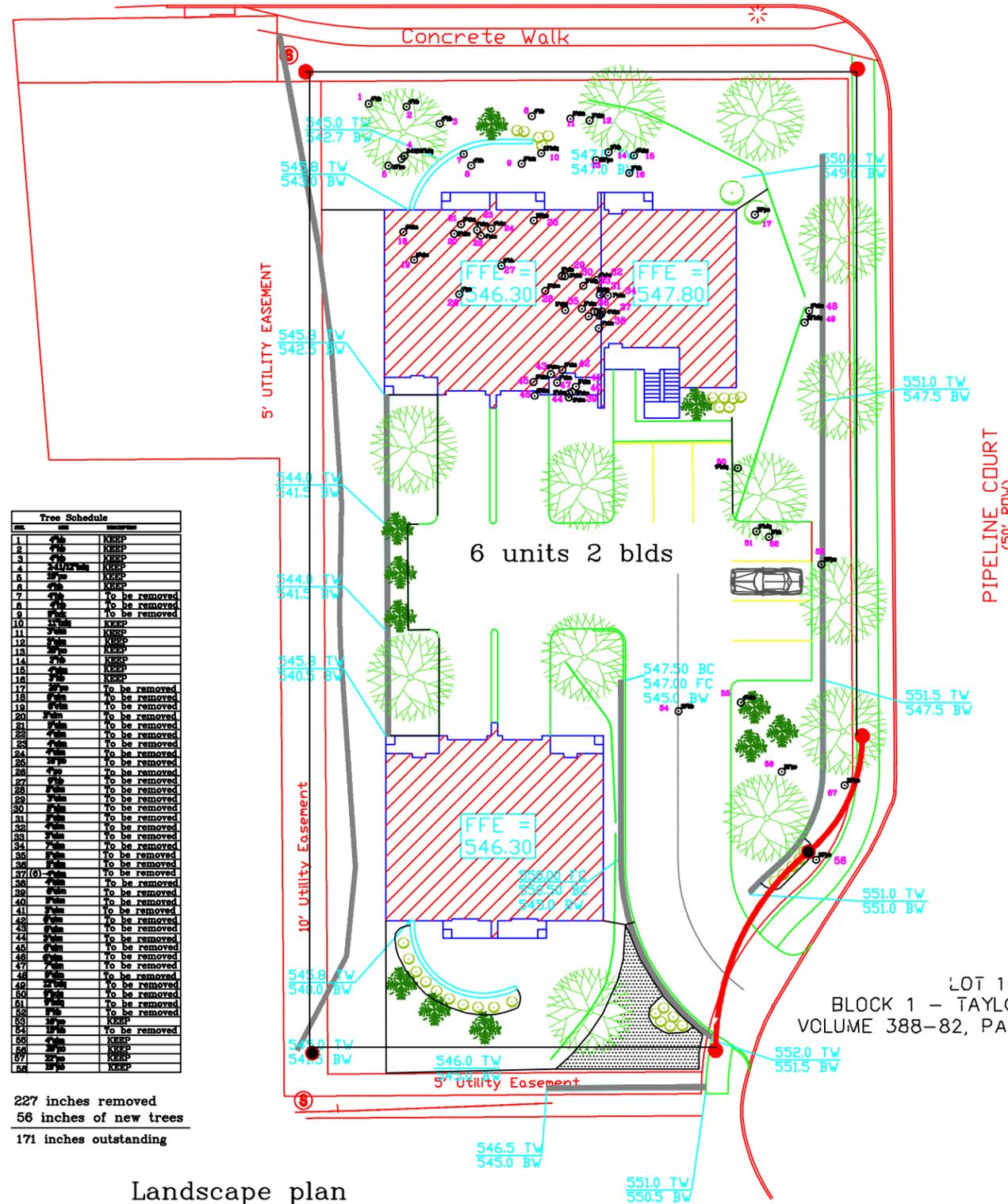
DRAWN:	CHECKED:
JMB	IAN

PROJECT NO.
CV19-0013

SHEET NUMBER
C-1.0

3 OF 4

PIPELINE ROAD
(A variable public Right-of-Way)



NO.	SP.	DESCRIPTION	STATUS
1	7/16	KEEP	
2	7/16	KEEP	
3	7/16	KEEP	
4	7/16	KEEP	
5	7/16	KEEP	
6	7/16	KEEP	
7	7/16	To be removed	
8	7/16	To be removed	
9	7/16	To be removed	
10	7/16	KEEP	
11	7/16	KEEP	
12	7/16	KEEP	
13	7/16	KEEP	
14	7/16	KEEP	
15	7/16	KEEP	
16	7/16	KEEP	
17	7/16	To be removed	
18	7/16	To be removed	
19	7/16	To be removed	
20	7/16	To be removed	
21	7/16	To be removed	
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24	7/16	To be removed	
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27	7/16	To be removed	
28	7/16	To be removed	
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31	7/16	To be removed	
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34	7/16	To be removed	
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36	7/16	To be removed	
37	7/16	To be removed	
38	7/16	To be removed	
39	7/16	To be removed	
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43	7/16	To be removed	
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45	7/16	To be removed	
46	7/16	To be removed	
47	7/16	To be removed	
48	7/16	To be removed	
49	7/16	To be removed	
50	7/16	To be removed	
51	7/16	To be removed	
52	7/16	To be removed	
53	7/16	KEEP	
54	7/16	To be removed	
55	7/16	KEEP	
56	7/16	KEEP	
57	7/16	KEEP	
58	7/16	KEEP	

227 inches removed
56 inches of new trees
171 inches outstanding

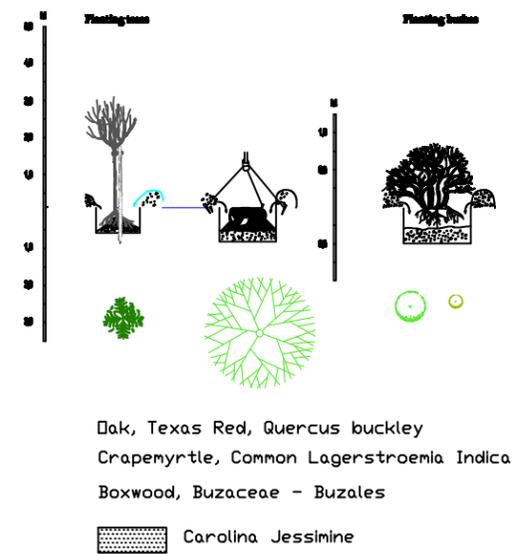
Landscape plan

NOTES

TREE FLAGGING: All trees to be removed from the construction site shall be flagged with bright red vinyl tape wrapped around the main trunk at a height of four feet (4) or more such that the tape is visible to workers on foot or driving equipment.

PROTECTIVE FENCING: All trees shall have protective fencing located at the tree's drip line. The protective fencing may be comprised of snow fencing, orange vinyl construction fencing, chain link fence or other similar fencing with a four-foot (4) approximate height. The protective fencing may be located within the drip line of the specimen tree for approved construction only. The fencing shall follow the delineation of the approved construction.

ORDINANCE NO. 1788 shall be reviewed by contractor prior to construction and appropriate action taken to comply.



LOT 1
BLOCK 1 - TAYLOR ADDITION
VOLUME 388-82, PAGE 2, P.R.T.C.T

JLEC

TOWNHOMES
TEXAS

TAYLOR
HURST,

REVISIONS:

DRAWN BY: EC

PROJECT NUMBER: 558

CHECKED BY: EC

DATE ISSUED: 9-24-2019

SHEET: L-1

OF SHEETS



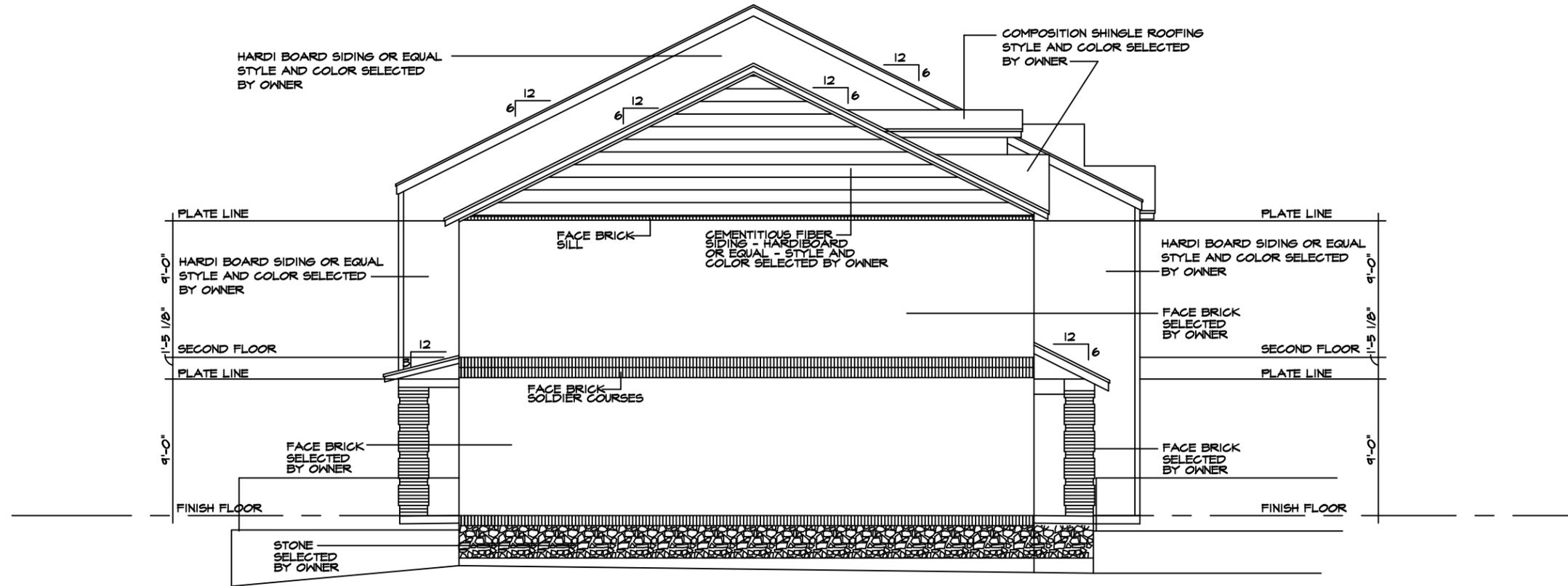
FRONT ELEVATION - BUILDING 'A'

SCALE: 1/4" = 1'-0"



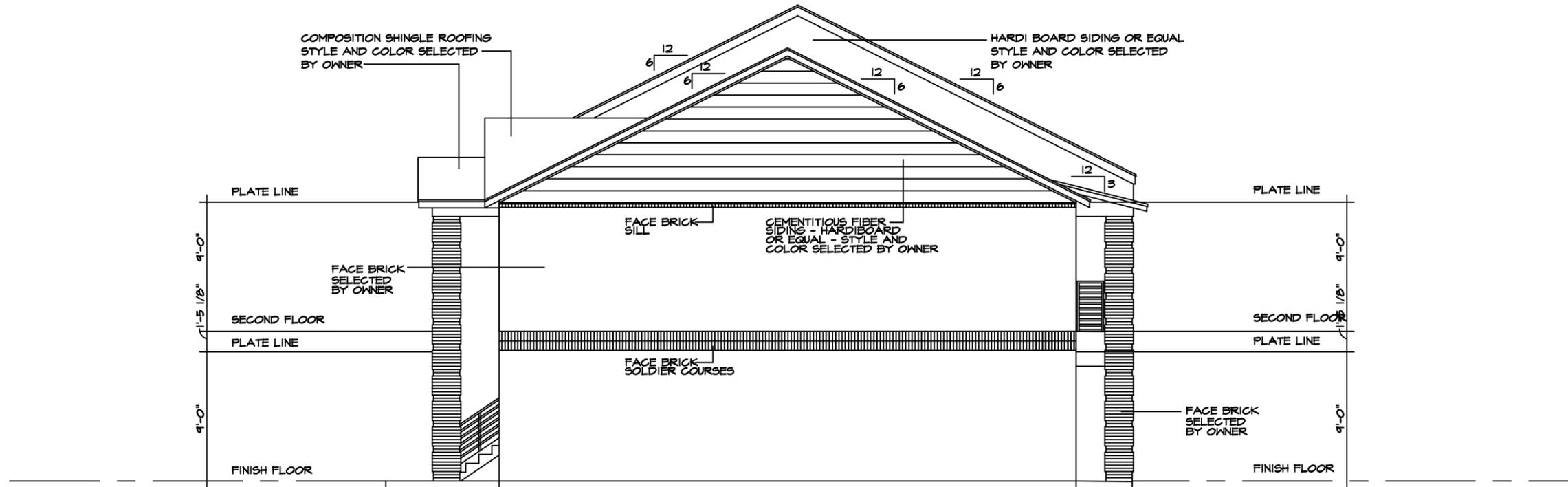
REAR ELEVATION - BUILDING 'A'

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION - BUILDING 'A'

SCALE: 1/4" = 1'-0"



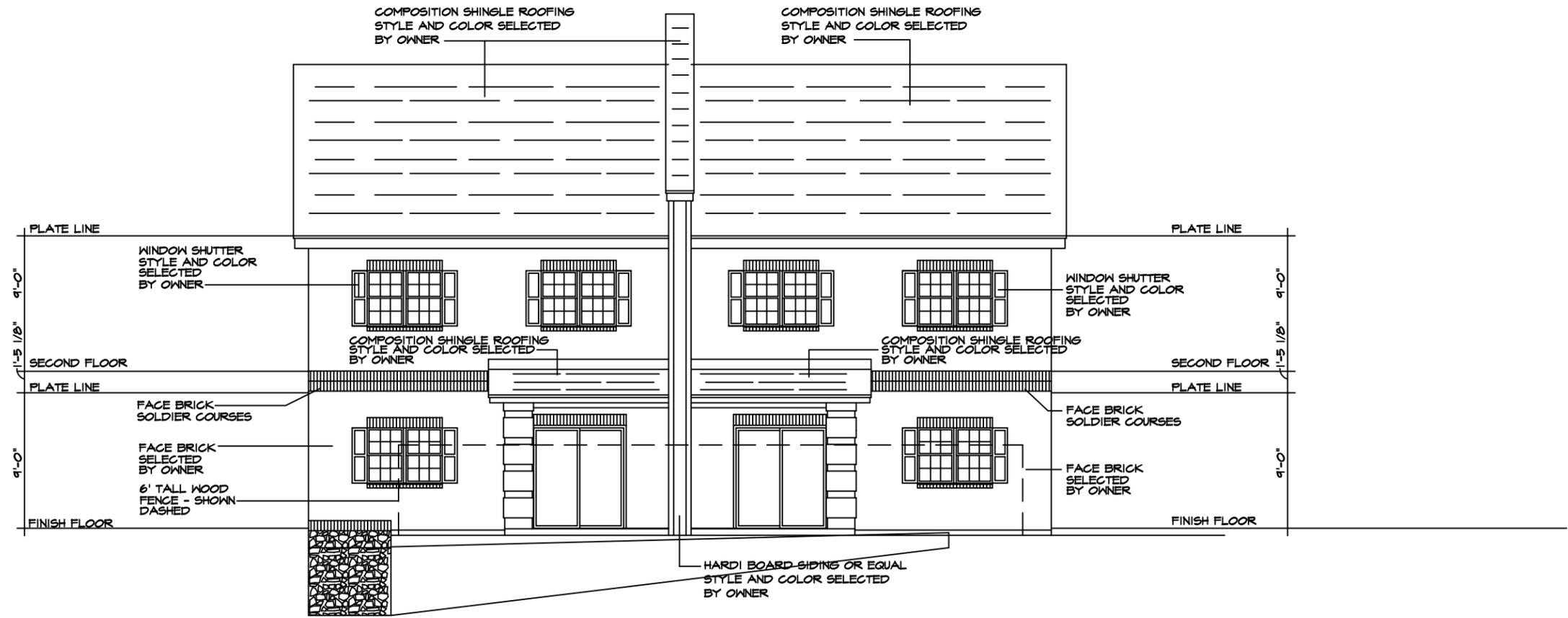
RIGHT SIDE ELEVATION - BUILDING 'A'

SCALE: 1/4" = 1'-0"



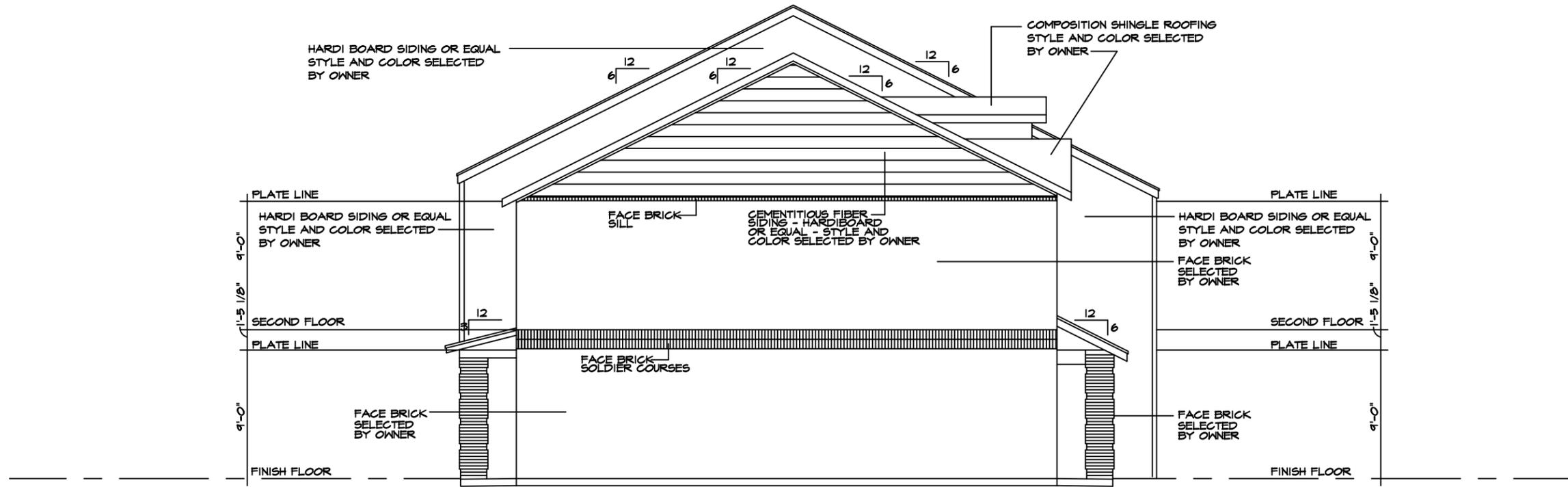
FRONT ELEVATION - BUILDING 'B'

SCALE: 1/4" = 1'-0"



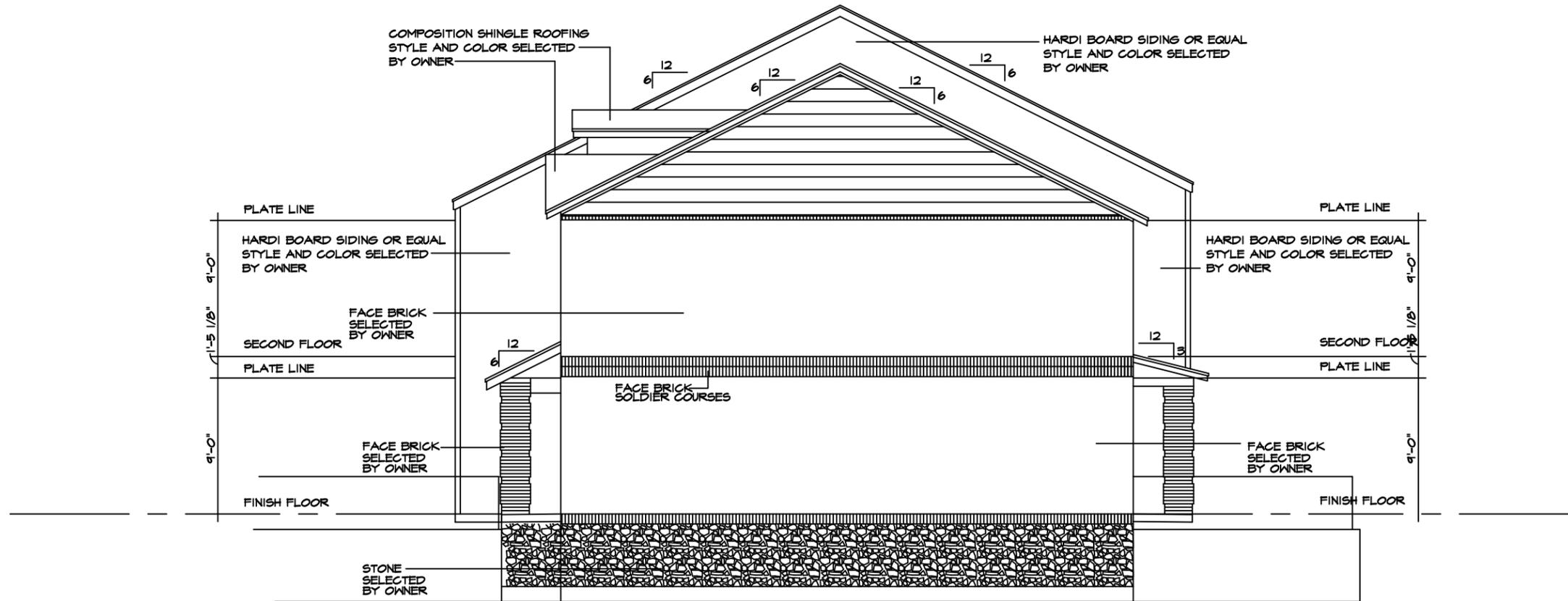
REAR ELEVATION - BUILDING 'B'

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION - BUILDING 'B'

SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION - BUILDING 'B'

SCALE: 1/4" = 1'-0"

ORDINANCE 2455

AN ORDINANCE ADOPTING A SITE PLAN FOR LOT A, BLOCK 1, TAYLOR ADDITION, BEING .784 ACRE LOCATED AT 751 PIPELINE COURT

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Hurst at least 15 days before such hearing; and

WHEREAS, notices were posted on the subject land as provided by the Zoning Ordinance; and

WHEREAS, public hearings to change the site plan on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the site plan change; and

WHEREAS, the City Council is of the opinion that the site plan herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Hurst.

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

Section 1. THAT the Comprehensive Zoning Ordinance of the City of Hurst is hereby amended by adopting a site plan with Exhibits "A-F" for Lot A, Block 1, Taylor Addition, being .784 acre located at 751 Pipeline Ct.

AND IT IS SO ORDERED.

Passed on the first reading on the 22nd day of October 2019 by a vote of _ to _.

Approved on the second reading on the 12th day of November 2019 by a vote of _ to _.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney

City Council Staff Report

SUBJECT: P-19-04 Woodbridge Plaza Addition, a replat of Lot 2R1 to Lots 2R1-1 and 2R1-2, Block 2, Woodbridge Plaza Addition, being 2.12 acres located at 400 Grapevine Highway

Supporting Documents:

Area map
Plat

Meeting Date: 10/22/2019
Department: Development
Reviewed by: Michelle Lazo
City Manager Review:

Background/Analysis:

An application has been made by The Westover Group for a replat of Lot 2R1 to Lots 2R1-1 and 2R1-2, Block 2, Woodbridge Plaza Addition, being 2.12 acres located at 400 Grapevine Highway.

The applicant is requesting the replat to develop a Murphy Express on Lot 2R1-1 and a Take 5 Oil Change on Lot 2R1-2.

Engineering plans have been reviewed and approved.

Funding and Sources:

There is no fiscal impact.

The replat is a direct representative of the Council's goals of Redevelopment.

Recommendation:

Based upon the Planning and Zoning Commission 6-0 vote, the recommendation is that City Council move to approve P-19-04 Woodbridge Plaza Addition.



<p>CASE NO: P-19-04 WOODBRIDGE PLAZA</p>	<p>LEGAL DESCRIPTION: LOT 2R1, BLOCK 2 WOODBRIDGE PLAZA ADDITION</p>	<p>AGENDA DATE: 10/22/2019</p>
<p>REQUESTED ACTION: REPLAT</p>	<p>LOCATION: 400 GRAPEVINE HWY HURST, TX 76054</p>	

City Council Staff Report

SUBJECT: Consider adopting Ordinance 2457, first reading, providing for increased prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Hurst, and establishing an effective date

Supporting Documents:

Ordinance 2457

Meeting Date: 10/22/2019
 Department: Human Resources
 Reviewed by: Matia Messemer
 City Manager Review:

Background/Analysis:

The Texas Municipal Retirement System allows cities to calculate Cost of Living Adjustments (COLAs) for current retirees on a repeating annual basis or on an ad hoc basis. In previous years, the City of Hurst has opted for the ad hoc calculation. This may be calculated at 30%, 50% or 70% of the change in the Consumer Price Index (CPI) for All Urban Consumers, from the year prior to retirement to the current year. Calculating on an ad hoc basis reduces the potential liability for future funding of the TMRS benefit, and therefore better manages the City's TMRS liability for employees and retirees.

Funding Sources and Community Sustainability:

We continue to be grateful for those who built the foundation of strong customer service in the City of Hurst, and have now entered retirement. It is with this in mind that staff is proposing a COLA for City of Hurst retirees. The City is provided with a contribution rate to TMRS as a percentage of payroll. The rate is determined by an actuarial analysis of the City's overall liability inclusive of the ad hoc COLA, and it is provided by TMRS. The contribution rate for providing a retiree COLA has been included in the budget for fiscal year 2020. If adopted, the contribution rate and the retiree COLA would become effective January 1, 2020. The City's contribution to TMRS is budgeted in all funds and divisional accounts that support the cost of city employees.

Recommendation:

Staff recommends City Council adopt Ordinance 2457 providing for increased prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Hurst at 30% of the percentage change in CPI for All Urban Consumers, and establishing an effective date for the ordinance of January 1, 2020.

ORDINANCE 2457

AN ORDINANCE PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY OF HURST, AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:

Increase in Retirement Annuities.

(a) On the terms and conditions set out in Section 854.203 of Subtitle G of Title 8, Government Code, as amended (hereinafter referred to as the "TMRS Act"), the City hereby elects to allow and to provide for payment of the increases below stated in monthly benefits payable by the System to retired employees and to beneficiaries of deceased employees of the City under current service annuities and prior service annuities arising from service by such employees to the City. An annuity increased under this section replaces any annuity or increased annuity previously granted to the same person.

(b) The amount of the annuity increase under this section is computed as the sum of the prior service and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by **30%** of the percentage change in Consumer Price Index for All Urban Consumers, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of the increase under this Section.

(c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.

(d) If a computation hereunder does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed hereunder.

(e) The amount by which an increase under this Section exceeds all previously granted increases to an annuitant is an obligation of the City and of its account in the Benefit Accumulation Fund of the System.

Effective Date. Subject to approval by the Board of Trustees of the System, this ordinance shall be and become effective on the 1st day of January 2020.

Passed on the first reading on the ____ day of _____ 2019 by a vote of ____ to ____.

Approved on the second reading on the ____ day of _____ 2019 by a vote of ____ to ____.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney

City Council Staff Report

SUBJECT: Consideration of Ordinance 2458, Hurst Code of Ordinances, Chapter 12, Amending and Adding Article XIII, "Convenience Stores"

Supporting Documents:

Ordinance 2458

Meeting Date: 10/22/2019

Department: Police Department

Reviewed by: Steve Niekamp

City Manager Review:

Background/Analysis:

The Hurst Police Department's function is to enforce local, state, and federal laws while protecting the citizens of Hurst from crime and disorder. The Hurst Police Department accomplishes the City Council's Public Safety Strategic Priority by offering specialized crime prevention and service oriented programs to the public. The police department has adopted a proactive approach to meet the challenge of today's complex crime issues, which include crimes that occur at convenience stores.

The proposed ordinance educates convenience store owners on how to play key roles in promoting safety in their establishments by implementing reasonable safety measures. Convenience store employees will also be trained in procedures to increase the safety of store employees and patrons.

Funding Sources and Community Sustainability:

In support of the City Council's Public Safety Strategic Priority, this ordinance will help to ensure the police department continues to provide excellent and responsive services to the community. The Hurst Way's component of Customer Service provides the filter for determining the benefits of this ordinance.

There is no fiscal impact.

Recommendation:

Staff recommends the City Council approve Ordinance 2458 amending Hurst Code of Ordinances, Chapter 12, by amending and adding Article XIII, "Convenience Stores".

ORDINANCE 2458

AN ORDINANCE AMENDING CHAPTER 12 OF THE CITY OF HURST CODE OF ORDINANCES BY ADDING ARTICLE XIII, "CONVENIENCE STORES," REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A FINE OF UP TO \$500.00 FOR EACH OFFENSE IN VIOLATION OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Hurst, Texas has determined that the regulations provided in this Ordinance are necessary to reduce the occurrence of crime, to prevent the escalation of crime, and to successfully prosecute crime that occurs on convenience store properties; and

WHEREAS, convenience store owners play a key role in implementing reasonable safety measures and in promoting safety in their establishments; and

WHEREAS, training convenience store employees in safety procedures, posting notice of crime prevention strategies, increasing visibility, and utilizing safety devices can increase the safety of store employees and patrons; and

WHEREAS, the registration of convenience stores with the police official would facilitate the application and enforcement of this ordinance and other laws; and

WHEREAS, all statutory and constitutional requirements for the passage of this Ordinance have been adhered to, including but not limited to the Texas Open Meeting Act; and

WHEREAS, the City Council determines that the passage of this Ordinance is in the best interests of the health, safety, and welfare of the public.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS, AS FOLLOWS:

SECTION 1.

THAT all matters stated hereinabove are found to be true and correct and are incorporated herein by reference.

SECTION 2.

THAT Chapter 12, Licenses and Business Regulations, Article XII, Prepayment for Gasoline and Diesel is hereby amended by adding Sections 12-704—12-720, which shall read as follows:

Secs. 12-704—12-720. – Reserved

SECTION 3.

THAT Chapter 12, Licenses and Business Regulations, is hereby amended by adding a new Article XIII, which shall read as follows:

ARTICLE XIII. – CONVENIENCE STORES**Sec. 12-721. - Definitions.**

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

Convenience goods means basic food, household and/or pharmaceutical items.

Convenience store means any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space. Convenience store does not include any business where there is no retail floor space accessible to the public.

Drop safe means a cash management device where money can be deposited without the depositor having access to the contents.

Employee means any person who is employed in consideration of direct or indirect monetary wages, commissions, or profits, any contract employee, and any other person engaged in the operation of a convenience store.

Health officer means the director of the department of health and human services or his designee.

Height strip means markings to aid in estimating the height of suspects.

Manager means the person designated by the owner to be responsible for the daily operation of a convenience store.

Owner means the person or persons who hold title to or leases property for the purpose of operating a convenience store.

Police official means the chief of police or the official's designees.

Registered agent means the person identified by the owner of a convenience store in the registration filed pursuant to this article that is authorized to receive on behalf of the owner any legal process and/or notice required or provided for in this article.

Safety training program means the training program promulgated by the police department for convenience stores or a nationally recognized training program that includes all the training elements of the police department's training program.

Sec. 12-722. – Registration of convenience stores.

- (a) It shall be unlawful for any person to operate a convenience store in the city that has not been registered as required by this section. No fee shall be charged for the registration required by this section.

- (b) The owner of a convenience store shall register by providing to the police official the following information regarding the convenience store:
- (1) The name, telephone number, facsimile number, email address, and business or residence address of the owner; and, if the owner is a corporation, whether foreign or domestic, the name of the registered agent of the owner and the telephone number and facsimile number and business or residence address of the registered agent, which address information shall include the street name and number, office or suite number if a business address, and the city, state, and zip code.
 - (2) The nature and extent of the owner's interest in the property. If there is only one owner, the extent of the owner's interest is 100%; and
 - (3) The name, telephone number, facsimile number, and business or residence address, including street name and number, city, state and zip code, of the current manager and, if the manager is other than an individual, the name, title, telephone number, facsimile number and business or residence address, including street name and number, city, state and zip code, of the individual to be contacted for any purpose under this article relating to the convenience store.
- (c) The use of a public or private post office box or other similar address shall not be sufficient for the purposes of complying with this subsection.
- (d) Any change of ownership of a convenience store, including, but not limited to, the sale of the convenience store or any ownership interest therein, shall require the purchaser or transferee to update the information provided under subsection (b) of this section and to file the updated information with the police official within 30 days of the effective date of the ownership change. The same requirement shall apply to any change relating to the owner's registered agent and manager. A prior owner shall advise the police official that he no longer holds any ownership interest in the property.
- (e) The owner of a newly constructed or established convenience store shall comply with the provisions of this section not later than the thirtieth day following completion of construction or new opening of the convenience store, whichever occurs first.
- (f) After a convenience store complies with the provisions of this section, the police official will provide to the convenience store:
- (1) A registration statement, a true and correct copy of which shall be posted in the convenience store at all times in a conspicuous place accessible at all times to the public.

Sec. 12-723. – Employee, manager, supervisor safety training.

- (a) All newly-hired employees, managers, and immediate supervisors of managers must complete a safety training program before reporting for duty and at least annually thereafter. Employees, managers and immediate supervisors of managers who are employed by a convenience store on the effective date of this ordinance must complete a safety training program not later than the ninetieth day following the effective date of this ordinance.
- (b) All persons who complete the required safety training program shall sign a statement indicating the date, time and place the safety training program was completed. The owner shall keep the statements or copies of the statements on file in the convenience store for at least two years and make them available to the police official or the health officer immediately upon request.

Sec. 12-724. – Trespass affidavit.

The owner of a convenience store shall execute a trespass affidavit as promulgated by the police department in order to enforce all applicable trespass laws on the owner's behalf at such property. A true and correct copy of the trespass affidavit shall be posted at the convenience store at all times in a conspicuous place accessible at all times to the public.

Sec. 12-725. – Security signs; height strips.

- (a) A convenience store shall have posted at all public exits and entrances 'No Loitering' and 'No Trespassing' signs in lettering two inches or larger, in English and in Spanish. Additionally, a convenience store shall post such signs on the front, sides, and rear of the convenience store.
- (b) A convenience store shall have height strips posted at all public exits.

Sec. 12-726. – Visibility.

A convenience store shall maintain an unobstructed line of sight allowing a clear view of and from the cash register and sales transaction area through all windows and public access doors. Such windows and doors must be clear of all items that would obstruct a clear view including, but not limited to, tinting, signage, advertisements, shelving, and merchandise. Such unobstructed line of sight must, at a minimum, extend from three feet above the ground to at least six feet above the ground.

Sec. 12-727. – Alarm system.

- (a) A convenience store shall have a silent panic or holdup alarm system for which a permit has been issued in accordance with Article VI of this Chapter. This system shall, at a minimum, include a panic button located within reach of the cash register and out of view of the customer. Such panic button will generate an alarm signal indicating a holdup or other life-threatening emergency requiring a police department response.
- (b) A convenience store shall have posted at all public exits and entrances signs or decals indicating that a security alarm system is in use.

Sec. 12-728. – Drop safe.

- (a) A convenience store shall have a drop safe on the premises to keep the amount of cash available to employees to a minimum. A drop safe must be bolted to the floor. A drop safe may have a time-delay mechanism to allow small amounts of change to be removed.
- (b) A convenience store shall have a cash accountability policy mandating the maximum amounts of cash that can be kept in cash registers.
- (c) A convenience store shall have posted at all public exits and entrances signs or decals indicating that employees cannot open the safe and that employees have minimum cash on hand.

Sec. 12-729. – Surveillance camera system.

- (a) A convenience store shall have a minimum of two 1080p color digital high-resolution surveillance cameras. One camera must have an overall view of the counter/register area and the other camera a view of the main entrance/exit area and both shall display the date and time of the recording.
- (b) The entrance/exit area camera shall be placed to provide a clear and identifiable full frame of the filmed individual's face.
- (c) The cameras shall be operated at all times, including hours when the store is not open for business.
- (d) The owner shall provide the police department with digital color video in connection with crime investigations upon request.
- (e) The video surveillance system must be equipped to record and store a continuous video recording of daily activity for at least 30 days. The owner shall maintain such a library of the recorded digital images for not less than 30 days.
- (f) A convenience store shall have posted at all public exits and entrances signs or decals indicating that surveillance cameras are in use.

Sec. 12-730. – Offenses.

Any person who fails to comply with any applicable provision in this article commits an offense, and upon conviction, shall be punished by fine not to exceed \$500.

SECTION 4. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Hurst, Texas, shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding not guilty or nolo contendere, or dismissal.

SECTION 5. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Five Hundred Dollars (\$500.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 6. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 7. This ordinance shall take effect as follows:

For convenience stores in operation on the date of passage and approval of this Ordinance:

(1) All employees, managers and owners shall receive training as required in Sec. 12-723 of this Ordinance not later than the ninetieth day following the effective date of this Ordinance.

(2) Secs. 12-727 (alarm system), 12-728 (drop safe), and 12-729 (surveillance camera system) of this Ordinances shall become effective on the 365th day following the date of passage and approval of this Ordinance. A convenience store owner may request one 90-day extension to meet the requirements of this Ordinance by submitting an application demonstrating a hardship to the Chief of Police. Only one 90-day extension may be granted by the Police Chief for each convenience store.

(3) All other Sections of this Ordinance become effective on the thirtieth day following the date of passage and approval of this Ordinance.

For convenience stores not yet in operation on the date of passage and approval of this Ordinance:

All Sections of this Ordinance shall become effective on the thirtieth day following the date of passage and approval of this Ordinance.

AND IT IS SO ORDERED.

PASSED on the first reading on the 22nd day of October 2019, by a vote of ____ to ____.

APPROVED on the second reading on the 12th day of November 2019, by a vote of ____to ____.

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney

City Council Staff Report

SUBJECT: Consider Resolution 1749 supporting Application for the Combined Mental Health Coordinator Grant to the Office of the Governor for the cities of Hurst, Bedford, and Euless, to operate a Combined Mental Health Coordinator

Supporting Documents:

Resolution 1749

Meeting Date: 10/22/2019

Department: Police

Reviewed by: Steve Niekamp

City Manager Review:

Background/Analysis:

The Mental Health Coordinator position was created in 2014 to proactively address the growing problem of mentally ill individuals coming in contact with law enforcement, with the potential of a negative outcome for all involved. The Mental Health Coordinator facilitates training, identification, and protection for both the general public and the needs of the mentally ill, in Hurst, Euless, and Bedford, by identifying citizens suffering from mental illness and assisting in redirecting clients, with mental illness, to services that are more appropriate than the criminal justice system. By actively addressing the mental health issues in the community, law enforcement is able to reduce calls for service as well as decrease crime. The Mental Health Coordinator works in conjunction with the Cities of Hurst, Euless, and Bedford. The Mental Health Coordinator responded to 992 Calls for Service in 2017; 748 Calls for Service in 2018; and 639 Calls for Service, to date, in 2019. The Mental Health Coordinator has provided TCOLE training to 63 individuals in 2017; 114 individuals in 2018; and 64, to date, in 2019. The Mental Health Coordinator also works several community events providing informational sessions.

Funding and Sources:

In support of the City Council's Public Safety Strategic Priority, the Mental Health Coordinator grant will support the Police Department's efforts to provide excellent and responsive services to the community. Two of The Hurst Way's components, Financial Sustainability and Public Service, provided the filter for determining the cost and benefits of this grant.

The City of Hurst received a grant from the Office of the Governor, for a DJ-Edward Byrne Memorial Justice Assistance Grant for \$101,000 for this position for September

1, 2018 through September 30, 2019. This grant application is requesting the same amount of \$101,000. Associated costs not covered by the grant will be split equally between the Cities of Hurst, Euless, and Bedford.

The City of Hurst portion of the cost, not covered by the grant, will be funded through the Anti-Crime Fund.

Recommendation:

Staff recommends the City Council adopt Resolution 1749 supporting the grant application for the Mental Health Coordinator Grant, from the Office of the Governor, to continue serving the cities of Hurst, Euless, and Bedford.

RESOLUTION 1749

A RESOLUTION OF THE CITY COUNCIL OF HURST, TEXAS, AUTHORIZING THE CITY MANAGER TO MAKE APPLICATION FOR THE MENTAL HEALTH COORDINATOR, OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FUNDING

WHEREAS, the City Council of Hurst, Texas finds it in the best interest of the citizens of Hurst to apply for the continuation grant for the Mental Health Coordinator in cooperation with the Cities of Bedford and Euless be operated for the 2019/2020 year; and

WHEREAS, the City Council of Hurst, Texas agrees to provide applicable matching funds for the said project if required by the Office of the Governor, Criminal Justice Division grant application; and

WHEREAS, the City Council of Hurst, Texas agrees that in the event of loss or misuse of the Criminal Justice Division funds, Hurst City Council assures that the funds will be returned to the Criminal Justice Division in full; and

WHEREAS, the City Council of Hurst, Texas designates the city manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:

Section 1. THAT City Council of Hurst, Texas approves submission of the grant application for the Mental Health Coordinator to the Office of the Governor, Criminal Justice Division.

AND IT IS SO RESOLVED.

Approved this the 22nd day of October 2019 by a vote of to .

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

Grant Number: 3319103

City Attorney

City Council Staff Report

SUBJECT: Consider Award of Bid for State Highway 10 Phase IV Landscaping Project

Supporting Documents:

Meeting Date: 10/22/2019
 Department: Community Services
 Reviewed by: Kyle Gordon
 City Manager Review:

Background/Analysis:

The Texas Department of Transportation (TXDOT) Green Ribbon Landscape Improvement Program is designed to help mitigate the effects of air pollution by planting trees, plants, and other landscaping on the state highway system. In May 2017, the City of Hurst submitted an application and was awarded a grant under this program, in the amount of \$427,000, for landscape improvements in the Highway 10 medians east of Bell Flight Boulevard and ending at Lake Crest Lane.

In October of 2018, the City Council approved a resolution that authorizes a project specific interlocal agreement called the Local Project Advance Funding Agreement (LPAFA). Per the LPAFA, the grant will not cover expenses of approximately \$100,000, related to design, concrete testing, daily professional engineering supervision, and hardscape construction (benches, concrete pads, etc.); however, it will cover \$427,000 worth of expenses for trees, shrubs, ground cover, and irrigation.

In June 2019, the specifications and bid documents for the State Highway 10 Landscaping Project were released for bidding, following the standard City purchasing procedures, and were advertised and distributed to construction companies, with five companies submitting sealed bids. After a full review, Green Scaping submitted the lowest qualified bid. Green Scaping has a reputation for quality and timely workmanship, and recently successfully completed the Plainview Landscaping and Highway 10 Phase I, Phase II, and Phase III Projects.

Funding Sources and Community Sustainability:

The total estimated project cost, including 5% contingency in the bid, is \$426,139.09. The TXDOT Green Ribbon grant will cover \$427,000 and the City's portion of the project will be \$20,000. Funding for this project has been identified in the Community Services Half Cent Sales Tax Fund.

In an effort to remain a vibrant community, this project addresses the City Council's Strategic Priorities for Redevelopment and Infrastructure by dramatically improving the City's major Highway 10 medians.

Recommendation:

It is recommended the City Council authorize the city manager to award the Construction Contracts to Green Scaping and City approved vendors, for an amount not to exceed \$447,000 for State Highway 10 Phase IV Landscaping Project

City Council Staff Report

SUBJECT: Consider award of Architectural and Engineering Services Contract for the new Dog Park

Supporting Documents:

Meeting Date: 10/22/2019
Department: Community Services
Reviewed by: Kyle Gordon
City Manager Review:

Background/Analysis:

At the beginning of 2019, staff partnered with Dunaway Associates, L.P., to develop a strategic plan to address the proposed addition of a Dog Park to the City's park system. The initial phase evaluated the condition of the proposed site, programming elements, and possible costs associated with construction. Site challenges include selective clearing, grading and surface drainage improvements, walks, parking improvements, fencing and other dog park amenities and landscape improvements around the Animal Shelter and Adoption Center.

Phase II includes the design consulting services necessary to prepare the construction documents for Phase III, which is implementation of construction. Based on their previous design experience, which includes the Chisholm Aquatics Center, the Central Aquatics Center renovation, and several local municipal dog park projects, the City of Hurst selected Dunaway Associates, L.P. to serve as the Landscape Architect to design and engineer the Dog Park.

Dunaway Associates, L.P. has agreed to design the project, which includes pre-design and base map preparation, schematic design, design development, bidding, and construction administration services, for a total of \$42,350 (includes a 10% contingency). The design process will be complete in the first half of 2020, with the construction process estimated to begin in January of 2021 in conjunction with the final phases of the Animal Shelter and Adoption Center construction.

The Hurst Parks and Recreation Advisory Board reviewed the Dog Park Design Project at the September 19, 2019 meeting, and recommended the City Council proceed with the design.

Funding Sources and Community Sustainability:

The total amount needed for design services is \$42,350 (includes a 10% contingency). Funding for this project has been identified within the Park Donation Fund.

In an effort to remain a vibrant community, this project addresses the City Council's Strategic Priorities for Redevelopment, Infrastructure, and Public Safety by expanding the City's park system.

Recommendation:

It is recommended the City Council authorize the city manager to enter into an Agreement with Dunaway Associates, L.P., to proceed with the Dog Park architectural and engineering services, for an amount not to exceed \$42,350.

On the 17th day of September 2019, at 5:30 p.m., the Library Board of the City of Hurst, Texas, convened in Regular Meeting at the Library, 901 Precinct Line Road, Hurst, Texas, with the following members present:

Betty Whiteside	)	Chair
Ruth Kennedy	)	Vice-Chair
Peggy Moore	)	Members
Janie Melton-Judy)	
Gus Nixon)	
Julie Granquist	)	Alternate
Kyle Gordon	)	Executive Director of Community Services
Jesse Loucks	)	Library Director
Vanessa Patchen	)	Assistant Library Director
Hannah Titony	)	Community Services Management Assistant
Teri Smith	)	Community Services Administrative Assistant

with the following members absent: Margaret Coleman and Linda Dibley, constituting a quorum, at which time the following business was transacted:

I. Call to Order

Chair Betty Whiteside called the meeting to order at 5:30 p.m.

II. Roll Call of Members

Teri Smith conducted the Roll Call of Members.

III. Approval of Minutes

The minutes of the August 20, 2019 regular meeting were reviewed and approved as written.

At the request of Staff, the following item was moved to the top of the Agenda.

IX. Informational Items

A. Foreign Language Collection Update: Robin Swaringen informed the Board that, over the last year, Library Staff has been working on maximizing space and focusing on demand. The foreign language section has been relocated so it can continue to be refreshed and expanded as needed to meet the demand.

IV. Librarian's Report

A. Statistical Report for August: The Library Statistical Report for August was distributed to the Board. Jesse Loucks reviewed the report.

August

Circulation.....	36,165
Number of Active Patrons.....	31,111
Volunteer Hours.....	138
Door Count.....	12,637
Electronic Usage Sessions.....	6,761
Page Views.....	6,863
Net Revenue	\$ 1,818
Children’s Programming.....	736
Adult Programming.....	367

B. Program & Events Report for July: The Program & Events Report for August was distributed to the Board. Jesse Loucks reviewed the report. Pictures of the events were displayed.

C. Upcoming Programs and Events: Mr. Loucks reviewed the Upcoming Programs and Events report. Pictures were displayed for the Board.

D. Works in Progress

1. Library Pavilion Landscape Improvements: Jesse Loucks informed the Board that Library Staff has been working with the Parks Department to refresh the Library Park landscaping. The improvements should be completed in time for Library Showcase.

2. Program Room A/V Repairs: Mr. Loucks stated that the Audio/Video system in the program room has been repaired and is in good working order.

3. Information Desk Improvements: Mr. Loucks noted that the Library Staff is in the process of remodeling the Information Desk to match the design of the Circulation Counter. This process should be completed over the next six to eight weeks.

4. Teen Zone Audio Improvements: Mr. Loucks informed the Board that a new audio system has been purchased and installed in the Teen Zone.

5. Group Study Room Table Repair: Mr. Loucks stated that the glass top in the group study room was damaged. The damage has been repaired and brackets are being installed to secure the table top to prevent any further damage.

E. Staff Activities

1. Employee Conference: Vanessa Patchen informed the Board of the City’s Annual Employee Conference where the City Manager shares his vision, expectations for all City Employees, and the accomplishments they have made this year. Ms. Patchen described the committee’s preparation for this event and showed a video. She also noted that the team building event at the conference was to assemble 24 bicycles for this year’s Christmas Providers program hosted by the Hurst Police Department.

2. **Community Outreach:** Jesse Loucks gave a brief overview of the Library's involvement in the community outreach programs including the Kid's All-American Fishing Derby, National Night Out, and the Fall Festival. He noted that Library Staff is currently planning for next year's Birdville Reads event.

V. Reports of the Committees

A. Friends of the Hurst Public Library

1. **August Revenue Report:** The Friends revenue report for August was provided for the Board.

VI. Communications

- A. **Community Comments:** Mr. Loucks played a recording of a very positive voice mail from a Hurst Library patron.

VII. Unfinished Business

None at this time.

VIII. New Business

None at this time.

IX. Informational Items

- A. **Foreign Language Collection Update:** This item was moved to the top of the Agenda.
- B. **Library Showcase Preview:** Vanessa Patchen reported that Library Staff is working on this year's Library Showcase signature event. This year's theme is Harry Potter and will include carnival games, a petting zoo, crafts, treats, a concert, costume contest, and a performance by the Artisan Theater. The event will be held on Thursday, October 10th from 6:00 to 8:00 p.m.
- C. **United Way Campaign Preview:** United Way Chair, Hannah Titony, reported that the City's United Way Committee has been hard at work preparing for this year's United Way Campaign events including the Pancake Breakfast, Boograms, an Eat First in Hurst event, Chili Cook Off, and the Wrap Up Breakfast with a Silent Auction. She noted that City of Hurst Employees raised \$14,000 for United Way last year.
- D. **Heritage Village Presents:** Ms. Titony gave a brief overview of the Fall Heritage Village Presents events including the Salsa y Salsa event on September 5th with 180 in attendance, the upcoming Dogtoberfest on October 3rd, and Movie in the Park on November 1st.

X. Board Member and Citizen Comments

XI. Adjournment

There being no further business, the meeting was adjourned by Chair, Betty Whiteside at 6:20 p.m.

APPROVED this the _____ day of _____, 2019.

APPROVED:

ATTEST:

CHAIR

RECORDING SECRETARY

STATE OF TEXAS

On the 19th day of September, 2019 at 6:00 p.m., the Parks and Recreation Board of the City of Hurst, Texas, convened its Regular Meeting at the Hurst Public Library, 901 Precinct Line Road, Hurst, Texas, with the following member's present to-wit:

Alan Neace	)	Chairman
Ralph Hurd	)	Members
Rod Robertson)	
Gary Waldron)	
Bob Walker)	
Will Blackburn	)	Alternates
Jessica Martin)	
Kyle Gordon	)	Executive Director of Community Services
Hannah Titony	)	Community Services Management Assistant
Chris Watson	)	Recreation Director
Kristie Weaver	)	Parks Director
Eric Starnes	)	Director of Facilities & Project Management
Amy Oden	)	Recreation Manager
Paige Lutz	)	Recreation Administrative Assistant
Kathleen Nahidi	)	Parks Administrative Assistant

with the following members absent, Pat King and Karen Spencer, constituting a quorum, at which time the following business was transacted:

- I. **Call to Order:** Alan Neace called the meeting to order at 6:00 p.m.
- II. **Roll Call of Members:** Paige Lutz conducted the Roll Call of Members.
- III. **Approval of Minutes:** Bob Walker made a motion to approve the minutes of the August 15, 2019 regular meeting; Gary Waldron seconded the motion.

AYES: Hurd, Neace, Robertson, Waldron, Walker

NOES: None

IV. **Staff Report:**

A. **Director's Report:**

- 1. **August Participation Report:** Chris Watson presented the following statistics for the August Participation Report:

August

Recreation Center	9,808
Classroom Programs	737
Fitness Center	4,525
Tennis Center	951
Facility Rentals	145
Active Members	2,537

2. **Program Highlight:** Mr. Watson reported that the September Program Highlight features the Pickleball Program. This very popular program is offered three days a week at the Recreation Center and averages 20-30 players. Pickleball courts are also available at the Hurst Tennis Center and Smith-Barfield Park. The City will offer Pickleball lessons at the Recreation Center in the near future.

B. Special Events:

1. **2019 Fish Stocking Program:** The dates for the upcoming fish stocking at the Chisholm Park Pond were displayed.
2. **Doggie Dive-In Recap:** The first Doggie Dive-In event was held on August 24th from 10:00 a.m. to 2:00 p.m. at Central Aquatics Center. One hundred and fifty dogs and their owners enjoyed swimming and treats at the event.
3. **Kids All American Fishing Derby Preview:** The Kid's All-American Fishing Derby is scheduled for September 20th at Chisholm Park Pond. In-N-Out Burger will offer a free meal to each participant at the event.
4. **Fall Festival Preview:** Amy Oden reported that the third annual Hurst Fall Festival event is scheduled for October 5th. This event will take place at Northeast Mall and will include a live DJ, food vendors, a craft fair, and hay rides.
5. **Family Camp-out Preview:** The Annual Family Overnight Camp-out event is scheduled for October 18th - 19th at Chisholm Park. Registration for the event begins on September 16th at the Recreation Center.
6. **Santa and Soldiers Veterans Day Parade:** Ms. Oden presented a preview of the Santa and Soldiers Veterans Day Parade. She reported the parade would begin on Precinct Line Road and continue west on Bedford Eules Road to Northeast Mall. The event will kick-off the Holiday Season at Northeast Mall welcoming Santa at the Mall. Ms. Oden has contacted many of the local business and community organizations with information regarding how to participate in the parade. Several Board Members suggested additional organizations for Staff to contact. Ms. Oden will reach out to those organizations.

7. **Heritage Village Presents:** Hannah Titony gave a brief overview of the Heritage Village Presents Fall events including the Salsa y Salsa event on September 5th with 180 in attendance, the upcoming Dogtoberfest event on October 3rd, and Movie in the Park on November 1st.

C. Works in Progress:

1. **TXDOT Green Ribbon Grant Phase 2:** The project is complete. The contractor is responsible for plant maintenance until September 2019.
2. **TXDOT Green Ribbon Grant Phase 3:** The project has started and will be completed by mid-October. Currently, the contractor is placing weed fabric on the medians.
3. **TXDOT Green Ribbon Grant Phase 3a:** The medians at the SH 10 and Hwy 820 intersection are being drastically modified with the upcoming highway construction. The City has paid for a consultant to design the landscape for the medians and the construction will be funded by TXDOT out of the highway project.
4. **TXDOT Green Ribbon Grant Phase 4:** TXDOT has approved the project for construction. As a result, the City Council will approve the project in late October. The project will start in early December.
5. **Tennis Center Renovations:** The architect is working on design plans so that construction can start in late 2019. The architect has met with the contractor to make sure the project is within budget.
6. **Animal Shelter and Dog Park:** The design for the Animal Shelter will be complete at the end of October. The construction of the Animal Shelter will start early next year.
7. **Rickel Park Overlook:** The cantilevered wood structure will be replaced with a concrete deck that overlooks the channel. Currently, staff is seeking pricing for the proposed work.

D. Staff Activities:

1. **October Calendar:** Chris Watson reviewed the calendars of events highlights for the month of October.
2. **Aquatics Team Recognition:** Mr. Watson reported that the City received an email from a couple involved in a non-water rescue at the Chisholm Aquatics Center. The couple was invited to the September City Council Meeting where the City Council presented a Proclamation to the aquatics staff involved in the rescue.

V. Report of the Committee:**A. John Butler Memorial Senior Citizens Banquet**

- 1. Door Prize List Distribution:** The Door Prize List for the John Butler Senior Banquet was reviewed by the Board.

VI. Communications:

- A. Social Media Presence:** Chris Watson presented examples of the Recreation Center's Social Media presence. He reported that the Hurst Recreation Center was voted the "2019 Neighborhood Favorite" on the website *Nextdoor*. Only 1% of companies or organizations receive this distinction according to the website.

VII. Unfinished Business: None to discuss at this time.**VIII. New Business:**

- A. Dog Park Design Consultant Contract:** Kyle Gordon reviewed the Design Criteria for the Dog Park Design Consultant Contract. A recap of the scope of work, budget, and timeline was presented to the Board.

A recommendation for the approval of the Dog Park Design Consultant Contract was presented to the Board. Gary Waldron made the motion to approve the Dog Park Design Consultant Contract with Dunaway & Associates for \$42,350; Ralph Hurd seconded the motion.

AYES: Hurd, Neace, Robertson, Waldron, Walker

NOES: None

IX. Informational Items:

- A. Tarrant Regional Auto Crimes Task Force:** Chris Watson reported that the City was contacted by the Tarrant Regional Auto Crimes Task Force. A representative of the Task Force came to the Recreation and Tennis Centers, observing cars for keys left in the car, property in plain view, and open windows.
- B. LD Bell High School Band March-a-thon:** On September 7th the L.D. Bell High School Marching Band held their annual March-a-thon. The band marched from Hurst Junior High School and continued to the Recreation Center, Heritage Village, and Donna Park Elementary School, the band then continued back to the Junior High School. Two hundred and seventy-five band members and fifty parent volunteers participated in the event.
- C. Dog Park Sponsorship Program:** Kristie Weaver presented the Dog Park Sponsorship Program. She reported that the sponsorship will bring additional funds to enhance the new Dog Park.

The sponsorship program will kick off at the Dogtoberfest event on October 3rd. Ms. Weaver reviewed the sponsorship levels:

Name listed in Park dedication only:

Puppy Love: \$100 - \$249

Name listed on Sponsorship Board:

Happy Dog: \$250 - \$499

Under Dog: \$500 - \$999

Rescue Dog: \$1,000 - \$1,999

Spoiled Dog: \$2,000 - \$4,999

Top Dog: \$5,000 +

The Sponsorship Board will be on display at the Dog Park.

D. HEB ISD Summer Work Program: Kristie Weaver presented an overview of the HEB Summer Work Program. She reported that the program is a partnership with HEB ISD Special Education Program. She noted that seven students, ages 16-21, participated in the program.

E. National Night Out: Chris Watson reported that the Annual National Night Out event is scheduled for October 1st, from 5:30 to 8:00 p.m. The event is an annual community-building campaign that promotes police-community partnerships and strengthens neighborhood camaraderie. The event will take place at Vivagene Copeland, Jaycee Baker, Echo Hills, and Smith-Barfield parks.

X. Board Member and Citizen Comments:

A. Private Training Policy Response: In response to a citizen inquiry regarding the City of Hurst Private Training policy, Chris Watson reported that staff conducted an area facility survey and found that private training in all of the contacted facilities is prohibited. He presented the current policy for Private Training Sessions and reported that the City will update the policy to read: *The City of Hurst prohibits **unauthorized** individuals from conducting, instructing or participating in private or group training sessions or lessons at City recreation facilities.*

XI. Adjournment: Rod Robertson made a motion to adjourn the meeting, Gary Waldron seconded the motion.

AYES: Hurd, Neace, Robertson, Waldron, Walker

NOES: None

Alan Neace adjourned the meeting at 7:15 p.m.

APPROVED this the _____ day of _____, 2019

APPROVED:

ATTEST:

CHAIRMAN

RECORDING SECRETARY

COUNTY OF TARRANT

STATE OF TEXAS

On the 19th day of September 2019 at 11:00 a.m., the Hurst Senior Citizens Advisory Board of the City of Hurst, Texas, convened in Regular Meeting at the Hurst Senior Center, 700 Heritage Circle, Hurst, Texas, with the following members present:

- Gerald Grieser) Chair
- Joan Stinnett) Members
- Bob Hampton)
- Doris Young)
- Durwood Foote)
- Marcy Davis)
- Marie Perry) Alternates
- Elaine Wicker)

- Kyle Gordon) Executive Director of Community Services
- Teri Smith) Community Services Administrative Assistant
- Linda Rea) Senior Center Director
- Michelle Varley) Activities Supervisor
- Hannah Titony) Community Services Management Assistant

with the following members absent: Barbara Albright, constituting a quorum, at which time the following business was transacted.

I. Call to Order

Gerald Grieser called the meeting to order at 11:00 a.m.

II. Roll Call of Members

Teri Smith conducted the Roll Call of Members.

III. Approval of Minutes

The minutes from the August 15, 2019 meeting were approved as written.

IV. Senior Center Director’s Report

A. Statistical Report for August: The Statistical Report for August was distributed to the Board and reviewed by Linda Rea.

<u>August</u>	
Center Attendance.....	13,257
Number of Members.....	1,980
Volunteer Hours.....	1,291
Net Revenue.....	\$ 17,870
Fitness Center Attendance.....	2,917
Class Attendance.....	3,245
Aquatics.....	166

B. Programs & Events Report: The Programs & Events Report for August was distributed to the Board and reviewed by Michelle Varley.

C. Upcoming Programs & Events: A list of Upcoming Programs & Events was distributed to the Board and reviewed by Michelle Varley.

D. Works in Progress

1. **Landscape Maintenance:** Kyle Gordon informed the Board of two trees on the west side of the building that are in decline. The Parks Department will replace the trees soon.

2. **Exterior Power Washing:** Mr. Gordon explained that the exterior of the Senior Center building was showing signs of discoloration. The building has been power washed and Staff will continue to monitor the situation.

E. Staff Activities

1. **Northeast Senior Community Forum:** Linda Rea stated that she continues to attend the Northeast Senior Community Forum on the 3rd Tuesday of every month at the North Richland Hills Public Library from 9:00 to 10:30 a.m. She informed the Board of a Town Hall Forum in Grapevine on November 14th.

2. **Personnel Update:** Kyle Gordon reported that Michelle Varley has completed her Master's Degree in Public Administration. The Board congratulated Ms. Varley.

V. Communications

A. October Senior Pipeline: Michelle Varley distributed copies of the October Senior Pipeline.

VI. New Business

None at this time

VII. Informational Items

A. Program Highlight – Craft & Holiday Market: Michelle Varley reminded the Board of the Senior Center's Craft and Holiday Market scheduled for Friday, October 18th from 9:00 a.m. until 6:00 p.m.

B. Empowering Seniors Event: Ms. Varley distributed flyers and noted that the Empowering Seniors event will be held on October 4th. She encouraged the Board Members to register for this event.

- C. **Silver Sneakers Membership Enrollment Event:** Ms. Varley informed the Board that a representative from Silver Sneakers will be at the Senior Center to hold balance classes and distribute enrollment information on October 4th.
- D. **Medicare Open Enrollment Month:** Ms. Varley informed the Board of the Medicare open enrollment dates of October 15th through December 7th.
- E. **Heritage Village Presents:** Hannah Titony gave a brief overview of the Heritage Village Presents Fall events including the Salsa y Salsa event on September 5th with 180 in attendance, the upcoming Dogtoberfest event on October 3rd, and Movie in the Park on November 1st.
- F. **Next Regularly Scheduled Board Meeting:** Kyle Gordon informed the Board that the October Board meeting has been cancelled due to scheduling conflicts and the next regularly scheduled meeting will be November 21, 2019.

VIII. Board Member and Citizen Comments

None at this time.

IX. Adjournment

There being no further business, the meeting was adjourned by Gerald Grieser at 11:38 a.m.

APPROVED this the _____ day of _____, 2019.

APPROVED:

ATTEST:

CHAIR

RECORDING SECRETARY

**MINUTES
CITY OF HURST
PLANNING AND ZONING COMMISSION
WORK SESSION
MONDAY, SEPTEMBER 30, 2019**

On the 30th day of September 2019, at 6:30 p.m., the Planning and Zoning Commission of the City of Hurst, Texas, convened in regular meeting at Hurst City Hall, 1505 Precinct Line Rd. Hurst, Texas with the following members and staff present:

Charles Aman)
Andrea Taylor)
Mark Cyrier)
Bill Bryan)
Howard Shotwell)
Weldon Martin)
Michelle Lazo	) Executive Director of Planning
Erin Mills	) Assistant, Planning and Development
Duane Hengst	) City Engineer

With the following Board members absent: none, constituting a quorum; at which time the following business was transacted:

I. Call to Order

II. Discussion:

SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1 Taylor Addition, being .784 acre located at 751 Pipeline Ct.

P-19-04 Woodbridge Plaza Addition, a replat of Lot 2R1 to Lots 2R1-1 and 2R1-2, Block 2 Woodbridge Plaza Addition, being .2.12 acres located at 400 Grapevine Highway

P-19-03 Northeast Campus Addition, a plat of Tract D Northeast Campus Addition, being 7.40 acres located at 900 TCC Road

APPROVED this the _____ day of _____ 2019

ATTEST:

Planning & Zoning Commission

Recording Secretary

Charles Aman, Chairperson

**MINUTES
CITY OF HURST
PLANNING AND ZONING COMMISSION
MONDAY, SEPTEMBER 30, 2019**

On the 30th day of September 2019, at 7:00 p.m., the Planning and Zoning Commission of the City of Hurst, Texas, convened in regular meeting at Hurst City Hall, 1505 Precinct Line Rd. Hurst, Texas with the following members and staff present:

Charles Aman)
Mark Cyrier)
Andrea Taylor)
Howard Shotwell)
Bill Bryan)
Weldon Martin)
Michelle Lazo	) Exec. Director Planning and Development
Erin Mills	) Assistant, Planning and Development
Duane Hengst	) City Engineer

With the following Board members absent: none, constituting a quorum; at which time the following business was transacted:

The meeting was called to order at 7:00 p.m. The Pledge of Allegiance was led by Mr. Bryan.

1. Mr. Shotwell moved to approve the minutes for the August 19, 2019 meeting. Mr. Bryan seconded the motion with a correction to fix a typo. The motion prevailed by a vote of 5-0. Mr. Martin abstained from the vote.
2. SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1 Taylor Addition, being .784 acre located at 751 Pipeline Ct.

Ed Cross with JLEC INC, spoke about the plans for the development.

Charles Aman opened the Public Hearing for SP-19-08. There being no one to speak Mr. Cyrier made a motion to close the public hearing. Mr. Shotwell seconded the motion. The motion prevailed by a vote of 6-0.

After additional discussion and questions from the commission, Mr. Bryan made a motion to recommend approval of SP-19-08 Tompkins Townhomes, a site plan for Lot A, Block 1 Taylor Addition, being .784 acre located at 751 Pipeline Ct. Ms. Taylor seconded the motion. The motion to prevailed by a vote of 6-0.

3. P-19-04 Woodbridge Plaza Addition, a replat of Lot 2R1 to Lots 2R1-1 and 2R1-2, Block 2 Woodbridge Plaza Addition, being 2.12 acres located at 400 Grapevine Highway.

James Brittain with Brittain & Crawford spoke about the development.

After additional discussion, Mr. Cyrier made a motion to recommend approval of P-19-04 Woodbridge Plaza Addition, a replat of Lot 2R1 to Lots 2R1-1 and 2R1-2, Block 2 Woodbridge Plaza Addition, being 2.12 acres located at 400 Grapevine Highway. Mr. Martin seconded the motion. The motion to prevailed by a vote of 6-0.

4. P-19-03 Northeast Campus Addition, a plat of Tract D Northeast Campus Addition, being 7.40 acres located at 900 TCC Road.

Michelle Lazo with the City of Hurst spoke about the plat.

After additional discussion, Mr. Shotwell made a motion to recommend approval of P-19-03 Northeast Campus Addition, a plat of Tract D Northeast Campus Addition, being 7.40 acres located at 900 TCC Road. Mr. Martin seconded the motion. The motion prevailed by a vote of 6-0.

There being no further business, The Chair declared the meeting adjourned at 7:30 p.m.

APPROVED this the _____ day of _____, 2019

**Charles Aman, Chair
Planning & Zoning Commission**

ATTEST:

Recording Secretary

Future Event Calendar

October 22, 2019

Regular City Council meetings are held on the second and fourth Tuesday of each month. Following are additional meetings, canceled meetings and public event dates.

<u>DATE AND TIME</u>	<u>ACTIVITY</u>
Sunday, November 3, 2019	Daylight Savings Time Ends
Saturday, November 9, 2019 8:30 a.m.	Santa and Soldiers Veterans Day Parade Starts at Intersection of Precinct and Bedford Eules Rd. and Ends at N.E. Mall Food Court
Saturday, November 16, 2019 12:00 p.m. - 6:00 p.m.	Bellaire Pop-up Event Bellaire Shopping Center- 300 E. Pipeline Rd.
Wednesday, November 27, 2019	City Hall Closes at Noon in observance of Thanksgiving holiday
Thursday, November 28, 2019	City Hall Closed for Thanksgiving holiday
Friday, November 29, 2019	City Hall Closed for Thanksgiving holiday
Tuesday, December 3, 2019 5:00 p.m.	Christmas Tree Lighting and Santa Hurst Conference Center- 1601 Campus Dr.