

**Minutes  
Hurst City Council  
Work Session  
Tuesday, April 28, 2020**

On the 28<sup>th</sup> day of April 2020, 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, by telephone conference to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19) with the following members present:

|                |   |                                    |
|----------------|---|------------------------------------|
| Henry Wilson   | ) | Mayor                              |
| Larry Kitchens | ) | Mayor Pro Tem                      |
| David Booe     | ) |                                    |
| Cathy Thompson | ) |                                    |
| Bill McLendon  | ) |                                    |
| Jon McKenzie   | ) |                                    |
| Cindy Shepard  | ) |                                    |
| Clay Caruthers | ) | City Manager                       |
| Matthew Boyle  | ) | Assistant City Attorney            |
| Rita Frick     | ) | City Secretary                     |
| Sunny Patel    | ) | Director of Information Technology |

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.

Mayor Wilson stated he was going to move the Executive Session to the first item on the agenda and 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 551.071, Consultation with City Attorney to seek advice regarding pending or contemplated litigation or settlement offers (Dakota Place Apartments) City Attorney Matthew Boyle also requested recess under the same subsection regarding the zoning item, Agenda Item 8 and Work Session Item II. Mayor Wilson reconvened open session at 5:53 p.m.

**EXECUTIVE SESSION in Compliance With the Provisions of the Texas Open Meetings Law, Authorized by Government Code, Section 551.071, Consultation with City Attorney to seek advice regarding Pending or Contemplated Litigation or Settlement Offers (Dakota Place Apartments) and to reconvene in Open Session at the conclusion of the Executive Session**

**II. Informational Items**

- **Update and Discussion of upcoming Calendar Items** – City Manager Caruthers noted no items for discussion due to COVID-19.
- **Update and Discussion of State and Local reopening plans due to COVID-19** – City Manager Caruthers noted that he and Mayor Wilson have been on calls with the County

and studying the Governor's plan for opening Texas. He stated the Governor's report and orders are on the City's website and social media accounts and can also be viewed at [gov.texas.gov/organization/opentexas](http://gov.texas.gov/organization/opentexas). Mr. Caruthers briefly reviewed the plan and the health protocols. He stated the goal is to open in a safe manner and to protect the most vulnerable, those age 65 or older and those with underlying health issues. He stated to support the plan, staff is allowing some additional signage for businesses to allow clear messaging for the public. He stated the City is trying to help businesses implement guidelines from the Governor. He also reviewed initiatives Executive Director of Economic Development Steve Bowden is taking to provide information and eliminate the need for enforcement. Mr. Caruthers explained it is wise to exercise careful planning before opening City facilities and the only facility that may be managed differently is the conference center, which operates similar to a private enterprise. He stated summer programming will be eliminated due to safety and economic conditions. Mayor Wilson stated the Governor is not mandating the businesses to open and some businesses determined it is not profitable to open at this time. Mayor Wilson also reiterated that if you are concerned for your health, stay sheltered and use curb pickup. He explained Texas is leading the nation in reopening the economy in a controlled manner, enforcing the 25% occupancy requirements.

The City Council discussed the work session items in the following order: Items 8, 9, 10, 11 and 15. The remaining items were not discussed in the work session.

### **III. Discussion of Agenda Item(s) 2**

Consider Resolution 1767 authorizing the city manager to meet match requirements for expenditures under the Tarrant County Home Investment Partnership Program

### **IV. Discussion of Agenda Item(s) 3**

Consider Resolution 1768 regarding the City of Hurst continued participation in Tarrant County's Community Block Grant, Home Investment Partnership, and Emergency Solutions Grant Consortium for fiscal years 2021 – 2023

### **V. Discussion of Agenda Item(s) 4**

Consider authorizing the city manager to enter into an Engineering Services Contract with Freese and Nichols, Inc. for engineering services for 2021 Water and Wastewater Impact Fee Update Study

### **VI. Discussion of Agenda Item(s) 5**

Consider authorizing the city manager to enter into a contract for professional services to develop a Risk and Resilience Assessment and Emergency Response Plan in accordance with the American's Water Infrastructure of 2018

### **VII. Discussion of Agenda Item(s) 6**

Conduct a public hearing and consider the issue of levying civil penalties, possible revocation of the Certificate of Occupancy and status of the repairs for the property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments)

**VIII. Discussion of Agenda Item(s) 7**

Conduct a public hearing and consider Ordinance 2436, first reading, for SP-19-13 (Urban Infrasconstruction), a site plan for Lot 1, Block 1, Central Park Northeast Addition, being 5.05 acres located at 110 Central Park Drive

Executive Director of Planning and Development Michelle Lazo briefed Council on Ordinance 2436, first reading, for SP-19-13 (Urban Infrasconstruction), a site plan for Lot 1, Block 1, Central Park Northeast Addition, being 5.05 acres located at 110 Central Park Drive noting the site plan is for 5.05 acres. That they are proposing to construct an office building with 3,952 square feet and a separate warehouse with 2,000 square feet. She stated the site plan includes a large secured storage yard for vehicles and equipment. Ms. Lazo stated there will be an entrance on Highway 10 and Central Park Drive utilized for the heavy equipment. She also noted the large number of utility easements across this property made landscaping more difficult, so landscaping will have limited options. She noted a large area of trees to be removed and are not required to be mitigated due to the grading and detention area. In response to Councilmembers questions, Ms. Lazo stated there has been significant dumping in the area and large equipment will use the entrance off Central Park Drive.

**IX. Discussion of Agenda Item(s) 8**

Conduct a public hearing and consider Ordinance 2437, first reading, for SUP-19-09 (Heman Convenience Store), a special use permit for Lot 2, Block A, Oakwood Park East Addition, being .46 acre located at 116 W. Bedford Eules Road

Executive Director of Planning and Development Michelle Lazo briefed Council on Ordinance 2437, first reading, for SUP-19-09 (Heman Convenience Store), a Special Use Permit for Lot 2, Block A, Oakwood Park East Addition, being .46 acre located at 116 W. Bedford Eules Road noting the property is zoned MU-PD and the mixed use overlay does not permit outside gas stations, but does permit gas sales as an accessory to primary use with plan approval. She reviewed the building elevations noting brown brick veneer structure with tan stucco and stone veneer accents around the base. The storefront glass will also have standing seam metal awnings around the perimeter and the gas canopy columns will be clad with brick veneer and stone accents. Ms. Lazo stated the drives will be located on Bedford Eules Road and will be combined to one drive and the drive on Norwood Drive will be moved. She stated the signage request is building signage on the front elevation of the building and the south and east side of the gas canopy. Ms. Lazo noted the Planning and Zoning Commission's recommendation of approval with the stipulation the city attorney verifies the legality of not permitting 8-liner gaming machines in the store.

**X. Discussion of Agenda Item(s) 9**

Conduct a public hearing and consider Resolution 1765 providing for a declaration of Non Objection to the Property Senior Housing (Gala at Central Park) in the City of Hurst

City Manager Caruthers briefed Council on the proposed Resolution which basically is a vote of confidence.

**XI. Discussion of Agenda Item(s) 10**

Consider P-19-08 Central Park Northeast Addition, a final plat of Tracts 5D2B and 5D2C Hamilton Bennett Survey Abstract 138 to Lot 1, Block 1, Central Park Northeast Addition, being 5.05 acres located at 110 Central Park Drive

Executive Director of Planning and Development Michelle Lazo briefed Council on P-19-08 Central Park Northeast Addition, a final plat of Tracts 5D2B and 5D2C Hamilton Bennett Survey Abstract 138 to Lot 1, Block 1, Central Park Northeast Addition, being 5.05 acres located at 110 Central Park Drive, which is a final plat for the Urban Infraconstruction item discussed earlier this evening. She stated there was significant civil work, which has been approved and is ready.

**XII. Discussion of Agenda Item(s) 11**

Consider P-20-02 Stem Place Addition, a final plat of Tract 24B1 William Wallace Survey Abstract 1607 to Lot 2, Block 1 Stem Place Addition, being .37 acre located at 808 Reed Street

Executive Director of Planning and Development Michelle Lazo briefed Council on P-20-02 Stem Place Addition, a final plat of Tract 24B1 William Wallace Survey Abstract 1607 to Lot 2, Block 1 Stem Place Addition, being .37 acre located at 808 Reed Street noting this is a cleanup plat for a small church at 808 Reed Street, and was previously an old strip center and the applicant wants to add a canopy. Ms. Lazo stated it was not platted so she asked them to plat and add easements.

**XIII. Discussion of Agenda Item(s) 12**

Consider Resolution 1766 authorizing the City of Hurst's application to the Regional Transportation 2020 Safe Routes to School – Infrastructure (SRTS) call for projects

**XIV. Discussion of Agenda Item(s) 13**

Consider Resolution 1769 denying Oncor Electric Delivery Company LLC's Application for Approval of a Distribution Cost Recovery Factor (DCRF)

**XV. Discussion of Agenda Item(s) 14**

Consider authorizing the city manager to take any and all action necessary regarding the closing and rescheduling of city events, programs and facilities

City Manager Caruthers reviewed his recommendations to delay opening of facilities and eliminate summer programs, including aquatics and the Stars and Stripes events. He noted that economies are seriously impacted at this time and that the City faces some very serious budget decisions this year. Mr. Caruthers stated cancellation of the summer programs will help address some of the concerns, as well as allow the City to address the public safety directives from the Governor and allow data to come in to have more analytical data moving forward. He stated he has had discussion with other area cities and they also plan to eliminate or have a very late season opening, with a large part of the reason being a budget

matter. Mr. Caruthers stated, even with the proposed phased openings established by the Governor, the economy will be negatively impacted. He explained that a full functioning economy is needed and that property tax only covers 40% of the General Fund with public safety representing 53% of that fund. He reiterated the reliance on sales tax and that property taxes are 5 million shy of covering the most fundamental of services, public safety. He reviewed actions taken based on the Contingency Plan, noting the plan clearly states the City will reduce service levels and operating hours to address the economic impact. He stated staff continues to recommend the summer schedule be reduced or eliminated and look at safe and financially feasible operations. Mayor Wilson stated he and the city manager have spent a great deal of time discussing this item and the actions are out of necessity. He stated the City's financials have been significantly impacted and the City will consider non-essential service elimination to help offset lost revenue. He stated some Councilmembers received letters from lifeguards requesting the season be opened, but it would be very hard to guarantee six-foot spacing in swimming pools, and the financial savings must be considered. He stated some cities are considering a July opening, but he does not believe that is feasible for Hurst. Mr. Caruthers stated that part of the financial feasibility to consider is the risk of reopening the City without knowing what the Governor's office will do if there is a resurgence of COVID-19.

In response to Councilmembers' questions, Mr. Caruthers stated pools are not part of the current phase of reopening. Mayor Wilson also noted the Stars and Stripes event would require funding now and social distancing would be difficult to manage. Councilmembers discussed the pros and cons of delayed openings and the need to communicate with the public regarding service impacts and decisions. Mr. Caruthers stated the marketing team is preparing public announcements and will publish after Council direction.

**XVI. Discussion of Agenda Item(s) 15**

Consider authorizing the city manager to enter into a contract for construction of the Valley View Branch Channel Repairs from East Pipeline Road to Plaza Boulevard

**ADJOURNMENT** – The meeting was adjourned at 6:28 p.m.

**APPROVED** this the 12<sup>th</sup> day of May 2020.

**ATTEST:**

  
Rita Frick, City Secretary

**APPROVED:**

  
Henry Wilson, Mayor