

**WORK SESSION AGENDA OF THE CITY COUNCIL OF
HURST, TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
THIRD FLOOR CONFERENCE ROOM
TUESDAY, AUGUST 25, 2020 – 5:30 P.M.**

In accordance with order of the Office of the Governor issued March 16, 2020, the City of Hurst City Council will conduct its meeting scheduled at 5:30 p.m. on Tuesday, August 25, 2020, at Hurst City Hall by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID19). There will be no public access to the location described above. The agenda packet and meeting information are posted online at <https://www.hursttx.gov/about-us/agendas-and-minutes/agendas-and-minutes-2020>. The public dial-in number to participate in the telephonic meeting is (877) 853-5247 (Toll Free) or (888)788-0099 (Toll Free) and entering Meeting ID 886-2109-2000 followed by # when prompted. If prompted, the meeting password is 024550. The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

I. Call to Order

II. Informational Items

- **Update and Discussion of upcoming Calendar Items**
- **Update and Discussion of State and Local reopening plans due to COVID-19**
- **Discuss Proposed Contract with Texas Coalition for Affordable Power (TCAP)**

III. Discussion of Agenda Item(s) 3

Consider Ordinance 2443, first reading, amending the Hurst Code of Ordinances, Chapter 2, Article X. Senior Citizens Advisory Board

IV. Discussion of Agenda Item(s) 4

Consider Resolution 1777 to adopt the City of Hurst Investment Policy

V. Discussion of Agenda Item(s) 5, 6 and 7

Consider Ordinance 2441(a), second reading, adopting budget for fiscal year beginning October 1, 2020 and ending September 30, 2021

Consider Ordinance 2441(b), second reading, ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2020-2021 Budget

Consider Ordinance 2442, second reading, setting the tax rate for the 2020 tax year

VI. Discussion of Agenda Item(s) 8

Conduct a Public Hearing and Consider Ordinance 2445 first reading, adopting SP-20-03, Melbourne Place, a site plan revision for Lot 3, Block 1, Melbourne Place Addition, being .20 acre located at 1124 Blakey Court

VII. Discussion of Agenda Item(s) 9

Consider P-20-05 Belco Addition, a replat of Lot 3R and 4 to Lot 3R-1, Block 1, Belco Addition, being 1.63 acres located at 916 Grapevine Highway

VIII. Discussion of Agenda Item(s) 10

Consider P-20-03 Cantrell Addition, a final plat of Tract 1B William T. Jones Survey Abstract 865 to Lot 1, Block ,1 Cantrell Addition, being .73 acre located at 351 Grapevine Highway

IX. Discussion of Agenda Item(s) 11

Consider authorizing the city manager to enter into a Contract with Deltatek, Inc., for engineering services, for the North Precinct Line Road Elevated Storage Tank Renovation and Repainting

X. Discussion of Agenda Item(s) 12

Consider approval of the Siddons-Martin Emergency Group proposal for (Bid 671) and authorize the city manager to purchase a fire engine replacement truck

XI. Discussion of Agenda Item(s) 13

Consider authorizing the city manager to enter into an agreement with Jeryl E. White, developer and property owner, concerning public water and sanitary sewer service, for four proposed single family homes in Hurst Extra Territorial Jurisdiction Area in far northeast Hurst

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

ADJOURNMENT

Posted by: _____

This the 21st day of August 2020, 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, AUGUST 25, 2020**

AGENDA:

5:30 p.m. - Work Session (City Hall, Third Floor Conference Room)

6:30 p.m. - City Council Meeting (City Hall, Third Floor Conference Room)

In accordance with order of the Office of the Governor issued March 16, 2020, the City of Hurst City Council will conduct its meeting scheduled at 6:30 p.m. on Tuesday, August 25, 2020, at Hurst City Hall by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID19). **There will be no public access to the location described above.** The agenda packet and meeting information are posted online at <https://www.hursttx.gov/about-us/agendas-and-minutes/agendas-and-minutes-2020>. The public dial-in number to participate in the telephonic meeting is (877) 853-5247 (Toll Free) or (888)788-0099 (Toll Free) and entering Meeting ID 886-2109-2000 followed by # when prompted. If prompted, the meeting password is 024550. The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

CALL TO ORDER

INVOCATION (Mayor Henry Wilson)

PROCLAMATION

1. Proclamation recognizing former Councilmember Nancy Welton’s 90th Birthday

CONSENT AGENDA

2. Consider approval of the minutes for the August 11 and 12, 2020 City Council meetings
3. Consider Ordinance 2443, first reading, amending the Hurst Code of Ordinances, Chapter 2, Article X. Senior Citizens Advisory Board
4. Consider Resolution 1777 to adopt the City of Hurst Investment Policy

BUDGET RELATED(S)

5. Consider Ordinance 2441(a), second reading, adopting budget for fiscal year beginning October 1, 2020 and ending September 30, 2021
6. Consider Ordinance 2441(b), second reading, ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2020-2021 Budget
7. Consider Ordinance 2442, second reading, setting the tax rate for the 2020 tax year

PUBLIC HEARING(S) AND RELATED ITEM(S)

8. Conduct a Public Hearing and Consider Ordinance 2445 first reading, adopting SP-20-03, Melbourne Place, a site plan revision for Lot 3, Block 1, Melbourne Place Addition, being .20 acre located at 1124 Blakey Court

PLAT(S)

9. Consider P-20-05 Belco Addition, a replat of Lot 3R and 4 to Lot 3R-1, Block 1 Belco Addition, being 1.63 acres located at 916 Grapevine Highway
10. Consider P-20-03 Cantrell Addition, a final plat of Tract 1B William T. Jones Survey Abstract 865 to Lot 1, Block 1 Cantrell Addition, being .73 acre located at 351 Grapevine Highway.

OTHER BUSINESS

11. Consider authorizing the city manager to enter into a Contract with Deltatek, Inc., for engineering services, for the North Precinct Line Road Elevated Storage Tank Renovation and Repainting
12. Consider approval of the Siddons-Martin Emergency Group proposal for (Bid #671) and authorize the city manager to purchase a fire engine replacement truck
13. Consider authorizing the city manager to enter into an agreement with Jeryl E. White, developer and property owner, concerning public water and sanitary sewer service, for four proposed single family homes in Hurst Extra Territorial Jurisdiction Area in far northeast Hurst
14. Review of upcoming calendar items

15. 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 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

16. Take any and all action ensuing from Executive Session

ADJOURNMENT

Posted by: _____

This 21st day of August 2020, 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.

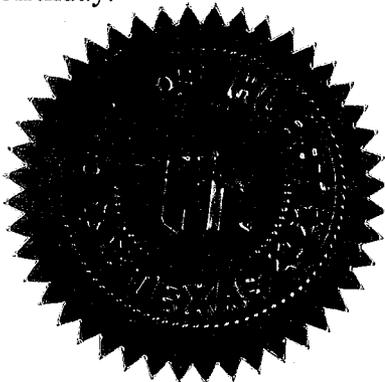
Office of the Mayor

Proclamation

City of Hurst

- Whereas,** Nancy Welton will be honored by friends and family to celebrate her 90th birthday on August 26; and
- Whereas,** Nancy was born in Fort Worth, Texas and has been a resident in Hurst for 35 years; and
- Whereas,** she is blessed with a wonderful family; three children, four grandchildren, and six great grandchildren; and
- Whereas,** she served 12 years on the HEB ISD School Board as well as a Den Mother for the Cub Scouts and Den Leader for the Camp Fire Girls; and
- Whereas,** she has demonstrated, in countless ways, her dedication to the welfare of others and has earned the respect and affection of the community; and
- Whereas,** she served as a respected Hurst City Councilmember for 14 years and an active community member in the HEB area for over 57 years; and
- Whereas,** Nancy Welton significantly contributed to the “Quality of Life” in the City of Hurst and we extend our very best wishes for good health and happiness on the special occasion of her 90th Birthday.

NOW THEREFORE, I, Henry Wilson, on behalf of the entire City Council and all of our citizens, do hereby recognize Nancy Welton and urge all citizens to join with me in wishing Nancy a very happy 90th birthday.



Witness my Hand and Official Seal of the City of Hurst,
Texas on this the 25th day of August 2020.

Henry Wilson, Mayor

Minutes
Hurst City Council
Work Session
Tuesday, August 11, 2020

On the 11th day of August 2020, at 5:46 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
Jon McKenzie	)	Mayor Pro Tem
David Booe	)	Councilmembers
Larry Kitchens)	
Cathy Thompson)	
Bill McLendon)	
Cindy Shepard)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	Assistant City Attorney
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Greg Dickens	)	Executive Director of Public Works
Steve Bowden	)	Executive Director of Economic Development
Duane Hengst	)	City Engineer
Rita Frick	)	City Secretary
Sunny Patel	)	Information Technology Director

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 5:46 p.m.

The work session items were discussed in the following order: Information items including calendar items and state and local reopening plans due to COVID-19, Work Session Items IV and then informational item regarding Economic Development Activity. City Manager Clay Caruthers stated Work Session Item III will be reviewed in regular session. The remaining items were not discussed in work session.

II. Informational Items

- **Update and Discussion of upcoming Calendar Items** – City Manager Clay Caruthers noted that based upon a legal interpretation received, the budget hearing and tax rate public hearing scheduled for Wednesday, August 12, 2020, 6:30 p.m. at city hall will be held to allow the public to attend the meeting in person or dial-in. Mayor Wilson noted his preference is for a quorum of Council to be in person during a public meeting, if possible, and then reviewed safety measures enacted by staff
- **Update and Discussion of State and Local reopening plans due to COVID-19** – City Manager Caruthers stated staff is focusing on September 28 as key dates to potentially

- expand operating hours and services at the library and recreation center, but the senior center will remain closed. He reviewed current operating hours for the library, recreation center and parks, noting Brookside Center remains closed. He stated staff has no recommended changes until September 28, which will allow a couple of weeks to pass after in person school starts September 8.
- **Update and Discussion of local Economic Development Activity** – Executive Director of Economic Development Steve Bowden provided an update on economic development in the City noting the significant historical downturn, but also that Hurst lost very few businesses so far. He noted several stores reopening and the number of national retailer’s bankruptcy filings. Mr. Bowden shared new store openings, occurring during the past 5 months, including Hobby Lobby, Tuesday Morning, Shoe Carnival and three new restaurants. Also reviewed were CARES Act allocations to businesses. Mr. Bowden provided Council an overview of two possible projects for Hurst including a 5-acre complex of single family rentals offering more privacy than high density apartments. He stated the Eden Terrace community would offer one and two level units with more privacy than apartments, but more a lock and leave lifestyle, with walkability. Mr. Bowden provided information regarding the developer and builder, noting the site meets zoning requirements. Councilmembers acknowledged many people would like the walkability. Mr. Bowden next reviewed the possible expansion of Heritage Village Residences noting a new owner who is currently making enhancements to Phase I and is interested in providing a Phase II. He noted the market needs additional senior living. Councilmembers noted the need for more upscale senior living homes and expressed how nice the Phase I cottages were at Heritage Village.

III. Discussion of Agenda Item(s) 2

Presentation of the Annual Report on the Storm Water Management Plan

There was no discussion of this item.

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

Consider Resolution 1773 ordering a Special Election to be held November 3, 2020 to allow voters to consider voting for or against the legal sale of all alcoholic beverages for off premise consumption only

Consider Resolution 1774 ordering the General Election of Officers to be held November 3, 2020

City Manager Clay Caruthers briefed Council on the special election related to alcoholic beverages for off-premise consumption noting City Secretary Rita Frick worked with Tarrant County Elections Administration in validating the petition. He explained the petition is not a City function, but a private group who wants to bring alcoholic off-premise sales. He stated the petition was submitted within the timeframe allowed by law. City Secretary Frick reviewed the proposed Resolution. In response to City Manager Caruthers’ questions, City Attorney Matthew Boyle stated the Council must order the election upon submission of a valid petition.

V. Discussion of Agenda Item(s) 5

Consider authorizing the city manager to renew the current Contract with Cigna to provide stop-loss insurance for the health plans, third-party administration for the health plans and dental ASO plan, and fully insured dental HMO insurance for eligible full-time employees, retirees, and dependents effective 10/1/2020 through 9/30/2021

There was no discussion of this item.

VI. Discussion of Agenda Item(s) 6

Consider authorizing the city manager to purchase two HVAC units for the Hurst Conference Center

There was no discussion of this item.

Mayor Wilson did not recess to Executive Session.

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

ADJOURNMENT – The meeting was adjourned at 6:23 p.m.

APPROVED this the 25th day of August 2020.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Henry Wilson, Mayor

City Council Minutes
Tuesday, August 11, 2020

On the 11th day of August 2020, 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, 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
Jon McKenzie	)	Mayor Pro Tem
David Booe	)	Councilmembers
Larry Kitchens)	
Cathy Thompson)	
Bill McLendon)	
Cindy Shepard)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	Assistant City Attorney
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Greg Dickens	)	Executive Director of Public Works
Duane Hengst	)	City Engineer
Rita Frick	)	City Secretary
Sunny Patel	)	Information Technology Director

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 Cindy Shepard gave the Invocation.

Mayor Wilson noted the telephonic meeting due to the COVID-19 pandemic provided rules of procedure for the telephone conference meeting.

CONSENT AGENDA

1. Consider approval of the minutes for the July 28, July 31 and August 1, 2020 City Council meetings

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

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

PRESENTATION(S)

2. Presentation of the Annual Report on the Storm Water Management Plan

City Engineer Duane Hengst provided the annual report on the Storm Water Management Plan (SWMP) as required by State law. He explained the purpose of the report is to have a public presentation for awareness of the program. He explained SWMP is a comprehensive program for addressing Federal and State regulatory and policy requirements for managing water quality impact on storm water runoff and the City's natural surface waters to support their environmental quality. Mr. Hengst reviewed the various organizational authorities on the Federal, State and local levels making up the comprehensive program. Reviewed were the City's designation as a Small MSR Operator and the permit and reporting requirements for the designation, including best management practices and partnership with the North Central Texas Council of Governments to benefit the regional area. Also reviewed were various implementation measures such as the Household Hazardous Waste and public education events. In response to Councilmember Kitchens observation regarding yard debris and the storm water system, Mr. Hengst agreed it is a source of pollution and an area where staff could educate individuals.

RESOLUTION(S)

3. Consider Resolution 1773 ordering a Special Election to be held November 3, 2020 to allow voters to consider voting for or against the legal sale of all alcoholic beverages for off premise consumption only

City Manager Clay Caruthers advised Council that a private sector company started a petition drive a few months ago and that a minimum number of signatures are required to move forward for validation. He stated the motivating force for the petition was a private property owner who wishes to add off premise sale as a retail component with a new type of business. He stated the City Secretary worked with Tarrant County to validate the petition and they did receive the necessary signatures. City Secretary Frick stated the petition was received August 3, 2020 and reviewed the petition requirements and findings for the proposed proposition for "the legal sale of all alcoholic beverages for off-premise consumption only" noting the required number of signatures necessary was 4,511, approximately 5,227 valid signatures were validated, being more than the required amount. She stated the petitioners are on file in the City Secretary's Office. Ms. Frick stated the proposed ordinance orders a special election to be held November 3, 2020 to allow the voters to vote for or against the proposition and provides for a joint election agreement and contract for election services with the Tarrant County Elections Administrator.

Mayor Wilson reiterated the Council didn't request the petition and that they are legally required to call the election. In response to Mayor Wilson's question, City Attorney Matthew Boyle stated Council could discuss zoning districts at on a future agenda.

Councilmember Thompson moved to approve Resolution 1773 calling the November 3, 2020 Special Election. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

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

4. Consider Resolution 1774 ordering the General Election of Officers to be held November 3, 2020

City Secretary Rita Frick reviewed the proposed resolution ordering the November 3, 2020 election, ensuing from the postponed May 2, 2020 General Election Officers due to the COVID-19 pandemic. She stated the resolution orders the election and provides for the joint election agreement and contract for election services with the Tarrant County Elections Administrator.

Councilmember Booe moved to approve Resolution 1774 calling the November 3, 2020 General Election. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

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

OTHER BUSINESS

5. Consider authorizing the city manager to renew the current Contract with Cigna to provide stop-loss insurance for the health plans, third-party administration for the health plans and dental ASO plan, and fully insured dental HMO insurance for eligible full-time employees, retirees, and dependents effective 10/1/2020 through 9/30/2021.

City Manager Caruthers stated this item is two of the main components of the employee and retiree benefits program. One contract is the dental insurance, which is fully insured and was bid out in accordance with advice from the City's consultant to keep good costing involved to ensure rates are within market. He stated the other item is healthcare, which has two components. One is the third party administrator, Cigna, which the City is utilizing and again recommend. He explained the benefits of utilizing third party administrators since the city is self-funded. Mr. Caruthers stated the other portion is the stop loss insurance component which is a security feature to stop financial losses at a certain level. He stated Executive Director of Human Resources Matia Messemer will provide additional details for Council. Ms. Messemer reviewed the bid process and

negotiations that was coordinated and managed by the City's benefits consultant, HUB International, who after reviewing the best and final offers, recommend renewal with Cigna for stop loss insurance for plan year 2020-2021, resulting in a 1.2% increase in premium cost. She noted Cigna will provide a \$35,000 Health Improvement Fund, and provide an administration fee credit of one time \$25 per employee per month of \$108,000. She stated this renewal has significantly lower increases than originally anticipated. She explained the cost of pharmacy and medical is shared between employees, retirees and the City, and structured to be well balanced. Ms. Messemer reviewed the dental plans with a 6.7% increase in the self-funded ASO plan and a 2% increase in premiums for the HMO plan. She reviewed the loss reserve fund and that overall costs are shared between the City departmental budgets, employees, and retirees.

Councilmember Shepard moved to authorize the city manager to renew the current contract with Cigna to provide stop-loss insurance for the health plans, third-party administration for the health plans and dental ASO plan, and fully insured dental HMO insurance for eligible full-time employees, retirees, and dependents effective 10/1/2020. Motion seconded by Councilmember Thompson. Motion prevailed by the following vote:

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

6. Consider authorizing the city manager to purchase two HVAC units for the Hurst Conference Center

City Manager Clay Caruthers stated that over the years the City established an equipment replacement fund in the special project fund for the Hurst Conference Center. He stated the Conference Center was doing very well pre COVID-19 and also built their own capital reserves. Mr. Caruthers stated during the pandemic, he asked the HCC Director to use reserves and operations to survive the pandemic downturn. He stated replacement funds for the AC's are available from special projects and some costs may qualify for CARES Act funding due to the Bi-Polar Ionization to clean the air.

Councilmember Thompson moved to authorize the purchase of the two HVAC units not to exceed \$84,000. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

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

7. Review of upcoming calendar items – City Manager Caruthers noted the Budget and Tax Rate Public Hearings scheduled for tomorrow, August 12, City Hall at 6:30 p.m. He also noted that the meeting scheduled was adjusted to allow in person attendance and that COVID-19 procedures will be in place, or if preferred, you can call in also.

8. 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.

Mayor Wilson did not recess the meeting to Executive Session.

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

9. Take any and all action ensuing from Executive Session.

No action was taken.

ADJOURNMENT – The meeting adjourned at 7:09 p.m.

APPROVED this the 25th day of August 2020.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Henry Wilson, Mayor

Minutes
Hurst City Council
Work Session
Wednesday, August 12, 2020

On the 12th day of August 2020, at 5:55 p.m., the City Council of the City of Hurst, Texas, convened in Work Session at City Hall, 1505 Precinct Line Road, Hurst, Texas, in person and 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
Jon McKenzie	)	Mayor Pro Tem
David Booe	)	Councilmembers
Larry Kitchens)	
Cathy Thompson)	
Bill McLendon)	
Cindy Shepard)	
Clay Caruthers	)	City Manager
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Sunny Patel	)	Information Technology Director
Rob Duncan	)	Information Technology Manager

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 5:55 p.m.

- II. Informational Items**
 - **Update and Discussion of upcoming Calendar Items** – City Manager Caruthers advised a Robo call notified residents the City is spraying for mosquitos, again, and that it is a difficult West Nile season with Northeast Tarrant County being a hot spot. Mayor Wilson noted individuals can use Cutter Insect Spray to increase the effectiveness of the City treatment and put larvicide in standing water, which can be purchased at Lowes and Mr. C’s Hardware.
 - **Update and Discussion of State and Local reopening plans due to COVID-19** – City Manager Caruthers noted no changes from last night’s Council meeting. He stated plans are to target September 28 to expand library and recreation hours, but delay opening the senior center. He noted on a telephone call with the County today, things seem to be trending in the right direction, but we will need to wait and see a couple of weeks after school opens. Mayor Wilson also noted new technology equipment will be added in the Council Chamber to improve the meeting dial-in process.

- III. Discussion of Agenda Item(s) 4, 5, 6, 7 and 8**

Conduct a Public Hearing to consider the budget for fiscal year beginning October 1, 2020 and ending September 30, 2021

Conduct a Public Hearing to consider tax rate for the City's 2020-2021 Fiscal Year Budget

Consider Ordinance 2441(a), first reading, adopting budget for fiscal year beginning October 1, 2020 and ending September 30, 2021

Consider Ordinance 2441(b), first reading, ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2020-2021 Budget

Consider Ordinance 2442, first reading, setting the tax rate for the 2020 tax year

City Manager Clay Caruthers recommended the full presentation, by Assistant City Manager Fulton, wait until the 6:30 p.m. special meeting to allow time to provide for a reminder of the presentation from the budget work session. He stated staff adjusted the budget with Council's recommendation on the tax rate set at a proposed rate of 3.5% increase equal to the voter approval rate of \$0.625159 and the current tax rate is \$0.597299. He stated the voter approval rate essentially allows staff to lower the amount taken from savings from \$500,000 to \$150,000 in that the tax rate is yielding an additional \$350,000 in revenue. He reiterated that staff worked diligently to bring a budget reduction to Council and was primarily achieved through savings, reorganizations, allowing positions to be dissolved and freezing positions. He reiterated the City is a service oriented industry, not building widgets, so most of the costs are 70% personnel. He stated plans are to open aquatics one park at a time with rotating operational days. There are changes to services and reducing operating hours at different facilities. He stated there is a reduction in the use of consultants and adjustments to some events to be more budget conscious. Also noted are some programs related to compensation and benefits that were eliminated. Mayor Wilson noted the handout from the budget work session and special meetings reviewing the tax rates for consideration. He stated after a lengthy discussion, he believes a 3.5% proposed tax rate is where they should stay. He noted a few calls and comments appeared on the appraisal website, but an uncertain future requires maintaining reserves. He stated if the City is fortunate and businesses reopen and sales tax revenues return to normal it will not be necessary to consider a large increase next year. Councilmember Kitchens agreed with the Mayor's comments stating it is a tough but necessary decision, that the City has already tapped into reserves and the tax increase on a median average home will be approximately \$7.50 a month. Councilmembers discussed the uncertainty of the economy and the City's financial standing. In response to Councilmember questions, Mr. Caruthers reviewed proposed rates of area cities and due to the variances in per capita amounts, exemptions and tax bases an apple to apple comparison is not possible. He stated Grapevine is the only other entity, in the area, that has a comparable sales tax decrease to Hurst. Mr. Caruthers did note that Hurst is in the minority, that most cities' proposed property tax rates are staying flat and some are lowering their rates. He stated the no-new-revenue rate takes about a one cent increase over the current rate and a two-cent rate reduction from the preliminary rate. He advised there are reserves if Council decides to lower the tax rate back down. He stated he would not recommend going backward.

IV. Discussion of Agenda Item(s) 9

Consider water and wastewater rates for Fiscal Year 2020-2021

City Manager Caruthers noted the Enterprise Fund is having a reasonable year in terms of revenue. He stated staff is exploring the use of credit card convenience fees, for on-line and telephone customers, and will present to Council for consideration at a future date. He stated staff is not recommending a change in the retail rate and expressed confidence the fund is secure and sound. Mr. Caruthers stated after speaking with the City's consultant, he concurs that no rate increase should be considered this year.

ADJOURNMENT – The meeting was adjourned at 6:22 p.m.

APPROVED this the 25th day of August 2020.

ATTEST:

Rita Frick, City Secretary

APPROVED:

Henry Wilson, Mayor

City Council Minutes
Wednesday, August 12, 2020

On the 12th day of August 2020, at 6:33 p.m., the City Council of the City of Hurst, Texas, convened in a Special Meeting 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
Jon McKenzie	)	Mayor Pro Tem
David Booe	)	Councilmembers
Larry Kitchens)	
Cathy Thompson)	
Bill McLendon)	
Cindy Shepard)	
Clay Caruthers	)	City Manager
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Sunny Patel	)	Information Technology Director
Rob Duncan	)	Information Technology Manager

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

The meeting was called to order at 6:33 p.m.

Mayor Pro Tem Kitchens gave the Invocation.

Mayor Wilson noted the public and telephonic meeting due to the COVID-19 pandemic provided rules of procedure for the meeting including how online attendees can request to speak.

PRESENTATION(S)

1. Presentation of the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award

Assistant City Manager Clayton Fulton reviewed the Government Finance Officers Association Distinguished Budget Award received for the 32nd year. He explained the criteria for receiving the award which represents significant achievements to satisfy nationally recognized guidelines for effective budget presentation. The guidelines are designed to assess how well an entity's budget serves as a policy document, financial plan, operations guide and communications device. He thanked the finance staff for their hard work. Mayor Wilson expressed appreciation for staff's work and noted not many cities have this level of quality document.

CONSENT AGENDA

2. Consider Resolution 1775 ratifying the actions of the Hurst Community Services Development Corporation
3. Consider Ordinance 2439, second reading, adopting the Crime Control and Prevention District budget for fiscal year beginning October 1, 2020 and ending September 30, 2021

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

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

PUBLIC HEARING(S) AND BUDGET RELATED ITEM(S)

4. Conduct a Public Hearing to consider the budget for fiscal year beginning October 1, 2020 and ending September 30, 2021
5. Conduct a Public Hearing to consider tax rate for the City's 2020-2021 Fiscal Year Budget

Mayor Wilson announced a public hearing to consider the budget for fiscal year beginning October 1, 2020 and ending September 30, 2021 and a public hearing to consider the tax rate for the City's 2020-2021 fiscal year budget. He stated that after staff presentation, citizens will be allowed to address either item.

City Manager Clay Caruthers noted City Charter and state law was followed in preparing and presenting the tax rate and tonight Assistant City Manager Clayton Fulton will provide the presentation on Agenda Items 4 and 5. Mr. Fulton reviewed the proposed budget and proposed tax rate noting the budget is the single most important action the Council will take this year and sets the service levels. He advised the budget presentation could be followed on the City's website at hursttx.gov/budget presentation. He reviewed the annual strategic process noting it begins and ends with citizen input. Mr. Fulton stated, this year the pandemic had an impact on the process and created a temporary shift in priorities. He noted altered operations but that staff did their best to continue to follow Council's strategic priorities. Mr. Fulton noted the proposed operating budget of \$71.5 million for all funds. He noted 80% of the operating budget is four major funds, General, Enterprise, Anti-Crime and 4B Funds, and several other smaller funds are the other 20%. Mr. Fulton stated the main focus this evening will be the major funds and the proposed General Fund budget is \$36,327,774, which is a -3.14% decrease from the current budget. He stated the total proposed tax rate to fund is \$0.625159 per \$100 valuation. The maintenance and operations rate is \$0.504186 per \$100 valuation. He stated this is an increase in the total tax rate. Mr. Fulton provided a 10-year budget history and Municipal Cost Index noting over the 10-year period, the City's average percent change was 1.66% compared to MCI of 1.72%. He reviewed the 10-year history of the General Fund budget changes noting a decrease in the budget for the first time in ten years. He reviewed

revenue sources noting the majority is from ad valorem, 44% and sales tax 22%, which is 66% of the total budget. Also noted were other revenue sources including indirect cost, franchise tax, charges for services, fines, license/permits, and miscellaneous. Mr. Fulton reviewed changes in the General Fund revenues of a total decrease in revenue of \$1,176,748, a tax rate equivalent of 3.5 cents on the tax rate. He reiterated in order to just maintain, an additional 3.5 cents on the tax rate is required. City Manager Caruthers also noted \$996,576 in decreased sales tax revenue, and that the General Fund also absorbed a \$1,041,764 impact to the other funds. Mr. Fulton reviewed the tax base noting the appraised value and sales tax base has not grown at the same rate, which means the City is more reliant on property tax. Mr. Fulton reviewed the proposed tax rate of \$0.625159, No-New-Revenue Tax Rate of \$0.606234 and Voter-Approval-Tax Rate of \$0.625159. He explained the rate is two part, Maintenance and Operations (M&O) \$0.504176 and Interest and Sinking (I&S) \$0.120973, which is about \$20 million in tax levy. He reviewed the impact to the average value home based on the current rate, No-New-Revenue and Voter-Approval rates. Mr. Fulton noted over \$25 million in property tax savings since 1992, due to Council lowering the rate. He reviewed the various tax relief measures for churches, non-profit, homestead, etc., and these measures are over \$8 million in tax relief. Mr. Fulton stated that 58% of households on the average would pay between \$2.00 and \$2.99 per day with the proposed rate of \$0.625159. He reviewed tax levy comparison to area cities explaining the tax rate doesn't really tell the story in that different cities have varying growth and exemptions. Mr. Fulton explained the sales tax is more volatile than property tax and that Hurst's General Fund sales tax is 12% of the total sales tax. Mr. Fulton reviewed General Fund expenditures noting the majority in Public Safety and Judicial Services. He reviewed changes in General Fund expenditures with decreases in personnel from vacancies, re-organizations and benefit reductions, program reductions including, among others, street maintenance, aquatics schedule adjustment and other reductions in hours, and one cost increase for the fire truck.

Mr. Fulton reviewed the proposed Debt Service Fund budget of \$3,944,434, a 2.20% increase to fund debt service for a new fire engine and the I&S rate of \$0.120973 per \$100 valuation. He explained the City's debt management including an annual review and refunding issues that have saved \$44.9 million since fiscal year 2004 and, the I&S rate is less than 25% of the total tax rate and that future debt service obligations shows capacity in the debt rate. Also reviewed was the proposed Enterprise Fund budget with an operating fund of \$20,987,524, which is a decrease of -1.64% and recommendation for no increase in water rates. He explained the fund is currently in a healthy position with new customers creating capacity and that even though the City has traditionally utilized a rate smoothing philosophy, the City's consultant believes there is capacity for no increase this year. Mr. Fulton reiterated that wholesale costs are the highest pressure in this fund and that the City is basically supporting other cities growth through being in the consortium through the City of Fort Worth.

Mr. Fulton noted the Crime Control and Prevention District \$4.56 million budget, which was recently adopted by the Board and Council and that it would be an additional 12.5 cents on the tax rate. He stated this budget had an 18% reduction. Also reviewed was the Community Services Half Cent Fund budget of \$4.19 million that was adopted by the Community Services Development Board and ratified by the City Council previously.

That this fund is an equivalent of approximately 13 cents to the tax rate and is a 14.5% budget reduction.

Mr. Fulton provided a summary of the other funds noting all total funds are \$8.8 million. He noted future fee considerations, which are not in the proposed budget, and that staff will bring these items back at a future date for Council consideration. He also noted that he failed to mention that although there is no retail water rate increase, the City does pass through the wholesale to commercial.

Mayor Wilson again announced the public hearings and requested those in attendance in person speak first, then those that dial-in would be allowed to speak.

Mayor Wilson recognized the following individuals who expressed their concerns regarding property value increases, COVID-19 pandemic impact and joblessness, a tax increase in hard economic times, and that reserves should be utilized prior to a tax rate increase consideration and not approving of credit card convenience fees: Sonia Hoyle, 421 Elmview, Hurst, Texas; Ray Patterson, 704 Ellen, Hurst, Texas and Dion Duarte, 1061 Liberty Circle, Hurst, Texas.

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

Mayor Wilson noted Hurst is in a very unusual situation in that senior property taxes are frozen and that includes about 1/3 of Hurst citizens, which affects the overall tax rate. He stated that once you are 65 your rate will not increase. Councilmember Kitchens stated his appreciation for the citizen comments and that this budget was one of the toughest decisions for him. He explained the City has already tapped into reserves and noted the 90-day reserve policy to keep in case of disaster. He stated the budget presentation is very informative and noted the presentation shows Hurst has tax relief of \$8 million because of exemptions and other tax relief offered. He explained the problem trying to compare Hurst's tax rate to other cities is that many do not offer the same homestead exemptions, they have higher revenue because of higher values and are paying a higher per capita rate at that point. He stated approximately 50% of an individual's tax bill is paid to the school district, not the city and a lot of the school district increase is due to unfunded mandates being placed on the schools. Councilmember Kitchens noted there have already been a lot of cuts to the budget and if we truly want to have a City to live in in the future, thinking long term, this is probably the best decision, but not easy and is being taken very seriously.

6. Consider Ordinance 2441(a), first reading, adopting budget for fiscal year beginning October 1, 2020 and ending September 30, 2021

Councilmember Shepard moved to accept Ordinance 2441(a) on first reading. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

7. Consider Ordinance 2441(b), first reading, ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2020-2021 Budget

Councilmember McKenzie moved to accept Ordinance 2441(b) on first reading. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

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

8. Consider Ordinance 2442, first reading, setting the tax rate for the 2020 tax year

Mayor Wilson stated that a lot of time has been spent looking at this. That positions were frozen, staff furloughed, activities canceled, Senior Center not opened and the mall closing cost the City approximately \$100,000 a week in sales tax, and, the sales tax may not return. He stated this was not an off-handed consideration and is one of the hardest decisions this Council has made in several years. Mayor Wilson stated he realizes the need to continue to have fiscal responsibility and hopes the market turns around in that they have already taken funds from reserves.

Councilmember Booe moved that with the adoption of Ordinance 2442, "I move that the property tax rate be increased by the adoption of a tax rate of \$0.625159, which is effectively a 3.12% increase in the tax rate." Motion seconded by Councilmember Thompson. Motion prevailed by the following vote:

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

OTHER BUSINESS

9. Consider water and wastewater rates for Fiscal Year 2020-2021

Assistant City Manager Clayton Fulton stated, as mentioned in the budget presentation, no retail rate increase in water and sewer rates is proposed although there is an increase on Commercial, which is part of the wholesale pass through.

Councilmember Shepard moved to accept no increase in the current retail water and wastewater rates effective October 1, 2020, passing through the BOD and TSS rates charged by our wholesale provider, and to consider future fee increases including credit card convenience fees. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

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

10. Review of upcoming calendar items – City Manager Caruthers noted City offices will be

closed Monday, September 7, 2020 for the Labor Day holiday.

11. City Council Reports - Items of Community Interest – Councilmember Kitchens noted he had forwarded information regarding a recent Court decision on small cell control by cities.

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

ADJOURNMENT – The meeting adjourned at 7:55 p.m.

APPROVED this the 25th day of August 2020.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Henry Wilson, Mayor

City Council Staff Report

SUBJECT: Consider Ordinance 2443, first reading, amending Hurst Code of Ordinance, Chapter 2, Article X. Senior Citizens Advisory Board, Section 2-252, amending membership and meetings

Supporting Documents:

Ordinance 2443

Meeting Date: 8/25/2020

Department: Legislative and Judicial Services

Reviewed by: Rita Frick

City Manager Review:

Background/Analysis:

City Council recently discussed reappointment and composition of boards, commissions, and committees. Based on these discussions, the proposed Ordinance is presented for consideration to reduce the number of positions serving on the Hurst Senior Citizens Advisory Board from eight regular members to seven regular members and two alternate member positions. The proposed ordinance also amends the required number of meetings from monthly to quarterly.

Funding Sources and Community Sustainability:

There is no fiscal impact. The proposed amendment directly reflects the **Council's Mission Statement** to **provide responsive services and effective programs to ensure that Hurst remains a vibrant community.**

Recommendation:

City staff recommends the City Council **approve Ordinance 2443, first reading, amending Hurst Code of Ordinance, Chapter 2, Article X. Senior Citizens Advisory Board, Section 2-252, amending membership and meetings.**

ORDINANCE 2443

AN ORDINANCE AMENDING THE HURST CODE OF ORDINANCES, CHAPTER 2, ARTICLE X. SENIOR CITIZENS ADVISORY BOARD, SECTION 2-252, CREATION, DUTIES, RESPONSIBILITIES, POWERS; CONTAINING A REPEALING CLAUSE, SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the Hurst Senior Citizens Advisory Board was established by Ordinance 1974 providing the charge of the board, composition and appointment of members and amended by Ordinance 2389; and

WHEREAS, the Hurst City Council desires to reduce the number of positions serving on the board.

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

Section 1: **THAT** Chapter 2, Article X, Section 2-252(a), Creation, duties, responsibilities, powers, Subsection (a) and (g) is hereby amended to read as follows:

(a) There is hereby created and established for the City a Hurst Senior Citizens Advisory Board which shall be composed of seven (7) regular members and two (2) alternate members. All members shall be Hurst residents.

(g) The board shall meet quarterly, or more frequently if so required, to conduct business. When necessary and with adequate notice, special meetings of the committee may be called. All meetings will be held in conformance with the Texas Open Meetings Act, V.T.C.A. Government Code Chapter 551.

Section 2: **THAT** all provisions of the ordinances of the City of Hurst in conflict with the provisions of this ordinance are, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Hurst not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3: **THAT** should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or

unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

Section 4: **THAT** this Ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

Passed on the first reading on the 25th day August 2020 by a vote of to .

Passed on the second reading on the 8th day September 2020 by a vote of to .

ATTEST:

CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney

SUBJECT: Consider Resolution 1777 to adopt the City of Hurst Investment Policy	
Supporting Documents:	
Resolution 1777	<p>Meeting Date: 8/25/2020</p> <p>Department: Fiscal Services</p> <p>Reviewed by: Paul Brown</p> <p>City Manager Review:</p>
Background/Analysis:	
<p>Section 2256.005 Texas Government Code requires that the City Council shall review its investment policy and investment strategies not less than annually and the governing body shall adopt written instrument by rule, order, ordinance, or resolution, stating that it has reviewed the investment policy and investment strategies, and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.</p> <p>The investment strategies outlined in the policy are conservative and all securities are held until maturity. The policy’s strategy is to ensure that cash flows are matched with adequate investment liquidity for all funds. The City’s portfolio is invested with five (5) objectives; safety, liquidity, diversification, yield and public trust.</p>	
Funding Sources and Community Sustainability:	
<p>There is no fiscal impact.</p> <p>The Investment Policy addresses the City Council’s strategic priority of Leadership and links to the goal of Financial Sustainability in The Hurst Way. The Investment Policy establishes guidelines for responsibly managing the City’s resources.</p>	
Recommendation:	
<p>City staff recommends the City Council approve the City of Hurst Investment Policy by Resolution 1777, as required by Section 2256.005, Texas Government Code.</p>	

RESOLUTION 1777

A RESOLUTION TO SET FORTH SPECIFIC INVESTMENT POLICY AND STRATEGY GUIDELINES FOR THE CITY OF HURST IN ORDER TO ACHIEVE THE GOALS OF SAFETY, LIQUIDITY, DIVERSIFICATION, YIELD, AND PUBLIC TRUST FOR ALL INVESTMENT ACTIVITY

WHEREAS, The City Council has reviewed the Investment Policy and Investment Strategies and has been advised by staff that the attached Investment Policy provides for maximum return on investment consistent with maximum security of public funds.

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

Section 1. **THAT** the attached document styled "City of Hurst Investment Policy, August 25, 2020" is hereby adopted as the Investment Policy of the City of Hurst.

AND IT IS SO RESOLVED.

Approved this the 25th day of August 2020 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 OF HURST

INVESTMENT POLICY

August 25, 2020

City of Hurst

Investment Policy

IT IS THE POLICY
of the CITY OF HURST
to invest public funds in a manner
which will provide the highest investment return
with the maximum security
while meeting the daily cash flow demands of the entity
and conforming to all state/province and local statutes
governing the investment of public funds.

Resolution 1777, August 25, 2020

Table of Contents

INTRODUCTION.....	1
INVESTMENT STRATEGY.....	1
SCOPE.....	2
OBJECTIVES	2
RESPONSIBILITY AND CONTROL	3
REPORTING	5
INVESTMENT PORTFOLIO	6
SAFEKEEPING AND CUSTODY	9
SELECTION OF BANKS, ADVISERS AND BROKER/DEALERS.....	11
INVESTMENT POLICY ADOPTION	13
GLOSSARY	14
APPENDIX A	19

CITY OF HURST INVESTMENT POLICY

INTRODUCTION

The purpose of this document is to set forth specific investment policy and strategy guidelines for the City of Hurst in order to achieve the goals of **safety, liquidity, diversification, yield**, and **public trust** for all investment activity. The City Council of the City of Hurst shall review its investment strategies and policy not less than annually. This Policy serves to satisfy the statutory requirement of the “Public Funds Investment Act,” Chapter 2256 of the Texas Government Code (the “Act”), to define, adopt and review a formal investment strategy and policy.

INVESTMENT STRATEGY

All funds under the City's control are pooled for investment purposes. Specific investment strategies are utilized to address the unique characteristics of the fund groups, and investments are chosen consistent with the objectives of the strategies. The investment strategies are conservative. City-managed investments are held to maturity. All investment strategies are designed and managed in a manner responsive to the public trust and consistent with Local and State law, Section 2256.005(d).

Operating Funds. The primary investment strategy for governmental, proprietary and special revenue operating funds is to assure that anticipated cash flows are matched with adequate investment liquidity. The second strategy is to create a portfolio structure which will experience minimal volatility during economic cycles. This may be accomplished by purchasing high quality, short term investments. The dollar weighted average maturity of 365 days or less will be calculated using the stated final maturity dates of each investment.

Debt Service Funds. Investment strategies for debt service funds shall have as the primary strategy the assurance of investment liquidity adequate to cover the debt service obligations on the required payment dates.

Debt Service Reserve Funds. Investment strategies for debt service reserve funds shall have as the primary strategy the ability to maintain the appropriate principal amount of reserves required to satisfy bond ordinances specific to an individual issue. Investments shall be of high quality, with short to intermediate term maturities. Interest earnings on reserve funds may be used for any lawful purpose.

Capital Projects Funds. Investment strategies for capital project fund portfolios will have as their primary strategy to assure that anticipated cash flows are matched with adequate investment liquidity. These portfolios should include at least 10% in stable value, highly liquid investments (e.g. constant dollar pool, money market mutual fund) to allow for flexibility and unanticipated project outlays. The stated final maturity dates of investments held should not exceed the estimated project completion date. Interest earnings shall be deposited to the Capital Project Funds.

Special Project and Special Purpose Funds. Investment strategies for Special Project and Special Purpose Funds utilized for non-recurring capital outlay and infrastructure improvements are to assure that anticipated cash flows are matched with adequate investment liquidity. The dollar weighted average maturity of 365 days or less will be calculated using the stated final maturity dates of each investment.

<i>SCOPE</i>

This Investment Policy applies to all financial assets of the City. These funds are accounted for in the City of Hurst's Comprehensive Annual Financial Report and include: General Fund, Special Revenue Funds, Debt Service Funds, Capital Projects Funds, Special Project and Purpose Funds, Enterprise Funds, Internal Service Funds and any new fund created by the City Council or staff, unless specifically exempted. The funds of the Hurst Community Services Development Corporation and the Hurst Crime Control and Prevention District are invested according to this Policy.

<i>OBJECTIVES</i>

The City shall manage and invest its cash with five objectives, listed in order of priority. The safety of the principal invested always remains the primary objective.

Safety. The foremost objective of the City's investment activity is the preservation of capital in the overall portfolio. Each investment transaction shall be conducted in a manner to control the risk of capital loss by investing in securities or other investments of the highest quality. The Investment Officers shall understand the suitability of the investments to the financial requirements of the City.

Liquidity. The City's investment portfolio shall be structured such that the City is able to meet all obligations in a timely manner. This shall be achieved by matching investment maturities with forecasted cash flow requirements, by investing in securities with active secondary markets (e.g., U.S. Treasury, Agency, and Instrumentality securities of limited maturity), eligible money market mutual funds, depository bank money market cash disbursement accounts, and local government investment pools. The marketability of the

investment shall be considered if the need should arise to liquidate the investment before maturity.

Diversification. Diversification of investments through the avoidance of over concentration of assets in a specific maturity sector and over concentration by investment type are major factors in controlling investment risk.

Yield. The City's cash management portfolio shall be designed with the objective of regularly meeting or exceeding the average rate of return on three-month U.S. Treasury Bills. This is considered a minimum standard for the portfolio's rate of return. The Investment program shall seek to augment returns above this threshold consistent with prudent investment principles.

Public Trust. All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investments shall be made with judgment and care, under prevailing circumstances which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of capital as well as the probable income to be derived.

<i>RESPONSIBILITY AND CONTROL</i>
--

City Council. The City Council shall review investment reports and staff recommendations regarding the Investment Policy and procedures.

Finance and Investment Committee. The City Manager shall appoint a five member staff Finance and Investment Committee to administer and monitor the investment policies and procedures. The Managing Director of Finance will chair this committee. The committee shall meet monthly to determine operational strategies and to monitor results. The committee shall include in its deliberations such topics as: economic outlook, portfolio diversification, maturity structure, potential risk to the City's funds, authorized brokers and dealers, and the target rate of return for the investment portfolio. The Finance and Investment Committee shall establish strategies and guidelines for the percentage of the total portfolio that may be invested in securities and conduct a quarterly review of these guidelines.

Delegation of Authority. Authority to manage the City's investment program is derived from a resolution of the City Council, and no persons may engage in an investment transaction except as provided in the terms of this Policy. The Managing Director of Finance is designated as the Primary Investment Officer of the City and is authorized to engage in investment activities. The Managing Director of Finance is authorized to delegate to appropriate Finance Department staff (also known as the "Acting Investment Officer") certain investment duties consistent with this and other City policies. The Managing Director of Finance is responsible for investment decisions with the Finance

and Investment Committee members ultimately responsible for all transactions undertaken. The Investment Officers and other members of the Finance and Investment Committee, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that deviations from expectation are reported immediately upon knowledge of the deviation, and that appropriate action is taken to control adverse developments.

Investment Officers shall seek to act responsibly as custodians of the public trust. Investment Officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively. The standard of prudence to be used by Investment Officers shall be the "prudent person" standard and shall be applied in the context of managing the overall portfolio.

Training

The Investment Officer(s) must attend at least a 10 hour training session relative to their responsibilities under the PFIA within 12 months after taking office or assuming duties. In addition, each must receive not less than 8 hours of instruction biennially. The training provider must be an independent source approved by the Finance and Investment Committee.

Internal Controls. The Managing Director of Finance is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

The Managing Director of Finance shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points:

- A. Control of collusion.
- B. Separation of transaction authority from accounting and record keeping.
- C. Custodial safekeeping
- D. Avoidance of physical delivery of securities.
- E. Clear delegation of authority to subordinate staff members.
- F. Written confirmation for telephone (voice) transactions for investments and wire transfers.

As part of the annual audit, the independent auditor must formally review the quarterly investment reports prepared to comply with Section 2256.023 of the Texas Government Code and, as part of the annual audit, report the results of that review to the City Council.

Ethics and Conflict of Interest. Investment Officers shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. The Investment Officer who is related to, or has a personal business relationship with an entity or individual seeking to sell an investment to the City shall file a statement disclosing that personal business interest with the Texas Ethics Commission and the City Council.

REPORTING

Monthly Reporting. The Managing Director of Finance shall submit a monthly investment report that summarizes investments by type, maturity date, and financial institution.

Quarterly Reporting. The Managing Director of Finance shall submit a signed quarterly investment report, jointly prepared and signed by all Investment Officers, that summarizes current market conditions, economic developments and anticipated investment conditions. The report shall summarize investment strategies employed in the most recent quarter, and describe the portfolio in terms of investment types, maturities, risk characteristics, and shall explain the total investment return for the quarter.

Methods: The quarterly investment report shall provide a status of the current investment portfolio and transactions made over the last quarter. The report will be provided to the City Manager and City Council and include the following:

- A. A listing of individual investments held at the end of the reporting period.
- B. Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period. Market price is the net selling price of securities as quoted by a recognized market pricing source quoted on the valuation date.
- C. Additions and changes to the market value during the period and fully accrued interest for the reporting period.
- D. Average weighted yield to maturity of portfolio on City investments as compared to applicable benchmark.
- E. Listing of investments by maturity date, by type of asset and fund type.
- F. The percentage of the total portfolio that each type of investment represents.
- G. A statement of compliance of the City's investment portfolio with State law and the investment strategy and Policy approved by the City Council.
- H. Listing of credit rating for investment pools.

Annual Report. Within 60 days of the end of the fiscal year, the Managing Director of Finance shall present an annual report on the investment program and investment activity.

Portfolio Benchmark. The average stated rate of return and the weighted average maturity of the City's investment portfolio are hereby adopted as the portfolio's performance measurement standards.

INVESTMENT PORTFOLIO

Assets of the City of Hurst may be invested in the following instruments, provided, however, that at no time shall investments be made in any instrument or security not authorized for investment under the Act, as the Act may from time to time be amended.

Authorized Investments

- A. Obligations of the United States of America, its agencies and instrumentalities, limited to, U.S. Treasury Bills and Notes, FHLB, FNMA, FFCB, FAMCA, and FHLMC.
- B. Direct obligations of the State of Texas and agencies thereof.
- C. Other obligations, limited to those where the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of the State of Texas or the United States of America or their respective agencies and instrumentalities.
- D. Obligations of the States, agencies thereof, Counties, Cities, and other political subdivisions of any state having been rated as investment quality by a nationally recognized investment rating firm, and having received a rating of not less than "A" or its equivalent.
- E. Deposits in financial institutions with a main office or branch in Texas, guaranteed or insured by the Federal Deposit Insurance Corporation or its successor, backed by a Letter of Credit issued by a federal agency or instrumentality or surety bond issued by a properly rated insurance company, or collateralized as defined in the Safekeeping and Custody section of this Policy. In addition, Certificates of Deposit obtained through a depository institution that has its main office or a branch office in Texas and that contractually agrees to place the funds in federally insured depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Act are authorized investments.
- F. Fully collateralized direct repurchase agreements with a defined termination date secured by obligations of the United States or its agencies and instrumentalities deposited with a third party custodian selected by the Managing Director of Finance. Repurchase agreements must be purchased

through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. Each counter-party to a repurchase transaction is required to sign a mutually agreeable form of Master Repurchase Agreement. An executed copy of the Agreement must be on file before the City will enter into any transactions with a counter party. Reverse repurchase agreements will not be entered into by City Investment Officers.

- G. Money market mutual funds that are registered with and regulated by the Securities & Exchange Commission; that fully invest dollar-for-dollar all City funds without sales commissions or loads; that comply with federal Securities and Exchange Commission Rule 2a-7 promulgated under the Investment Company Act of 1940; and that are categorized as a "Treasury" or "Government" money market mutual fund. Money market mutual funds must provide a prospectus and other information required by the Securities Exchange Act of 1934. The City may not invest funds under its control in an amount that exceeds 10% of the total assets of any individual money market mutual fund. Investments in any one of such funds shall be limited to 20% of the City's entire portfolio with the exception of a 20 business day grace period for unusual cash flow fluctuations.

- H. Eligible Investment Pools which invest in instruments and follow practices allowed by current law as defined in Section 2256.016 of the Texas Government Code provided that:
 - (1) investment in the particular pool has been authorized by the City Council;
 - (2) the pool shall have furnished the Investment Officer an offering circular containing the information required by Section 2256.016(b) of the Texas Government Code;
 - (3) the pool shall furnish to the Investment Officer investment transaction confirmations with respect to all investments made with it;
 - (4) the pool shall furnish to the Investment Officer monthly reports that contain the information required by Section 2256.016(c) of the Texas Government Code;
 - (5) the pool's investment objectives shall be to maintain a stable net asset value of one dollar (\$1) and a weighted average maturity no greater than 60 days.
 - (6) whose investment philosophy and strategy are consistent with this Policy and the City's ongoing strategy;
 - (7) the pool provides evidence of credit rating no lower than "AAA" or "AAA-m" by at least one nationally recognized credit rating service, and;
 - (8) investments in any one of such pools shall be limited to 20% of the City's entire portfolio with the exception of a 20 business day grace period for unusual cash flow fluctuations.

- I. Other securities or obligations will be presented to the City Council for approval after recommendation by the Finance and Investment Committee.

Unauthorized Investments

The City's authorized investment alternatives are more restrictive than those allowed by State law. The City prohibits investments in banker's acceptances, commercial paper and all collateralized mortgage obligations. State law specifically prohibits investment in the following investment securities.

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

This Policy prohibits investments in options, financial futures contracts, and day trading of long term securities.

The City is not required to liquidate investments that were authorized investments at the time of purchase.

The City shall take prudent measures to liquidate any investment that loses its required minimum rating.

Holding Period

The City intends to match the holding periods of investment funds with liquidity needs of the City. In no case will the average maturity of investments of the City's operating funds exceed one year with no individual maturity exceeding two years. The maximum final stated maturity of any investment shall not exceed two years except that assets held in capital project and reserve funds may be invested in maturities up to five years with special approval by the Finance and Investment Committee.

Competitive Selection of Investment Instruments

Before an Investment Officer invests any surplus funds, a competitive "quote" process shall be conducted. If a specific maturity date is required either for cash flow purposes or for conformance to maturity guidelines, offerings will be requested for instruments

which meet the maturity requirement. If no specific maturity is required, the best value available within the time constraints of the Investment Policy will be selected. Offers will be requested from financial institutions and/or broker/dealers for various investment alternatives with regard to term and instrument. Offerings for investment alternatives, including Certificates of Deposit, may be solicited orally, in writing, electronically, or in any combination of those methods. The current interest rates of other approved investment alternatives will be considered. Primarily, the City will accept offers which provide the highest rate of return within the maturity required and within the parameters of this Policy.

Risk and Diversification

The City recognizes that investment risks can result from issuer defaults, market price changes or various technical complications temporarily reducing liquidity. Risk is controlled through portfolio diversification which shall be achieved by the following general guidelines:

- A. Risk of issuer default is controlled by limiting investments to those instruments allowed by the Act, which are described herein.
- B. Risk of market price changes shall be controlled by avoiding over-concentration of assets in a specific maturity sector, limitation of average and final maturity, and avoidance of over-concentration of specific instruments.
- C. Risk to liquidity due to technical complications shall be controlled by maintaining minimum bank, pool, and money market mutual fund balances, and diversifying the selection of securities dealers.

<i>SAFEKEEPING AND CUSTODY</i>

Collateralization. All financial institution deposits of City funds shall be insured, enhanced, or collateralized consistent with State law. In order to anticipate market value changes and provide a level of security, the collateralization level will be equal to or greater than 102% of market value of principal and accrued interest. Evidence of the pledged collateral shall be maintained by the Managing Director of Finance or a third party financial institution. Repurchase agreements shall be documented by a specific agreement noting the collateral pledge in each agreement, and collateral shall be valued daily. Collateral shall be reviewed at least monthly to assure that the market value of the pledged securities is adequate. The City reserves the right to accept or reject any security as collateral for its deposits or repurchase agreements. Since market value change is not anticipated, the stated amount of any Letter of Credit will be equal to or greater than 100% of principal plus projected accrued interest. The City reserves the right, in its sole discretion, to accept or reject any form of insurance, enhancement, or collateralization.

Financial institutions serving as depositories will be required to sign a depository agreement with the City. The collateralized deposit portion of the agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing and shall

establish a perfected security interest in compliance with Federal and State regulations, including:

- 1) The agreement must be in writing;
- 2) The agreement has to be executed by the Depository and the City contemporaneously with the acquisition of the asset;
- 3) The agreement must be approved by the Board of Directors or designated committee of the Depository and a copy of the meeting minutes must be delivered to the City; and
- 4) The agreement must be part of the Depository's "official record" continuously since its execution.

Collateral Substitution. Collateralized certificates of deposit and depository institution deposit accounts often require substitution of collateral. Any financial institution requesting substitution must contact the Investment Officer for approval and settlement. The substituted security's value will be calculated and substitution approved if its value is equal to or greater than the required security level. The Investment Officer, or a designee, must provide written notification of the decision to the bank or the safekeeping agent holding the security prior to any security release. Substitution is allowable for all transactions, but should be limited, if possible, to minimize potential administrative problems and transfer expense.

Custodial Agreement. Collateral pledged to secure deposits of the City shall be held by a custodian institution in accordance with a Custodial Agreement which clearly defines the procedural steps for gaining access to the collateral should the City determine that the City's funds are in jeopardy. The custodian, shall be the Federal Reserve Bank, Bank of New York Mellon, or an institution approved by the City and not affiliated with the firm pledging the collateral. With the exception of the Federal Reserve Bank, the custodial agreement shall include the signatures of authorized representatives of the City, the firm pledging the collateral, and the custodian.

Collateral Defined. The City shall accept only the following securities as collateral:

- A. FDIC insurance coverage.
- B. A bond, bill, certificate of indebtedness, or Treasury Note of the United States, or other evidence of indebtedness of the United States that is guaranteed as to principal and interest by the United States.
- C. Obligations, the principal and interest on which, are unconditionally guaranteed or insured by the State of Texas.
- D. A bond of the State of Texas or a county, city or other political subdivision of the State of Texas having been rated as investment grade (investment rating no less than "A" or its equivalent) by a nationally recognized rating agency with a remaining maturity of ten years or less.
- E. Obligations of the United States of America's agencies and instrumentalities, limited to: FHLB, FNMA, FFCB, FAMCA and FHLMC.
- F. Letters of Credit issued by an agency or instrumentality of the United States.

Subject to Audit. All collateral shall be subject to inspection and audit by the Managing Director of Finance or the City's independent auditors.

Delivery vs. Payment. All investment securities shall be purchased using the delivery vs. payment method. That is, funds shall not be wired or paid until verification has been made that the correct security was received by the safekeeping agent. The security shall be held in the name of the City and held on behalf of the City. The safekeeping agent's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City. Investment pool funds, financial institution deposits, and mutual funds are exceptions to the delivery vs. payment method.

SELECTION OF BANKS, ADVISERS AND BROKER/DEALERS

Depository. A qualified depository shall be selected through the City's banking services procurement process, which is consistent with State law. The selection of a depository shall be based on the financial institution offering the most favorable terms and conditions at the least cost, while adhering to the guidelines and provisions within the request for proposal. In selecting a depository, the City shall give consideration to the financial institution's credit characteristics, financial history, service capabilities, and costs for required services. The City Council may adopt a written policy permitting applications from a bank, credit union, or savings association not located within the City, after taking into consideration what is in the best interest of the City.

Certificates of Deposits. Banks seeking to establish eligibility for the City's competitive certificate of deposit purchase program shall submit for review financial statements, evidence of federal insurance and other information as required by the Managing Director of Finance.

Selection of Broker/Dealers. Selection will be performed by the Finance and Investment Committee, and at least annually, the Committee will review, revise and adopt a list of qualified brokers that are authorized to engage in investment transactions with the City. Broker/Dealers shall provide timely transaction confirmations. Prospective Broker/Dealers shall provide financial and other information as requested by the Managing Director of Finance sufficient to evaluate their fiscal condition and ability to service the City. Criteria to evaluate Broker/Dealers are as follows:

1. Adherence to the City's policies and strategies;
2. Investment performance and transaction pricing;
3. Responsiveness to the City's request for service, information and open communication;
4. Understanding of the inherent fiduciary responsibility of investing public funds, and;

5. Similarity in philosophy and strategy with the City's objectives.

Investment Advisers. Investment Advisers shall adhere to the spirit, philosophy and specific term of the Investment Policy and shall invest within the same "Objectives."

The Finance and Investment Committee shall recommend selection of Investment Advisers. The Investment Officer shall establish criteria to evaluate Investment Advisers, including:

1. Adherence to the City's policies and strategies;
2. Investment strategy recommendations within accepted risk constraints;
3. Responsiveness to the City's request for services, information and open communication;
4. Understanding of the inherent fiduciary responsibility of investing public funds; and
5. Similarity in philosophy and strategy with the City's objectives.

Selected Investment Advisers must be registered under the Investment Advisers Act of 1940 or with the State Securities Board. A contract with an Investment Adviser may not be for a term longer than two years and any contract, renewal, or extension must be approved by the City Council.

Approved Institutions, Advisers and Broker/Dealers. Broker/Dealers, investment advisers, or other institutions eligible to transact investment business with the City shall be presented a written copy of this Investment Policy. Additionally, the qualified representative seeking to transact investment business shall execute a Certification as shown in Appendix "A" or a Certification similar in form, to the effect that the qualified representative has:

1. received and thoroughly reviewed this Investment Policy;
2. acknowledged that their organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities with the City;
3. supplied audited financial statements;
4. supplied proof of Financial Industry Regulatory Authority certification;
5. supplied proof of state registration, and;
6. completed broker/dealer questionnaire.

All broker/dealers shall provide the City with references from Public entities which they are currently serving.

INVESTMENT POLICY ADOPTION

The Investment Policy shall be adopted by resolution of the City Council. The Policy shall be reviewed for effectiveness on an annual basis by the Finance and Investment Committee and any modifications will be recommended for approval to the City Council.

GLOSSARY

AGENCIES: Federal agency and instrumentality securities.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See **OFFER**.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate.

COLLATERAL: Securities, evidence of deposit, or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COMMERCIAL PAPER: Short-term, unsecured promissory notes issued by corporations to finance short-term credit needs.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official annual report for the City of Hurst, which is prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive

introductory material, and a detailed Statistical Section.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

CUSIP: A unique security identification number assigned to securities maintained and transferred on the Federal Reserve and other book-entry systems.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities prior to exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DEPOSITORY: The bank selected by the City to provide primary depository services.

DISCOUNT: When the purchase price of a security is less than its par, or face value, the security is selling at a discount. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at discount and redeemed at maturity for full face value, e.g. U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of investments, issuers, and maturities.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. The target for this rate is currently set by the Federal Reserve through open-market operations.

FEDERAL FARM CREDIT BANK (FFCB): The Farm Credit system supports agricultural loans. It has consolidated the financing programs of several related farm credit agencies, providing a variety of credit services to the American agricultural community.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to member financial institutions. Functioning as a credit reserve system, it facilitates extension of credit through its owner-members.

FEDERAL HOME LOAN MORTGAGE CORPORATION (FHLMC or Freddie Mac): A stockholder-owned corporation that provides a continuous flow of funds to mortgage lenders primarily through developing and maintaining an active, nationwide secondary market in various mortgages.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): A stockholder-owned corporation that provides a continuous flow of funds to mortgage lenders primarily through developing and maintaining an active, nationwide secondary market in conventional residential mortgages. It is the largest single provider of residential mortgage funds in the United States. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven-member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT AGENCY ISSUE: Debt securities issued by government-sponsored enterprises and federal agencies. Such issues are not direct obligations of the Treasury and may involve government sponsorship or guarantees.

INVESTMENT ADVISERS: Advisers who have extensive experience, especially with fixed income securities, to provide certain services related to the investment of City funds.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase and reverse repurchase agreements that establish each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

MUTUAL FUNDS: Mutual fund providers are investment companies that sell shares to investors, offering investor diversification and professional portfolio management. Prices fluctuate with the performance of the fund. Money market

mutual funds invest in short term securities.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See **ASKED** and **BID**.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

PAR: The value of a security as expressed on its face (face value) without consideration of a discount or premium.

PORTFOLIO: Collection of securities held by an investor.

PREMIUM: The price that a security demands over its par value.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) -registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the

law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state - the so-called legal list. In other states, the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

RATING: A formal opinion by an outside professional service on the credit reputation of an issuer and the investment quality of its securities. This opinion is expressed in letter values, e.g. AA.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use REPO extensively to finance their positions. Exception: When the Fed is said to be doing REPO, it is lending money that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held by the bank for protection.

SECONDARY MARKET: A market made for the purchase and sale of

outstanding issues following the initial distribution.

SECURITIES AND EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

TREASURY BILLS: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BOND: Long-term U.S. Treasury securities having initial maturities of more than 10 years.

TREASURY NOTES: Intermediate term coupon bearing U.S. Treasury securities having initial maturities from one to ten years.

U.S. GOVERNMENT SECURITIES: Various types of marketable securities issued by the U.S. Treasury, agencies and instrumentalities, including bills, notes, and bonds. Such securities are direct obligations of the U.S. Treasury or its agencies and instrumentalities and differ mainly in the length of their maturity.

WEIGHTED AVERAGE LIFE: The weighted average life refers to the average amount of time that will elapse from the date of a security's issuance until each dollar of principal is repaid to the investor.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) **INCOME YIELD** is obtained by dividing the current dollar income by the current market price for

the security. (b) **NET YIELD or YIELD TO MATURITY** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

APPENDIX A

This certification is executed on behalf of The City of Hurst, Texas (the Investor) and _____ (the Business Organization) pursuant to the Public Funds Investment Act, Chapter 2256, Texas Government code, (the Act) in connection with investment transactions conducted between the Investor and the Business Organization.

The undersigned Qualified Representative of the Business Organization hereby certifies on behalf of the Business Organization that:

1. The undersigned is a Qualified Representative of the Business Organization as defined by the Public Funds Investment Act, Chapter 2256, Texas Government Code.
2. The Qualified Representative of the Business Organization has received and reviewed the Investment Policy furnished by the Investor and
3. The Qualified Representative of the Business Organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Business Organization and the Investor that are not authorized by the investor’s investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the investor’s entire portfolio or requires an interpretation of subjective investment standards.

Qualified Representative of the Business Organization

Name: _____

Title: _____

Date: _____

ORDINANCE 2441 (a)

AN ORDINANCE ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021 FOR THE CITY OF HURST, TEXAS

WHEREAS, in accordance with Article 5 of the Hurst Charter, the City Manager has at least 35 days prior to the beginning of the 2020-2021 budget year to submit to the City Council a budget and an explanatory budget message with the form and content as prescribed by the Council. The Council determined that public hearings should be held at a time and place which was set forth in a notice published at least seven days prior to said hearing; and,

WHEREAS, such public hearing on the budget was duly held and all interested persons given an opportunity to be heard for or against any item therein.

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

Section 1: **THAT** the budget for the City of Hurst, Texas, for the fiscal period beginning October 1, 2020, and ending September 30, 2021, in words and figures as shown therein is adopted and approved as filed herewith.

Section 2: **THAT** eligible and remaining fund balances from Fiscal Year 2019-2020, as calculated by Fiscal Services and approved by the City Manager, are hereby appropriated and transferred to the Special Projects Fund and other Internal Services Funds as needed to ensure financial sustainability.

Section 3: **THAT** the City Manager be and is hereby authorized to make interdepartmental and interfund transfers during the fiscal year as deemed necessary in order to avoid over-expenditure of particular accounts.

Section 4: **THAT** the City Manager or his designee be and is hereby authorized to invest any funds not needed for current use in accordance with the approved City of Hurst Investment Policy. Interest accrued from investments shall be deposited to the interest income account of the funds from which the principal was invested.

AND IT IS SO ORDERED.

Passed on the first reading on the 12th day of August 2020 by a vote of 6 to 0.

Approved on the second reading on the 25th day of August 2020 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 2441 (b) Ratifying the Property Tax Revenue Increase Reflected in the Fiscal Year 2020-2021 Budget

Supporting Documents:

Ordinance 2441 (b)

Meeting Date: 8/25/2020

Department: Fiscal Services

Reviewed by: Clayton Fulton

City Manager Review:

Background/Analysis:

There are special requirements for cities that propose a budget that raises more revenue from property taxes than raised in the previous year's budget. Section 102.007(c) of the Local Government Code requires a separate vote of the City Council to ratify the property tax revenue increase included in the City's proposed 2020-2021 budget.

When the revenues raised by property taxes in the City of Hurst Proposed Operating Budget for Fiscal Year 2020-2021 are compared to the revenues raised by property taxes in the City of Hurst, Texas Annual Operating Budget for Fiscal Year 2019-2020, the result is an increase of \$1,023,102 or 5.38% in property tax revenues for the General Fund Operating Budget and the Interest and Sinking Fund Budget.

The City's tax rate is proposed to increase by 0.02786 cents from \$0.597299 to \$0.625159 per \$100 of taxable property values. The net property tax revenue increase of \$1,023,102 will be used to support additional debt obligations for a replacement fire engine, to offset revenue losses in sales tax and court revenues, to absorb the cost of state mandates, to maintain excellent police and fire service, to provide for infrastructure maintenance, to mitigate the financial impact of the pandemic, and to protect the City's fiscal reserves, and other items as presented on August 1, 2020 during the budget workshop and during the public hearing held on August 12, 2020 on the FY 21 proposed budget.

Funding and Sources and Community Sustainability:

The FY 21 budget's largest funding source is property tax revenue that is established by the certified values from the Tarrant Appraisal District and by the proposed tax

rate. The Council held a public hearing on the proposed tax rate, which demonstrates our community values of **stewardship, inclusiveness, and positive environment.** Staff believes the proposed budget was developed based upon the tenants of the **Hurst Way** and is consistent with the Council's **Strategic Priorities.**

Recommendation:

In compliance with the Local Government Code, adoption of Ordinance 2441 (b) will ratify the property tax revenue increase in the 2020-2021 fiscal year budget.

ORDINANCE 2441 (b)

AN ORDINANCE RATIFYING THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021 FOR THE CITY OF HURST, TEXAS

WHEREAS, the budget for the City of Hurst, Texas, for the fiscal period beginning October 1, 2020, and ending September 30, 2021, in words and figures has been adopted by Ordinance 2441 (a); and

WHEREAS, Section 102.007(c) of the Local Government Code requires a separate vote of the governing body to ratify the property tax revenue increase reflected in the budget.

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

Section 1: **THAT** the City Council hereby votes to "ratify" the property tax revenue increase reflected in the budget as adopted by Ordinance 2441 (a).

AND IT IS SO ORDERED.

Passed on the first reading on the 12th day of August 2020 by a vote of 6 to 0.

Approved on the second reading on the 25th day of August 2020 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 2442, second reading, setting the tax rate for the 2020 tax year

Supporting Documents:

Ordinance 2442

Meeting Date: 8/25/2020

Department: Fiscal Services

Reviewed by: Clayton Fulton

City Manager Review:

Background/Analysis:

According to Section 26.05 (b) of the Tax Code, the vote on the ordinance setting the tax rate must be separate from the vote adopting the budget.

Information on the proposed tax rate and hearing was posted to the newly created website tarranttaxinfo.com in accordance with changes made to Section 26 of the Tax Code.

Section 26.05 of the Tax Code also requires the following language in caps and in type larger than the type used in any other portion of the Ordinance adopting a maintenance and operations tax rate that is higher than the no-new-revenue maintenance and operations tax rate. Substantially similar information is required to be posted on the home page of the City’s Internet website if the proposed rate is adopted.

“THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.5 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$17.”

Additionally, when the proposed rate exceeds the no-new-revenue tax rate, at least 60% of the members of the governing board must vote in favor of the Ordinance in order to pass and it must be a record vote.

Funding and Sources Community Sustainability:

The proposed tax rate funds the FY 21 budget which was previously adopted. Taxes are assessed per \$100 of taxable value as established by the Tarrant Appraisal District.

In accordance with our **community values**, the Council held a public hearing to allow for comment on the proposed tax rate and placed information on the newly created Tarrant Tax Info website. The FY 21 budget was developed based upon the tenants of the **Hurst Way** and is consistent with the Council's **strategic priorities**. The proposed tax rate will provide the necessary property tax revenue to fund the FY 21 budget.

Recommendation:

The City Council is required, under state law, to make the following motion:

With the adoption of Ordinance 2442, "I move that the property tax rate be increased by the adoption of a tax rate of \$0.625159, which is effectively a 3.12% increase in the tax rate"

ORDINANCE 2442

AN ORDINANCE SETTING THE TAX RATE FOR THE CITY OF HURST FOR THE 2020 TAX YEAR

WHEREAS, the City of Hurst has followed the procedures established by the Property Tax Code and Local Government Code, including the publishing and posting of required notices and the holding of a required public hearing; and,

WHEREAS, the City Council has approved separately each of the two components of the tax rate as hereinafter set forth; and,

WHEREAS, THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.5 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$17.

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

Section 1. That there shall be and there is hereby levied the following taxes on each One Hundred Dollars (\$100.00) of valuation on all taxable property within the City of Hurst, Texas, to be assessed and collected for tax year 2020 the purposes hereinafter stipulated, to-wit:

- (a) For the General Fund (operations and maintenance) levied on the \$100.00 valuation: \$0.504186; and
- (b) For the interest and sinking fund levied on the \$100.00 valuation: \$0.120973.

TOTAL \$0.625159

AND IT IS SO ORDERED.

Passed on the first and final reading on the 12th day of August 2020 by a vote of 6 to 0.

Approved on the second reading on the 25th day of August 2020 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: SP-20-03 Melbourne Place, a site plan revision for Lot 3, Block 1, Melbourne Place Addition, being .20 acre located at 1124 Blakey Court

Supporting Documents:

Ordinance 2445
Area map
Legal notice
Ownership Data
Plat – Exhibit "A"
Site Plan – Exhibit "B"
Front/rear elevation – Exhibit "C"
Side elevations – Exhibit "D"
Floor Plan – Exhibit "E"

Meeting Date: 8/25/2020
Department: Development
Reviewed by: Michelle Lazo
City Manager Review:

Background/Analysis:

An application has been made by Krissy Bublitz, with Sandlin Custom Homes for a site plan revision on Lot 3, Block 1, Melbourne Place Addition, being .20 acre located at 1124 Blakey Ct. The property is zoned R1-PD (Single-Family Planned Development).

The applicant is requesting the site plan revision to build a two-story home with no windows facing the neighborhood to the north. The site plan was approved in 2015 as Billy Creek Estates.

The City Council voted to approve Z-15-01 Billy Creek Estates with the stipulations that Lots 8-12 be constructed as single-story homes with a six (6) foot wooden privacy fence on the north side. These same lots were platted as Lots 1-5, Block 1 Melbourne Place Addition.

Funding Sources and Community Sustainability:

There is no fiscal impact on this agenda item. Reviewing the site plan is a direct representation of Council's goal for **Redevelopment**.

Recommendation:

Based upon the Planning and Zoning Commission vote of 7-0 the recommendation is that City Council **move to approve SP-20-03 Melbourne Place and Ordinance 2445, first reading.**

ORDINANCE 2445

AN ORDINANCE ADOPTING A SITE PLAN REVISION FOR LOT 3, BLOCK 1, MELBOURNE PLACE ADDITION, BEING .20 ACRES LOCATED AT 1124 BLAKEY 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 revision with Exhibits "A-E" for Lot 3, Block 1, Melbourne Place Addition, being .20 acres located at 1124 Blakey Court.

AND IT IS SO ORDERED.

Passed on the first reading on the 25th day of August 2020 by a vote of _ to _.

Approved on the second reading on the 8th day of September 2020 by a vote of _ to _.

ATTEST:

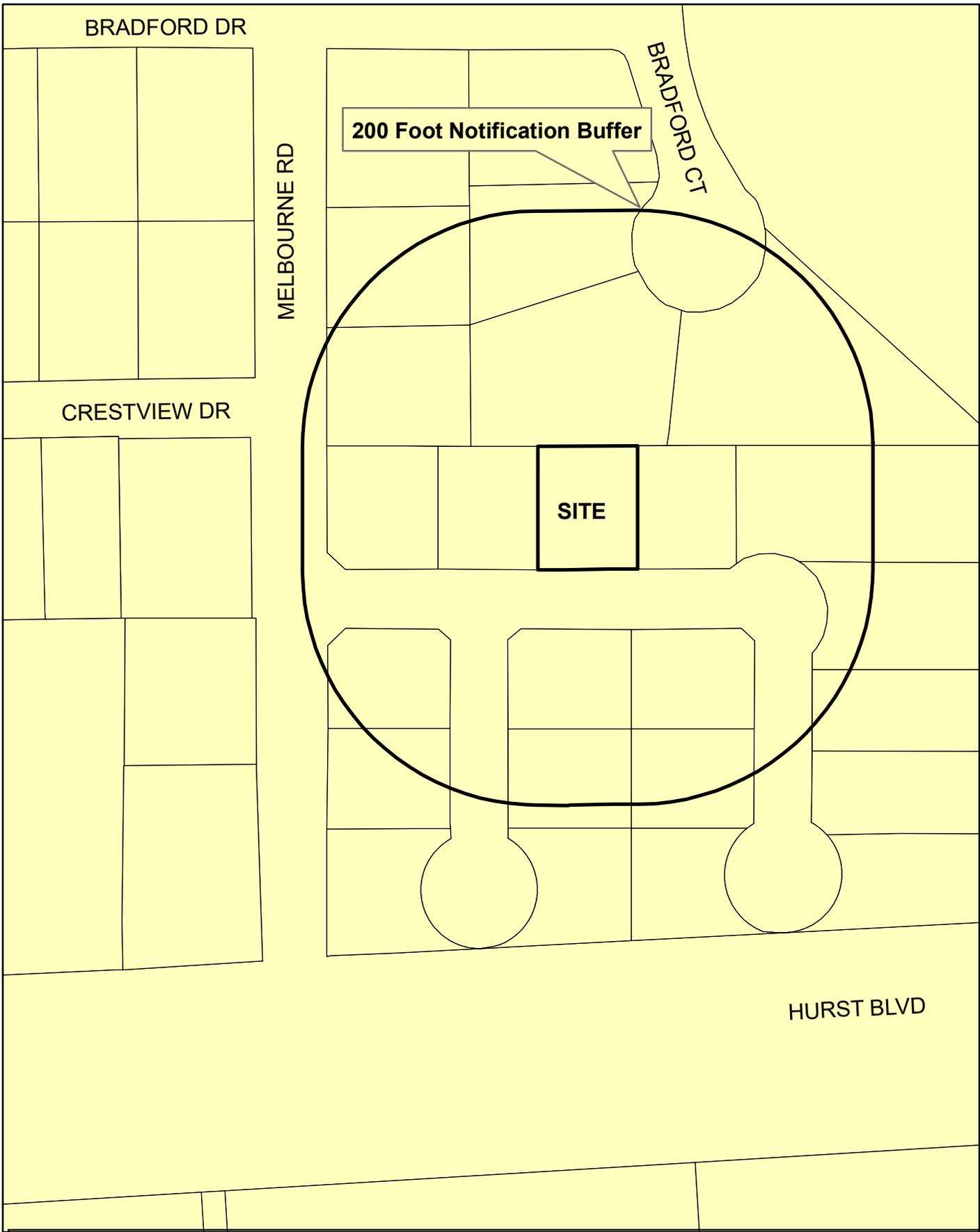
CITY OF HURST

Rita Frick, City Secretary

Henry Wilson, Mayor

Approved as to form and legality:

City Attorney



CASE NO: SP-20-03
Melbourne Place

LEGAL DESCRIPTION:
Lot 3, Block 1 Melbourne Place Addiiton

AGENDA DATE:
8/25/2020

REQUESTED ACTION:
Site Plan Revision

LOCATION: 1124 Blakey Ct.



SP-20-03

LEGAL NOTICE

THE CITY OF HURST CITY COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, AUGUST 25, 2020, AT HURST CITY HALL 1505 PRECINCT LINE ROAD TO CONSIDER A SITE PLAN REVISION FOR LOT 3, BLOCK 1 MELBOURNE PLACE ADDITION, BEING .20 ACRE LOCATED AT 1124 BLAKEY CT. THIS MEETING MAY BE HELD VIRTUALLY UTILIZING PROCEDURES AUTHORIZED BY THE STATE OF TEXAS.

MELBOURNE PLACE

Lot 3, Block 1 Melbourne Place Addition
1124 Blakey Ct.

SP-20-03

**APPLICATION FOR SITE PLAN
OWNERSHIP DATA**

TO THE PLANNING and ZONING COMMISSION:

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

Blakey Ct
Site Plan Revision
Lot 3, Block 1, Melbourne Place Addition
1124 Blakey Ct

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
HAMILTON, RALPH	1	BLK 9	BILLY CREEK ESTATES	200 MELBOURNE RD HURST, TX 76053
COWIN, BILLY EST	5R	BLK 9	BILLY CREEK ESTATES	209 BRADFORD CT HURST, TX 76053
TORRES, SABRINA M	2	BLK 9	BILLY CREEK ESTATES	204 MELBOURNE RD HURST, TX 76053
MILLER, DAVID F	7	BLK 9	BILLY CREEK ESTATES	201 BRADFORD CT HURST, TX 76053
PAPRSKAR, JOHN	6	BLK 9	BILLY CREEK ESTATES	905 VENICE ST HURST, TX 76053
CARLINTHIA ROGERS	1	BLK 3	MELBOURNE PLACE	109 RYDER CT HURST, TX 76053
LESTER SPENCER	2	BLK 3	MELBOURNE PLACE	105 RYDER CT HURST, TX 76053
PAUL BRINKLEY	2	BLK 2	MELBOURNE PLACE	104 RYDER CT HURST, TX 76053
STEWART, KEISHA P	5	BLK 2	MELBOURNE PLACE	1105 BLAKEY CT HURST, TX 76053
BARTON HENDERSON	1	BLK 2	MELBOURNE PLACE	108 RYDER CT HURST, TX 76053
SHAWN REED	6	BLK 2	MELBOURNE PLACE	1109 BLAKEY CT HURST, TX 76053
Builders Funding MGT LP	1	BLK 1	MELBOURNE PLACE	6900 REVERCHON CT COLLEYVILLE, TX 76034
MARTHA ROBERTS	2	BLK 1	MELBOURNE PLACE	1128 BLAKEY CT HURST, TX 76053

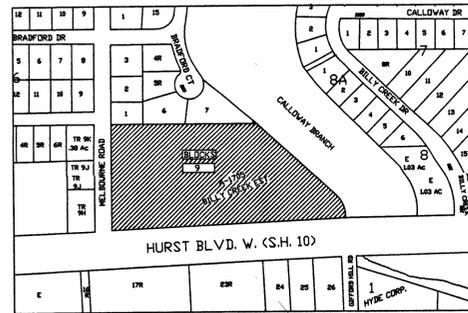


STATE PLANE

CITY OF HURST BENCHMARK #503 LOCATED AT BEDFORD EULESS ROAD AT ADDRESS 941, NORTH 6,988,550.68, EAST 2,369,542.58, ELEVATION 598.47 GPS MONUMENT/SW.

NOTES:

- 1. LOTS 1-5 BLOCK 1 SHALL HAVE SINGLE STORY RESIDENCES & 6" WOODEN FENCE ALONG THE NORTH PROPERTY LINE.
- 2. THE BUILDING LINE ALONG MELBOURNE ROAD WILL BE 25' FEET FOR LOT 1, BLOCK 1.



VICINITY MAP

FEMA FLOODPLAIN NOTE:

"NO BUILDINGS, STRUCTURES, PLAYGROUND EQUIPMENT, OR FENCES WILL BE ALLOWED IN THE FLOOD PLAIN, FLOOD WAY, OR DRAINAGE EASEMENT AREA. ROUTINE MAINTENANCE OF THE RESIDENTIAL LOTS THAT BACK UP TO CALLOWAY BRANCH WILL BE THE PROPERTY OWNERS RESPONSIBILITY. THIS WILL INCLUDE MOWING, LANDSCAPING, AND EROSION CONTROL WITHIN THEIR PROPERTY LIMITS. PROPERTY OWNERS SHALL KEEP THE UNFENCED AREAS IN THE PROPOSED PUBLIC DRAINAGE AND UTILITY EASEMENT ON THEIR PROPERTY MOWED, CLEAN, AND FREE OF DEBRIS, SILT, OR OTHER SUBSTANCES WHICH WOULD RESULT IN UNSANITARY CONDITIONS."

FLOOD CERTIFICATION

A PORTION OF LOTS 5-9, BLOCK 1, ARE LOCATED IN ZONE "AE" & REMAINING PORTION OF SAID LOTS ARE LOCATED IN ZONE "X" ACCORDING TO THE FEDERALLY DESIGNATED 100 YEAR FLOOD PANEL NO. 48439C0215K DATE 09/25/2009.

NOTE:

THE SCREENING WALL ALONG S.H. 10 SHALL BE BUILT FROM SOUTHWEST CORNER TO THE FLOOD LIMITS ELEVATION 518.0 AND NOT IN STATE HWY RIGHT-OF-WAY.

PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE MASONRY FENCE

NOTE:

NO GRADING IN THIS AREA NO CUTTING OR FILING BELOW THE FLOOD LIMITS ELEVATION 518.0' ZONE "AE"

STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS TOMMY CUNNINGHAM IS THE OWNER OF A 7.423 ACRE TRACT OF LAND OUT OF THE V. W. WALLACE SURVEY, ABSTRACT NO. 1705, SITUATED IN HURST, TARRANT COUNTY, TEXAS, BEING PLATTED AS BILLY CREEK ESTATES, SECOND FILING, RECORDED IN VOLUME 388-92, PAGE 38, PLAT RECORDS, TARRANT COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 9, BILLY CREEK ESTATES SECOND FILING, RECORDED IN VOLUME 388-92, PAGE 38, TARRANT COUNTY, TEXAS; THENCE NORTH 89 degrees 59 minutes 00 seconds EAST, ALONG THE SOUTH LINE OF SAID ADDITION A DISTANCE OF 578.47 FEET TO A 1/2" IRON ROD SET IN THE SOUTHWEST CORNER OF LOT 7, BLOCK 9, BILLY CREEK ESTATES SECOND FILING FOR CORNER;

THENCE SOUTH 47 degrees 05 minutes 30 seconds EAST, ALONG THE WEST LINE OF CALLOWAY BRANCH DRAINAGE CHANNEL AND THE EAST LINE OF TRACT A, BLOCK 9, BILLY CREEK ESTATES SECOND FILING A DISTANCE OF 429.43 FEET TO A 1/2" IRON ROD FOR CORNER AND BEING A CURVE TO THE RIGHT;

THENCE ALONG THE CURVE OF SAID CHANNEL HAVING A RADIUS OF 103.21 FEET, A CENTRAL ANGLE OF 44°14'20", A LENGTH OF 79.69 FEET, CH. BEARING OF S 24°59'43" E TO A 1/2" IRON ROD FOR CORNER;

THENCE SOUTH 02 degrees 51 minutes 00 seconds EAST, ALONG THE WEST LINE OF CALLOWAY BRANCH DRAINAGE CHANNEL AND THE EAST LINE OF TRACT A, BLOCK 9, BILLY CREEK ESTATES SECOND FILING A DISTANCE OF 24.23 FEET TO A 1/2" IRON ROD SET IN THE NORTH RIGHT-OF-WAY LINE OF HURST BLVD. W. (S.H. 10) FOR CORNER;

THENCE SOUTH 87 degrees 08 minutes 15 seconds WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF HURST BLVD. W. (S.H. 10) A DISTANCE OF 928.20 FEET TO A 3/8" IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE OF MELBOURNE ROAD ALSO BEING THE SOUTHWEST CORNER OF TRACT A, BLOCK 9, BILLY CREEK ESTATES SECOND FILING AS RECORDED IN VOLUME 388-92, PAGE 38, PLAT RECORDS, TARRANT COUNTY, TEXAS, FOR CORNER;

THENCE NORTH 00 degrees 00 minutes 00 seconds WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MELBOURNE ROAD A DISTANCE OF 400.00 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE NORTH 00 degrees 00 minutes 55 seconds WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MELBOURNE ROAD A DISTANCE OF 33.20 FEET TO THE POINT OF BEGINNING AND CONTAINING 323,351.82 SQUARE FEET OR 7.423 ACRES MORE OR LESS.

KNOW ALL MEN BY THESE PRESENTS:

THAT TOMMY CUNNINGHAM IS THE LEGAL OWNER OF LOTS 1-9, BLOCK 1, LOTS 1-6, BLOCK 2, AND LOTS 1-3, BLOCK 3, MELBOURNE PLACE, AND THE ABOVE DESCRIBED LOTS I DO CONVEY TO THE PUBLIC USE, THE STREETS, ALLEYS, RIGHT-OF-WAY, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT.

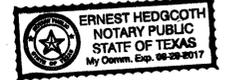
TOMMY CUNNINGHAM
DATE 1/21/16

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TOMMY CUNNINGHAM KNOWN TO ME THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 21 DAY OF January 2016

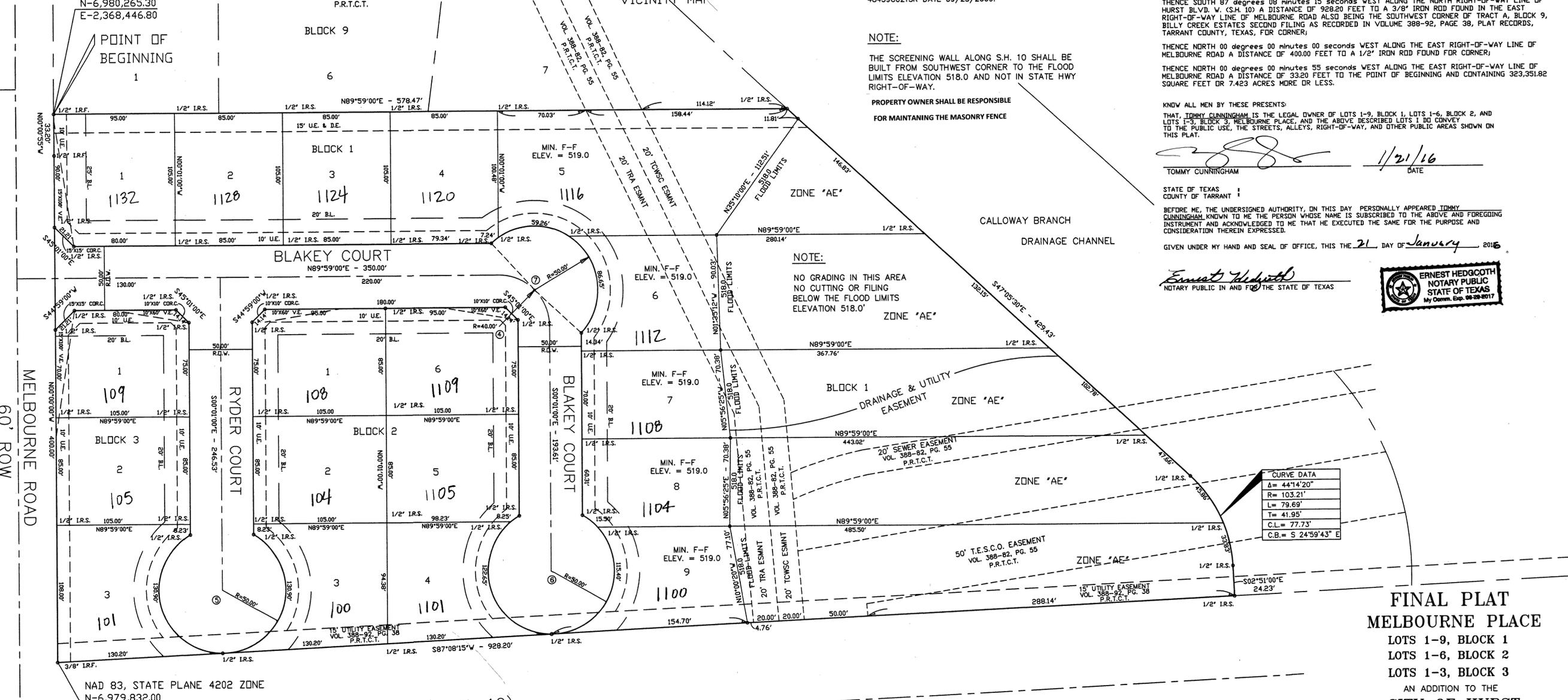
Ernest Hedgcloth
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



CRESTVIEW DRIVE

NAD 83, STATE PLANE 4202 ZONE
N-6,980,265.30
E-2,368,446.80

BILLY CREEK ESTATES
SECOND FILING
VOLUME 388-92, PAGE 55
P.R.T.C.T.



MELBOURNE ROAD
60' ROW

NAD 83, STATE PLANE 4202 ZONE
N-6,979,832.00
E-2,368,447.00

HURST BOULEVARD W. (S. H. 10)

160' ROW

CURVE DATA	CURVE DATA	CURVE DATA	CURVE DATA
④ 40' RADIUS Δ = 90°42'51" R = 40.00' L = 63.33' T = 40.00' C.L. = 56.92' C.B. = S44°39'16" E	⑤ 50' RADIUS Δ = 300°00'00" R = 50.00' L = 261.80'	⑥ 50' RADIUS Δ = 300°00'00" R = 50.00' L = 261.80'	⑦ 50' RADIUS Δ = 175°29'49" R = 50.00' L = 153.15'

CERTIFICATE OF APPROVAL

APPROVED on this the 4 day of January, 2016, by the Planning & Zoning Commission, City of Hurst, Texas.
Georgina B. Fidwell
Chairperson Planning & Zoning Commission

APPROVED on this the 12 day of January, 2016, by the City Council, City of Hurst, Texas.
Richard Ward
Mayor

ATTEST: *Debra Davis*
City Secretary

KNOW ALL MEN BY THESE PRESENTS:

That I, ERNEST HEDGCLOTH, R.P.L.S., a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Ernest Hedgcloth
ERNEST HEDGCLOTH, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR 2804

FIRM NO. 10011200

09/04/2015
DATE



The seal appearing in this document was authorized by ERNEST HEDGCLOTH, R.P.L.S. #2804

FINAL PLAT
MELBOURNE PLACE

LOTS 1-9, BLOCK 1
LOTS 1-6, BLOCK 2
LOTS 1-3, BLOCK 3

AN ADDITION TO THE
CITY OF HURST
TARRANT COUNTY, TEXAS

BEING A REPLAT OF BILLY CREEK ESTATES, SECOND FILING, AS RECORDED IN VOLUME 388-92, PAGE 38, PLAT RECORDS OF TARRANT COUNTY, TEXAS 7.423 ACRES OF LAND

ZONED GB-PD
ZONING REQUESTED R1-PD

ERNEST HEDGCLOTH
CONSULTING ENGINEERS, INC.
FIRM NO. 628

5701-C MIDWAY ROAD
FORT WORTH, TEXAS 76117
(817) 831-7711

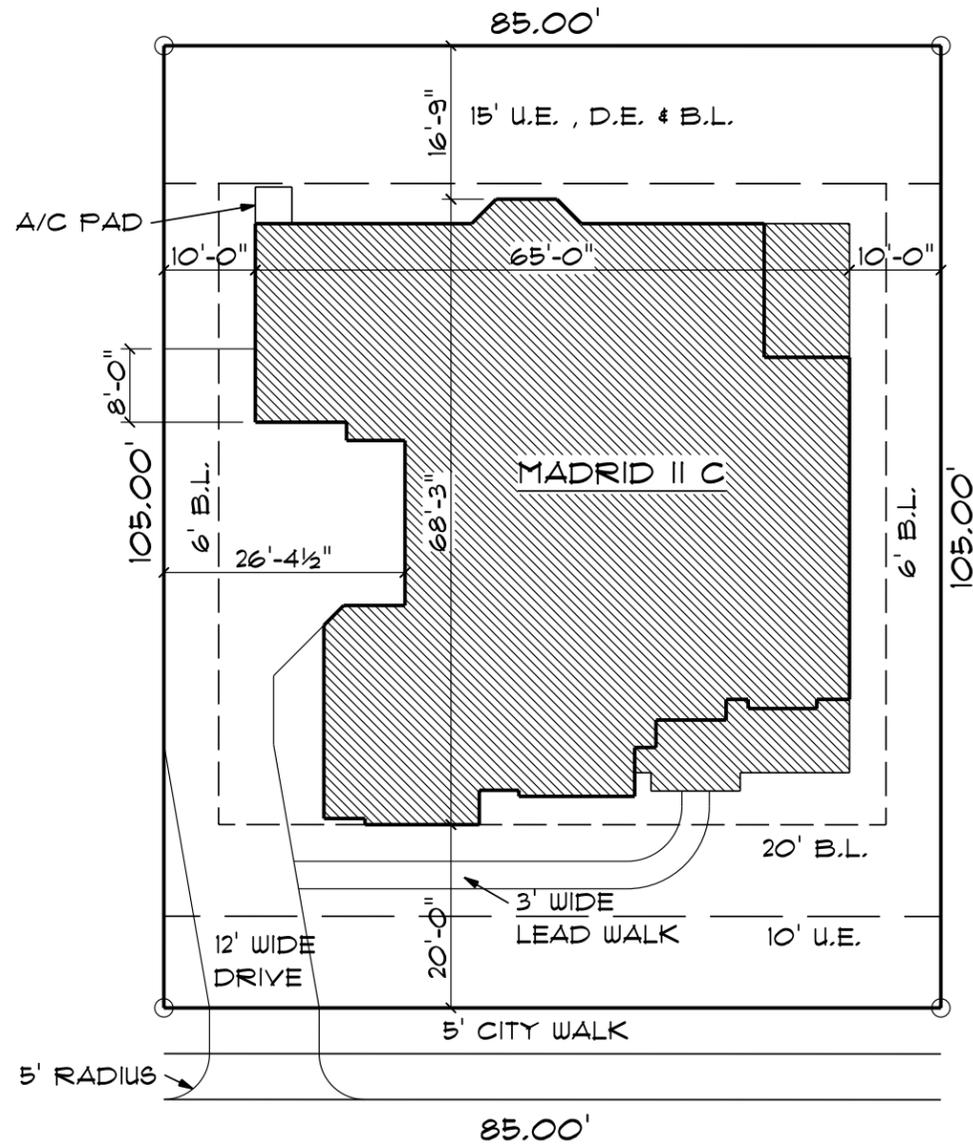
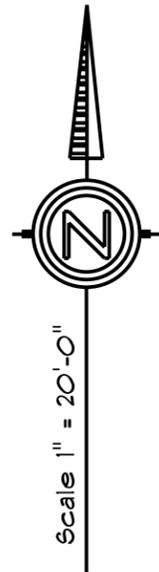
SHEET 2 OF 10

PROJECT NO. 2015-021

EXHIBIT B

DRAINAGE TYPE "B"

LOT 8,925 = 100%
 HOUSE STRUCTURE 3,619 = 41%
 NOT COVERED BY STRUCTURE 5,306 = 59%



Site Plan
 Lot 3, Block 1
 Melbourne Place
 Addition

Site Plan revision
 request to a two-story
 home on Lot 3, Block 1

1124 Blakey Court
 LOT 3, BLOCK 1
 MELBOURNE PLACE
 CITY OF HURST
 TARRANT COUNTY, TEXAS

CONC. AREA

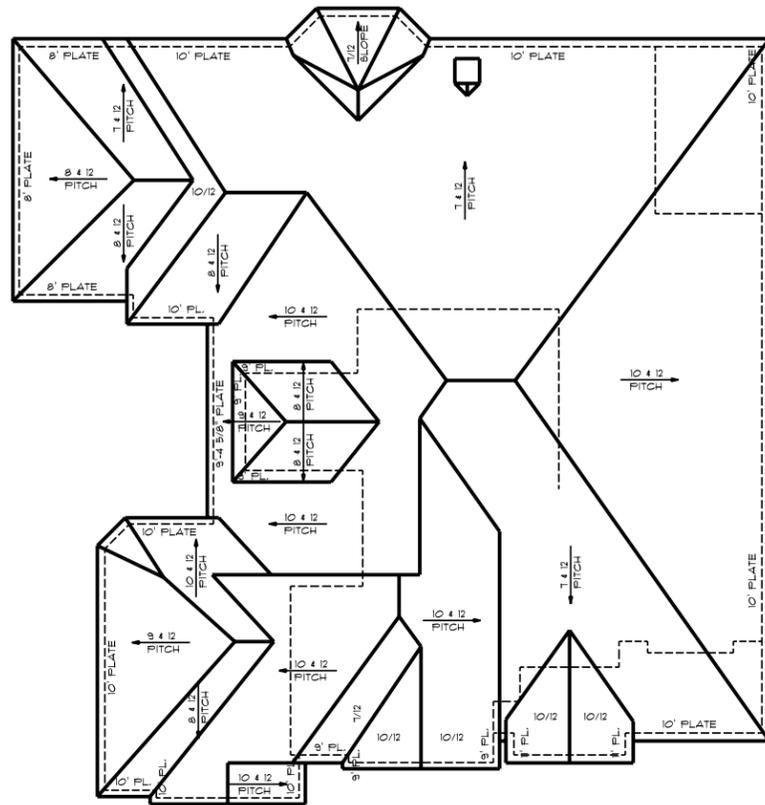
3' LEAD WALK	-	149 SQ.FT.
A/C PAD	-	16 SQ.FT.
DRIVE	-	1151 SQ.FT.
DR. APPROACH	-	131 SQ.FT.
CITY WALK	-	366 SQ.FT.
TOTAL LOT AREA	-	8,925 SQ.FT.

SANDLIN HOMES
 5131 Davis Blvd., Fort Worth, Texas 76180
 (817) 281-3509 fax (817) 656-0719

CORP: JBSRE
 Drawn By:
 AW 04/07/2020

NOTE:
 FINAL PLACEMENT OF HOUSE,
 DRIVEWAY AND LEAD WALK
 TO BE DETERMINED BY FINAL
 LOT SURVEY.

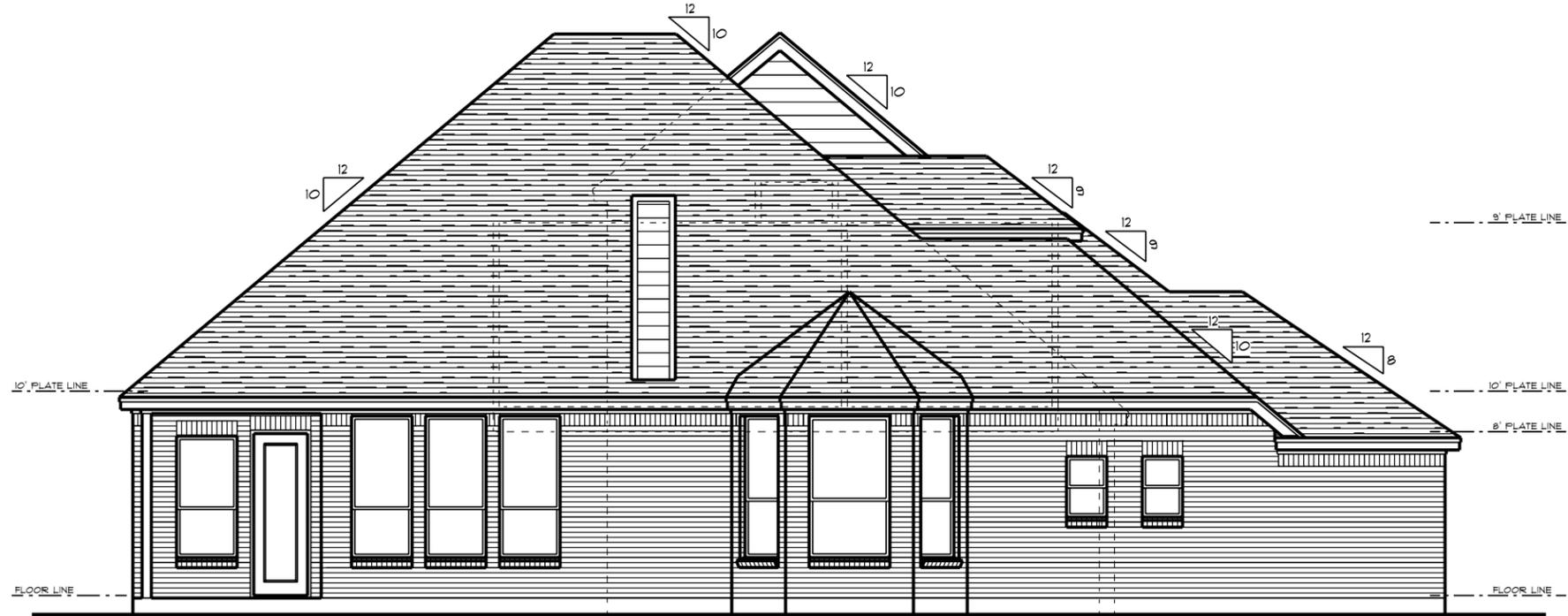
EXHIBIT C



ROOF PLAN

34" x 22" SHEET - SCALE: 1/8" = 1'-0"
11" x 11" SHEET - SCALE: 1/16" = 1'-0"

NOTES:
10 1/2 PITCH WITH 12" OVERHANG.
9 1/2 PITCH WITH 13 3/8" OVERHANG.
8 1/2 PITCH WITH 12 1/8" OVERHANG.
12 PITCH WITH 13 7/8" OVERHANG.



REAR ELEVATION

34" x 22" SHEET - SCALE: 1/4" = 1'-0"
11" x 11" SHEET - SCALE: 1/8" = 1'-0"

EXTERIOR FACE PERCENTAGES						
	TOTAL WALL	OPENINGS (DOOR/WINDOWS)	NET WALL	MASONRY AREA	FIBER-CEMENT SIDING AREA	MASONRY PERCENTAGE
FRONT	891	191	694	670	24	97%
REAR	593	171	422	404	18	96%
LEFT	613	153	460	424	36	92%
RIGHT	686	48	638	600	38	94%
TOTAL	2783	563	2214	2098	116	95%

WINDOW SCHEDULE						
	TYPE	SIZE	MATERIAL	U VALUE	S.H.G.C.	ROUGH OPENING SIZE
A	SINGLE HUNG	4'-0" x 7'-0"	VINYL	.35	.25	48" x 72"
C	SINGLE HUNG	3'-0" x 6'-0"	VINYL	.35	.25	36" x 72"
FJ	SINGLE HUNG	3'-0" x 7'-0"	VINYL	.35	.25	36" x 84"
FK	SINGLE HUNG	2'-8" x 7'-0"	VINYL	.35	.25	32" x 84"
G	SINGLE HUNG	2'-0" x 3'-0"	VINYL	.35	.25	24" x 36"
J	SINGLE HUNG	(2) 3'-0" x 7'-0"	VINYL	.35	.25	72" x 84"
K	SINGLE HUNG	(2) 2'-6" x 6'-0"	VINYL	.35	.25	60" x 72"
P	FIXED GLASS	1'-0" x 7'-0"	VINYL	.35	.25	12" x 84"
U	HORIZONTAL SLIDER	5'-0" x 3'-0"	VINYL	.35	.25	60" x 36"

DOOR SCHEDULE							
	TYPE	SIZE	MATERIAL	U VALUE	S.H.G.C.	ROUGH OPENING SIZE	GLAZING PERCENT
2	6 PANEL	3'-0" x 8'-0"	FIBERGLASS	0.17	N/A	38" x 99"	N/A
8	FULL GLASS	2'-8" x 8'-0"	METAL	0.30	.25	34" x 99"	0.51
9	METAL, 20 MINUTE RATED	2'-8" x 6'-8"	METAL	0.17	N/A	34" x 83"	N/A
11	6 PANEL	2'-4" x 6'-8"	SOLID CORE	0.17	N/A	30" x 83"	N/A



FRONT ELEVATION "Custom"

34" x 22" SHEET - SCALE: 1/4" = 1'-0"
11" x 11" SHEET - SCALE: 1/8" = 1'-0"
BUILDING HEIGHT - 21'-10"

Sandlin Plan Series
MADRID II Custom

RHEA RESIDENCE
1124 BLAKEY COURT, LOT 3, BLOCK 1
MELBOURNE PLACE, CORP: JBSRE

NOTE:
ONLY STANDARD APPLICABLE
PERMITS VARY PER JURISDICTION
VERIFY ALL APPLICABLE ITEMS
WITH BUILDER. NOT SUBJECT
TO THIS PLAN. ALL CHANGES MAY BE
MADE DURING CONSTRUCTION.
- NO CHANGES PERMITTED
- NO SIGNATURE REQUIRED

ADDRESS SPECIFIC DATE:
03/31/2020 AU
04/07/2020 AU
04/13/2020 AU
06/12/2020 AU

ORIGINATION DATE:
11/22/2011

REVISIONS:
OWNER CHANGES
OWNER CHANGES
CITY CHANGES

SANDLIN HOMES

5131 Davis Blvd., Fort Worth, Texas 76180
(817) 281-3509 fax (817) 656-0719

DRAWN BY:
A. WALLACE

SHEET
3 OF 7

FRONT REAR
ROOF PLANS

EXHIBIT D



RIGHT ELEVATION

34" x 22" SHEET - SCALE: 1/4" = 1'-0"
11" x 11" SHEET - SCALE: 1/8" = 1'-0"



LEFT ELEVATION

34" x 22" SHEET - SCALE: 1/4" = 1'-0"
11" x 11" SHEET - SCALE: 1/8" = 1'-0"

F:\Subdivisions_Off 81st\124 Blakey Court - 41st Area\

Friday, June 12, 2020

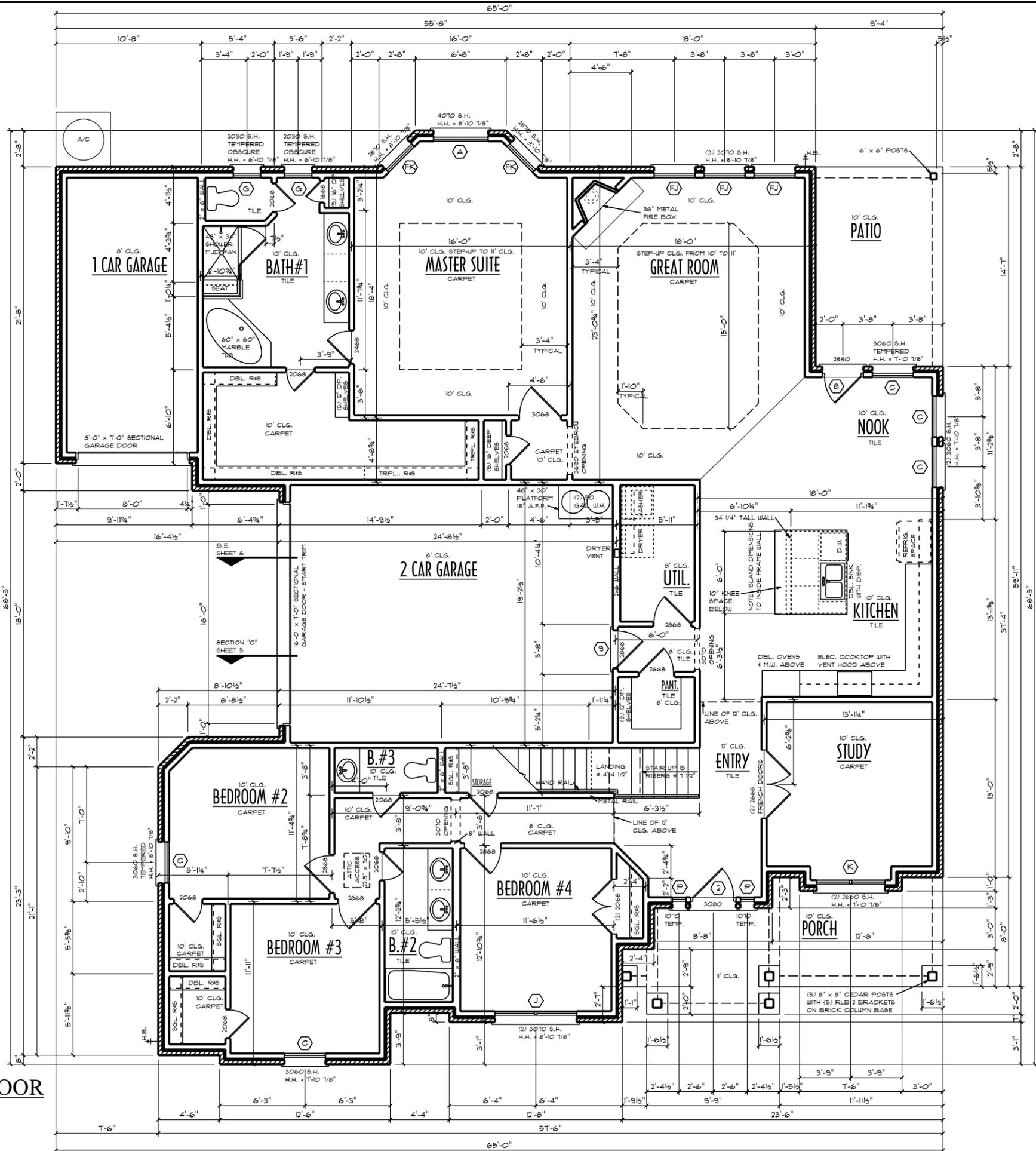
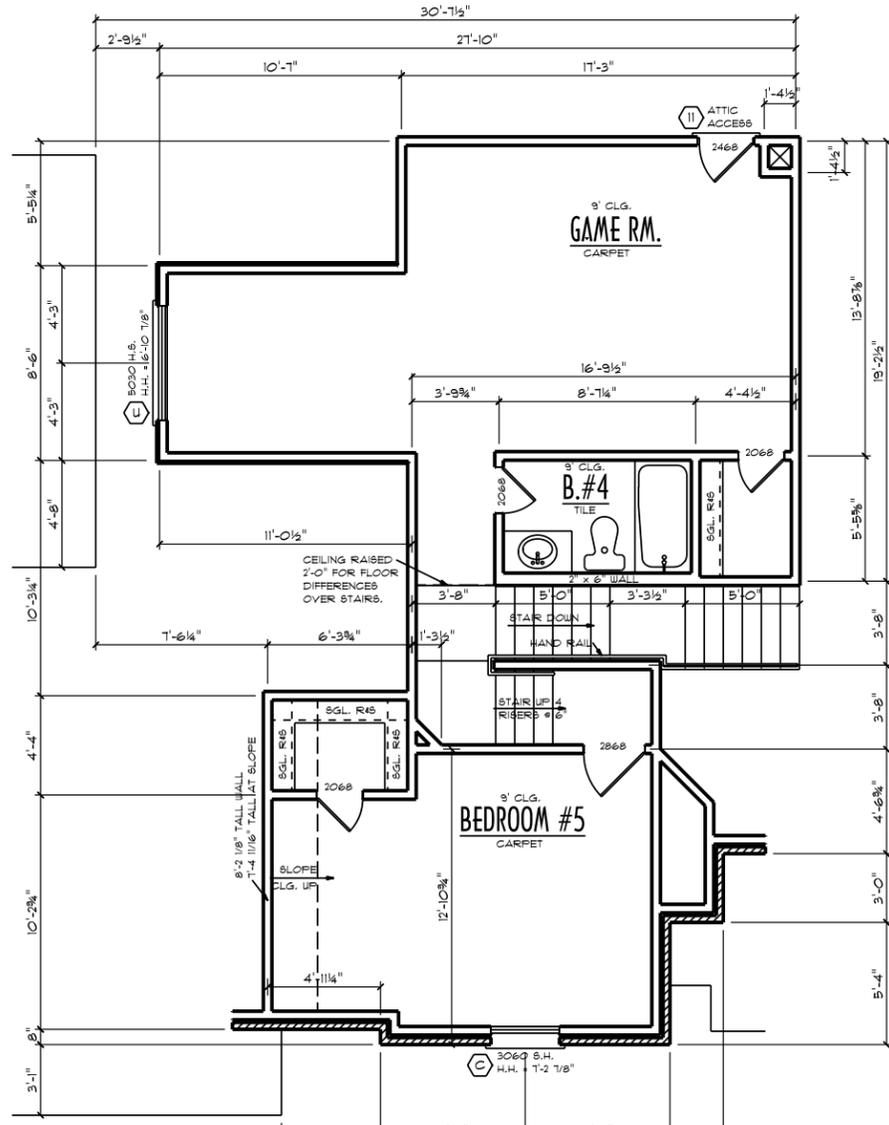
09:08 AM

Sandlin Plan Series MADRID II Custom	RHEA RESIDENCE 1124 BLAKEY COURT, LOT 3, BLOCK 1 MELBOURNE PLACE, CORP: JBSRE								
<p><small>NOTE:</small></p> <ul style="list-style-type: none"> - ONLY STANDARD APPLIANCES ARE SHOWN (APPLIANCES VARY BY SUBDIVISION) - VERIFY ALL APPLICABLE ITEMS WITH BUILDER - THIS PLAN IS NOT WARRANTED TO BE IDENTICAL TO ANY OTHER PLAN - NO CHANGES PERMITTED DURING CONSTRUCTION - NO SIGNATURE REQUIRED 	<p><small>ADDRESS SPECIFIC DATE:</small></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><small>REVISIONS:</small></td> <td style="width: 70%;">03/31/2020 AU</td> </tr> <tr> <td><small>OWNER CHANGES</small></td> <td>04/01/2020 AU</td> </tr> <tr> <td><small>OWNER CHANGES</small></td> <td>04/13/2020 AU</td> </tr> <tr> <td><small>CITY CHANGES</small></td> <td>06/12/2020 AU</td> </tr> </table>	<small>REVISIONS:</small>	03/31/2020 AU	<small>OWNER CHANGES</small>	04/01/2020 AU	<small>OWNER CHANGES</small>	04/13/2020 AU	<small>CITY CHANGES</small>	06/12/2020 AU
<small>REVISIONS:</small>	03/31/2020 AU								
<small>OWNER CHANGES</small>	04/01/2020 AU								
<small>OWNER CHANGES</small>	04/13/2020 AU								
<small>CITY CHANGES</small>	06/12/2020 AU								
<p><small>ORIGIN DATE:</small></p> <p>11/22/2011</p>	<p style="font-size: 2em; font-weight: bold; margin: 0;">SANDLIN</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">HOMES</p> <p style="font-size: 0.8em; margin: 0;">5131 Davie Blvd., Fort Worth, Texas 76180 (817) 281-3509 fax (817) 656-0719</p>								
<p><small>DRAWN BY:</small></p> <p>A. WALLACE</p>	<p><small>SHEET</small></p> <p style="font-size: 2em; font-weight: bold; margin: 0;">4 / 7</p> <p><small>LEFT RIGHT ELEVATIONS</small></p>								

EXHIBIT E

MADRID II Custom

LOWER LEVEL	-	2,630 SQ.FT.
SECOND FLOOR	-	713 SQ.FT.
TOTAL LIVING	-	3,343 SQ.FT.
2 CAR GARAGE	-	460 SQ.FT.
1 CAR GARAGE	-	225 SQ.FT.
PATIO	-	136 SQ.FT.
PORCH	-	168 SQ.FT.
TOTAL SLAB	-	3,619 SQ.FT.



Sandlin Plan Series
MADRID II Custom

NOTE:
ONLY STANDARD APPLIANCES (APPLIANCES VARY BY REGION) VERIFY ALL APPLIANCE ITEMS WITH BUILDER. NOT WARRANTED TO BE CRITICAL TO THIS PLAN. AS CHANGES MAY BE MADE DURING CONSTRUCTION.
- NO CHANGES PERMITTED
- NO SIGNATURE REQUIRED

ORIGINATOR DATE: 11/22/2011

REVISIONS:
OWNER CHANGES 03/31/2020 AU
OWNER CHANGES 04/01/2020 AU
CITY CHANGES 06/12/2020 AU

ADDRESS SPECIFIC DATE:
03/31/2020 AU
04/01/2020 AU
06/12/2020 AU



DRAWN BY:
A. WALLACE

SHEET
1 OF 7
FLOORS

Friday, June 12, 2020 P:\Subdivisions_Off 814\124 Blakey Court - A14 RArea

City Council Staff Report

<p>SUBJECT: P-20-05 Belco Addition, a replat of Lot 3R and 4 to Lot 3R-1, Block 1 Belco Addition, being 1.63 acres located at 916 Grapevine Highway</p>	
<p>Supporting Documents:</p>	
<p>Area map Plat</p>	<p>Meeting Date: 8/25/2020 Department: Development Reviewed by: Michelle Lazo City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>An application has been made by Blue Springs Capital, LLC, for a replat of Lot 3R and 4 to Lot 3R-1, Block 1, Belco Addition, being 1.63 acres located at 916 Grapevine Highway.</p> <p>Mr. Jim Shivers of Blue Springs Capital has purchased Lot 4 to expand Car Wash City by adding additional vacuum shade structures and realigning the entrance to the car wash tunnel. There are no proposed changes to the driveway on Grapevine Highway.</p> <p>There are no engineering plans required for this plat.</p>	
<p>Funding and Sources:</p>	
<p>There is no fiscal impact. The final plat is a direct representation of the Council's goals of Redevelopment.</p>	
<p>Recommendation:</p>	
<p>Based upon the Planning and Zoning Commission vote of 7-0, the recommendation is City Council move to approve P-20-05 Belco Addition.</p>	

City of North Richland Hills

GRAPEVINE HWY

SITE

CANNON DR

TCC RD

PRECINCT LINE RD

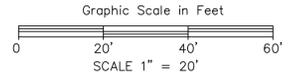
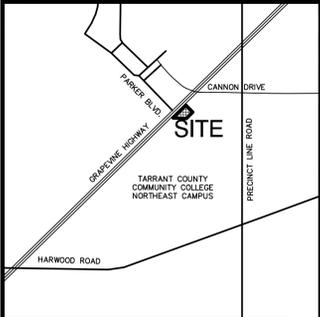
CASE NO: P-20-05
Belco Addition

LEGAL DESCRIPTION:
Lot 3R and 4, Block 1
Belco Addition

AGENDA DATE:
8/25/2020

REQUESTED ACTION:
Replat

LOCATION: 916 Grapevine Highway



ABBREVIATIONS

D.R.T.C.T. DEED RECORDS OF TARRANT COUNTY, TEXAS
P.R.T.C.T. PLAT RECORDS OF TARRANT COUNTY, TEXAS
VOL. VOLUME
PG. PAGE
DOC. NO. DOCUMENT NUMBER
C.M. CONTROLLING MONUMENT
P.O.B. POINT OF BEGINNING
IRF IRON ROD FOUND
IRS IRON ROD SET WITH A CAP STAMPED "SPRY 5647"
R.O.W. RIGHT-OF-WAY
B.L. BUILDING LINE
TXDOT TEXAS DEPARTMENT OF TRANSPORTATION

LEGEND

● BOUNDARY CORNER

NOTES

- This Survey is issued without the benefit of a current title report and is subject to revision upon receipt thereof. Surveyor has done no additional research for possible easements, restrictions or covenants which may affect this property.
- All bearings shown hereon are based on the south line of Lot 4, Block 1, Belco Addition, recorded in Cabinet A, Slide 2398 P.R.T.C.T.
- The Surveyor has not physically located any underground utilities and/or improvements which may be located under or near the subject property.
- According to the Flood Insurance Rate Map No. 48439C0205L, published by the Federal Emergency Management Agency, dated: March, 21, 2019, the surveyed property shown hereon does not lie within any special flood hazard area inundated by the 100-year flood.
- On the issue date of this survey the surveyed property shown hereon is zoned GB (General Business District) according to the City of Hurst zoning ordinance maps. Refer to said zoning ordinance for minimum and maximum setback requirements.

SURVEYOR CERTIFICATE

That I, David Carlton Lewis, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that I have prepared this plat from an actual on the ground survey of the land and the monuments shown hereon were found and/or placed under my personal supervision and in accordance with the Platting Rules and Regulations of the City Plan Commission of the City of Hurst, Texas.

This document shall not be recorded for any purpose. This drawing shall be used for REVIEW PURPOSES ONLY
David Carlton Lewis
R.P.L.S. No. 5647
Date: July 8, 2020



David Carlton Lewis, R.P.L.S.
Texas Registration No. 5647
Spry Surveyors, LLC
8241 Mid-Cities Blvd Ste 102
North Richland Hills, TX 76182

NOTARY CERTIFICATE
STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared DAVID CARLTON LEWIS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations expressed herein.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Signature _____ Notary Stamp: _____

Certificate of Approval of the Planning and Zoning Commission

This plat has been submitted to and considered by the PLANNING AND ZONING COMMISSION of the City of Hurst, and is hereby approved by such Commission.

This _____ day of _____, 2020, to approve this Plat.

BY: _____
Chairman

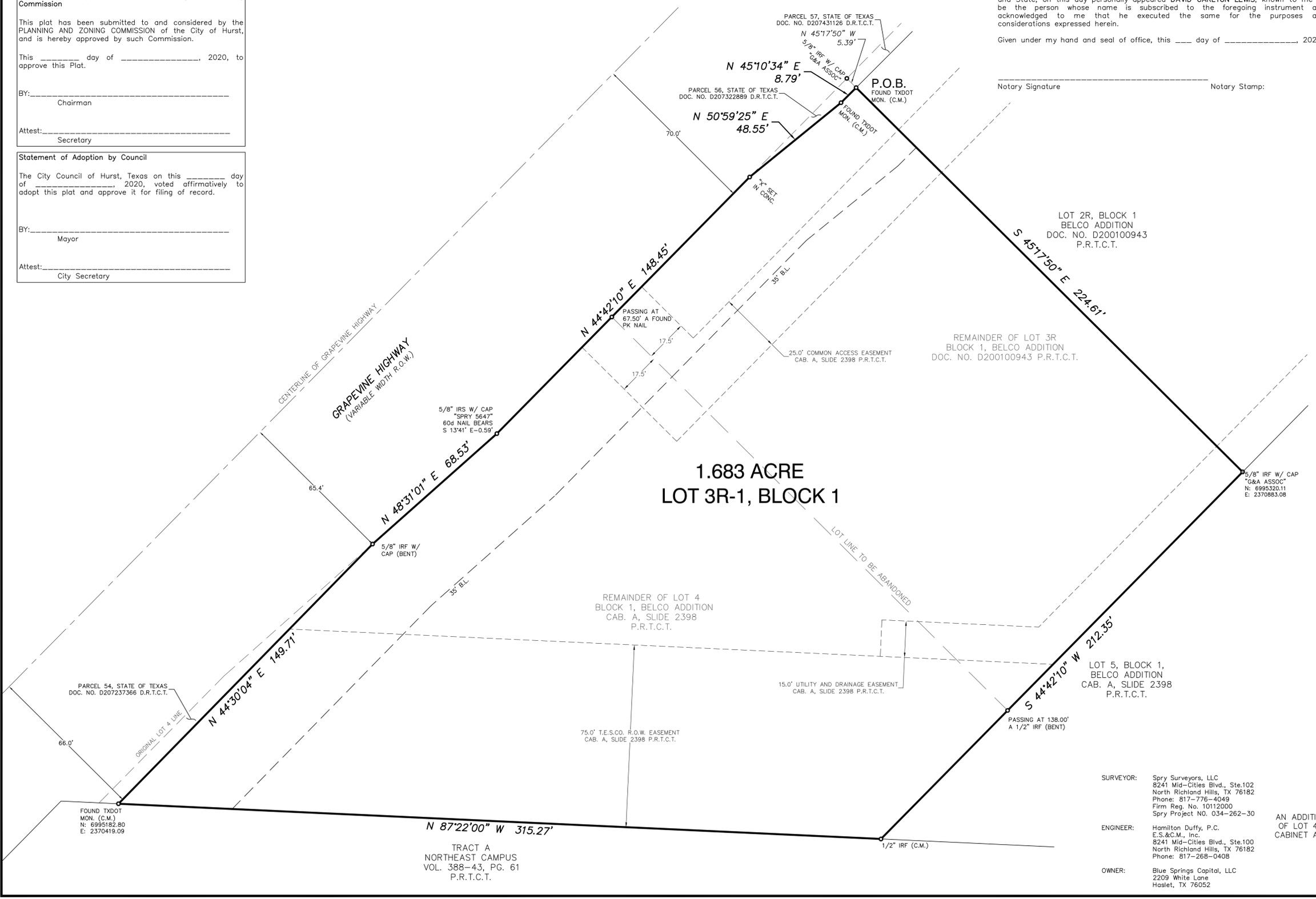
Attest: _____
Secretary

Statement of Adoption by Council

The City Council of Hurst, Texas on this _____ day of _____, 2020, voted affirmatively to adopt this plat and approve it for filing of record.

BY: _____
Mayor

Attest: _____
City Secretary



OWNER'S DEDICATION
STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS, Blue Springs Capital, LLC, is owner of all that certain 1.683 acres of land, by virtue of the deeds recorded in Document Number D219266750 and D220098109 in the Deed Records of Tarrant County, Texas (D.R.T.C.T.), which is the remainder of Lot 3R and Lot 4, Block 1, Belco Addition, recorded in Document Number D200100943 and Cabinet A, Slide 2398 respectively, in the Plat Records of Tarrant County, Texas (P.R.T.C.T.), in the D. C. Manning Survey, A-1046, City of Hurst, Tarrant County, Texas and more particularly described by metes and bounds as follows: (All bearings shown hereon are based on the south line of said Lot 4, Block 1, Belco Addition)

BEGINNING at a Texas Department of Transportation (TXDOT) monument found for the most northerly corner of the herein described tract, common to the east corner of Parcel 56, described in the deed to the State of Texas, recorded in Document Number D207322889 D.R.T.C.T., and in the southeast right-of-way line of Grapevine Highway (R.O.W. Varies), from which a 5/8" iron rod with a cap stamped "G&A Assoc." found for the north corner of said Lot 3R, common to the west corner of Lot 2R, of said Block 1, Belco Addition, bears North 45° 17' 50" West - 5.39';

THENCE South 45° 17' 50" East - 224.61' to a 5/8" iron rod with a cap stamped "G&A Assoc." found for the east corner of said Lot 3R, common to the south corner of said Lot 2R, in the northwest line of Lot 5, of said Block 1, Belco Addition;

THENCE South 44° 42' 10" West - 212.35' to a 1/2" iron rod found for the southeast corner of said Lot 4, Block A, Belco Addition, in the north line of Tract A, Northeast Campus, recorded in Volume 388-43, Page 61 P.R.T.C.T.;

THENCE North 87° 22' 00" West - 315.27' to a TXDOT monument found for southwest corner of the herein described tract, common to southeast corner of Parcel 54, described in the deed to the State of Texas, recorded in Document Number D20732366 D.R.T.C.T., and in the southeast right-of-way line of said Grapevine Highway;

THENCE North 44° 30' 04" East - 149.71' along the southeast right-of-way line of said Grapevine Highway, to a 5/8" iron rod with cap (bent) found for the north corner of said Parcel 54;

THENCE North 48° 31' 01" East - 68.53' continuing along the southeast right-of-way line of said Grapevine Highway, to a 1/2" iron rod with a cap stamped "SPRY 5647" set for a point for corner of the herein described tract, from which a found 60d Nail bears South 13° 41' East - 0.59';

THENCE North 44° 42' 10" East - 148.45' continuing along the southeast right-of-way line of said Grapevine Highway, to an "X" set in concrete for a point for corner of the herein described tract, common to the south corner of said Parcel 56;

THENCE North 50° 59' 25" East - 48.55' continuing along the southeast right-of-way line of said Grapevine Highway, to a TXDOT monument found for a point for corner of the herein described tract, common to a point for corner of said Parcel 56;

THENCE North 45° 10' 34" East - 8.79' continuing along the southeast right-of-way line of said Grapevine Highway, to the POINT OF BEGINNING and containing 1.683 acres (73,331 square feet) of land.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That Blue Springs Capital, LLC, the Owner, does hereby adopt this plat designating the herein before described property as **LOT 3R-1, BLOCK 1, BELCO ADDITION**, an addition to the City of Hurst, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever any streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Hurst, Texas.

Witness our hands this _____ day of _____, 2020.

Jim Shivers
Blue Springs Capital, LLC

NOTARY CERTIFICATE
STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Jim Shivers, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations expressed herein.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Signature _____ Notary Stamp: _____

PURPOSE OF REPLAT
The Purpose of this replat is to combine Lot 3R and the Remainder of Lot 4 into one lot.

A FINAL PLAT OF
LOT 3R-1, BLOCK 1
BELCO ADDITION

AN ADDITION TO THE CITY OF HURST, WHICH IS A REPLAT OF LOT 3R AND THE REMAINDER OF LOT 4, BLOCK 1, BELCO ADDITION, RECORDED IN DOCUMENT NUMBER D200100943 AND CABINET A, SLIDE 2398 RESPECTIVELY, IN THE PLAT RECORDS OF TARRANT COUNTY, TEXAS WHICH IS 1.683 ACRES

IN THE D. C. MANNING SURVEY, A-1046
CITY OF HURST, TARRANT COUNTY, TEXAS

DATE: JULY 2020

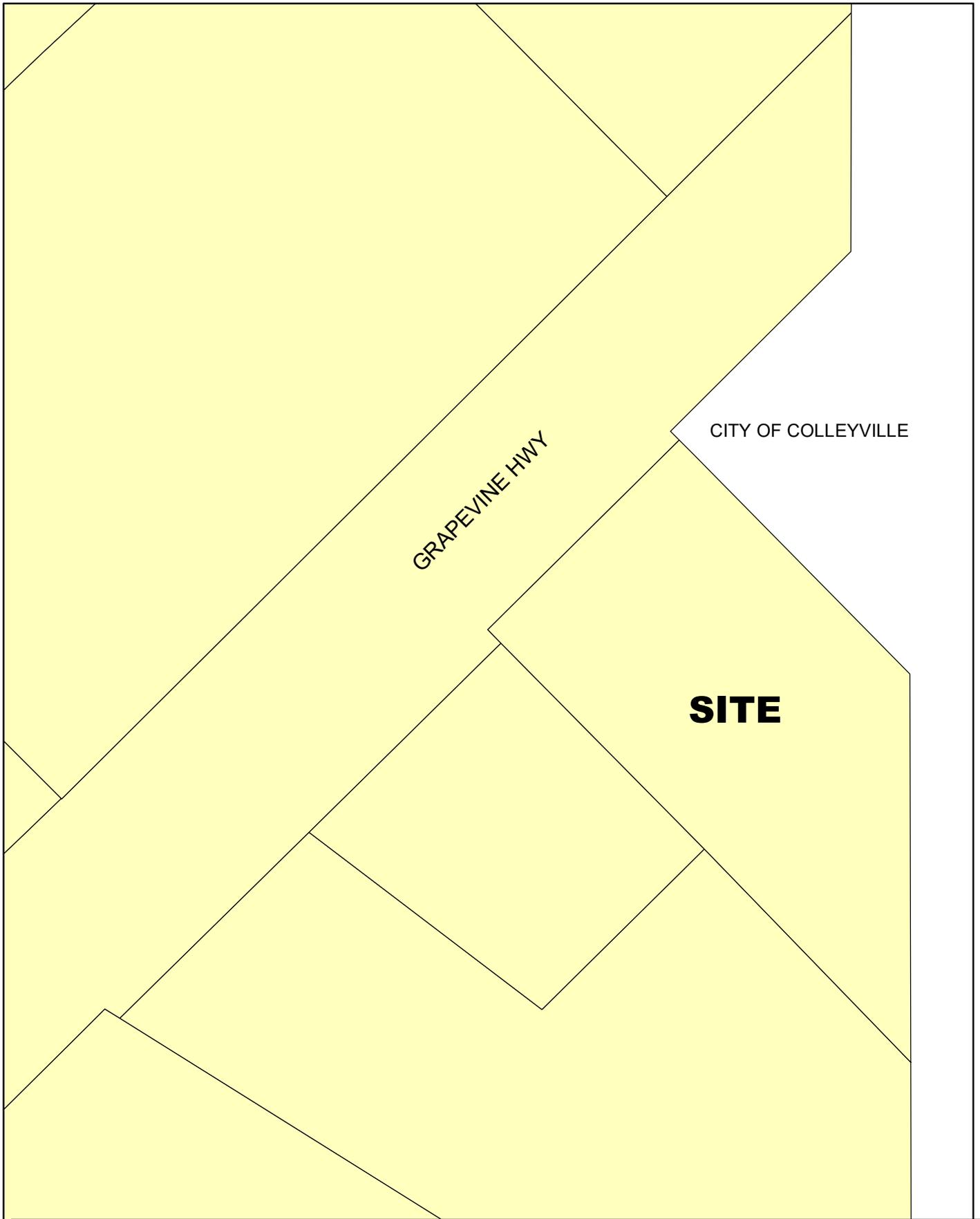
SURVEYOR: Spry Surveyors, LLC
8241 Mid-Cities Blvd., Ste.102
North Richland Hills, TX 76182
Phone: 817-776-4049
Firm Reg. No. 101120000
Spry Project No. 034-262-30

ENGINEER: Hamilton Duffy, P.C.
E.S.&C.M., Inc.
8241 Mid-Cities Blvd., Ste.100
North Richland Hills, TX 76182
Phone: 817-268-0408

OWNER: Blue Springs Capital, LLC
2209 White Lane
Haslet, TX 76052

City Council Staff Report

<p>SUBJECT: P-20-03 Cantrell Addition, a final plat of Tract 1B William T. Jones Survey Abstract 865 to Lot 1, Block 1 Cantrell Addition, being .73 acre located at 351 Grapevine Highway</p>	
<p>Supporting Documents:</p>	
<p>Area map Plat</p>	<p>Meeting Date: 8/25/2020 Department: Development Reviewed by: Michelle Lazo City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>An application has been made by CNC Conglomerate Companies for a final plat of Tract 1B William T. Jones Survey Abstract 865 to Lot 1, Block 1, Cantrell Addition, being .73 acre located at 351 Grapevine Highway.</p> <p>Mr. Christopher Ballerjos, owner of CNC Customs, is requesting the final plat in order to submit a building permit for a shade structure on the east side of the building. There are no engineering plans required for this plat.</p>	
<p>Funding and Sources:</p>	
<p>There is no fiscal impact. The final plat is a direct representation of the Council's goals of Redevelopment.</p>	
<p>Recommendation:</p>	
<p>Based upon the Planning and Zoning Commission vote of 7-0, the recommendation is City Council move to approve P-20-03 Cantrell Addition.</p>	



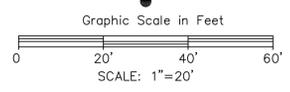
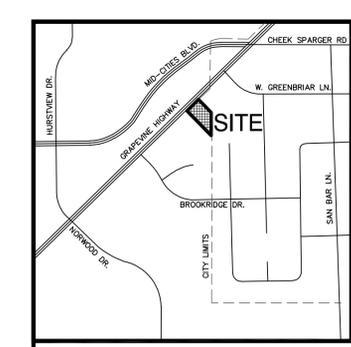
CASE NO: P-20-03
Cantrell Addition

LEGAL DESCRIPTION:
Tract 1B, William Jones Survey, A 865

AGENDA DATE:
8/25/2020

REQUESTED ACTION:
Final Plat

LOCATION: 351 Grapevine Highway

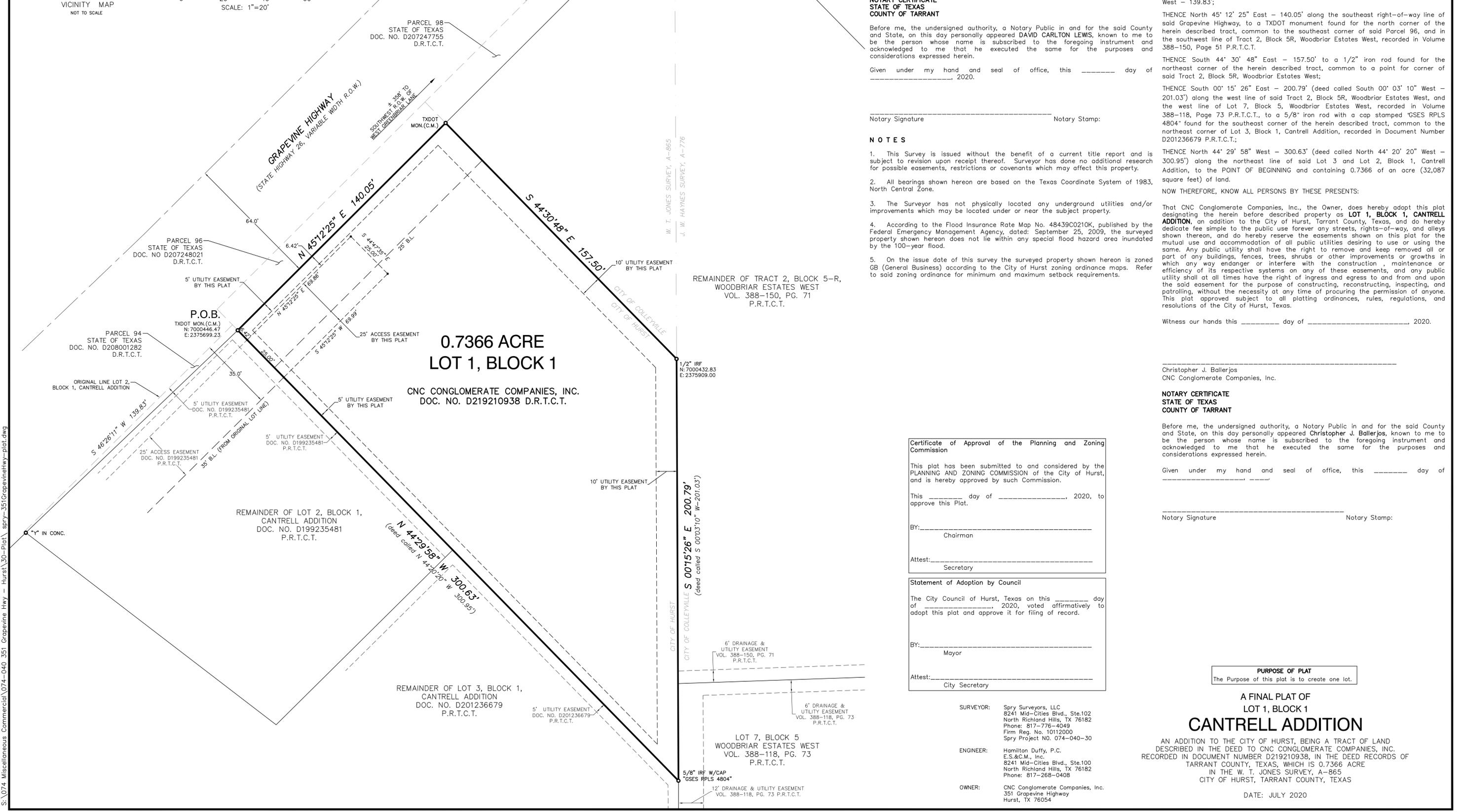


ABBREVIATIONS

D.R.T.C.T. DEED RECORDS OF TARRANT COUNTY, TEXAS
 P.R.T.C.T. PLAT RECORDS OF TARRANT COUNTY, TEXAS
 VOL. VOLUME
 PG. PAGE
 DOC. NO. DOCUMENT NUMBER
 C.M. CONTROLLING MONUMENT
 IRF IRON ROD FOUND
 R.O.W. RIGHT-OF-WAY
 B.L. BUILDING LINE
 TXDOT TEXAS DEPARTMENT OF TRANSPORTATION

LEGEND NOT TO SCALE

● BOUNDARY CORNER
 • EASEMENT CORNER



SURVEYOR CERTIFICATE

That I, David Carlton Lewis, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that I have prepared this plat from an actual on the ground survey of the land and the monuments shown hereon were found and/or placed under my personal supervision and in accordance with the Platting Rules and Regulations of the City Plan Commission of the City of Hurst, Texas.

This document shall not be recorded for any purpose. This drawing shall be used for REVIEW PURPOSES ONLY

David Carlton Lewis
 R.P.L.S. No. 5647
 Date: July 24, 2020



David Carlton Lewis, R.P.L.S.
 Texas Registration No. 5647
 Spry Surveyors, LLC
 8241 Mid-Cities Blvd Ste 102
 North Richland Hills, TX 76182

NOTARY CERTIFICATE
 STATE OF TEXAS
 COUNTY OF TARRANT

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared DAVID CARLTON LEWIS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations expressed herein.

Given under my hand and seal of office, this _____ day of _____, 2020.

Notary Signature _____ Notary Stamp: _____

NOTES

- This Survey is issued without the benefit of a current title report and is subject to revision upon receipt thereof. Surveyor has done no additional research for possible easements, restrictions or covenants which may affect this property.
- All bearings shown hereon are based on the Texas Coordinate System of 1983, North Central Zone.
- The Surveyor has not physically located any underground utilities and/or improvements which may be located under or near the subject property.
- According to the Flood Insurance Rate Map No. 48439C0210K, published by the Federal Emergency Management Agency, dated: September 25, 2009, the surveyed property shown hereon does not lie within any special flood hazard area inundated by the 100-year flood.
- On the issue date of this survey the surveyed property shown hereon is zoned GB (General Business) according to the City of Hurst zoning ordinance maps. Refer to said zoning ordinance for minimum and maximum setback requirements.

OWNER'S DEDICATION
 STATE OF TEXAS
 COUNTY OF TARRANT

WHEREAS, CNC Conglomerate Companies, Inc., is owner of all that certain 0.7366 of an acre of land, by virtue of the deed recorded in Document Number D219210938 in the Deed Records of Tarrant County, Texas (D.R.T.C.T.), in the W. T. Jones Survey, A-865, City of Hurst, Tarrant County, Texas and more particularly described by metes and bounds as follows: (All bearings shown hereon are based on the Texas Coordinate System of 1983, North Central Zone)

BEGINNING at a Texas Department of Transportation (TXDOT) monument found for west corner of the herein described tract, common to the common south corner of Parcel 96 and Parcel 94, described in the deed to the State of Texas, recorded in Document Numbers D207248021 and D208001282 respectively, D.R.T.C.T., in the southeast right-of-way line of Grapevine Highway (R.O.W. Varies) and in the northeast line of Lot 2, Block 1, Cantrell Addition, recorded in Document Number D199235481 Plat Records of Tarrant County, Texas (P.R.T.C.T.), from which a "Y" in concrete found for the southwest corner of said Parcel 94 bears South 46° 26' 11" West - 139.83';

THENCE North 45° 12' 25" East - 140.05' along the southeast right-of-way line of said Grapevine Highway, to a TXDOT monument found for the north corner of the herein described tract, common to the southeast corner of said Parcel 96, and in the southwest line of Tract 2, Block 5R, Woodbriar Estates West, recorded in Volume 388-150, Page 51 P.R.T.C.T.

THENCE South 44° 30' 48" East - 157.50' to a 1/2" iron rod found for the northeast corner of the herein described tract, common to a point for corner of said Tract 2, Block 5R, Woodbriar Estates West;

THENCE South 00° 15' 26" East - 200.79' (deed called South 00° 03' 10" West - 201.03') along the west line of said Tract 2, Block 5R, Woodbriar Estates West, and the west line of Lot 7, Block 5, Woodbriar Estates West, recorded in Volume 388-118, Page 73 P.R.T.C.T., to a 5/8" iron rod with a cap stamped 'GSES RPLS 4804' found for the southeast corner of the herein described tract, common to the northeast corner of Lot 3, Block 1, Cantrell Addition, recorded in Document Number D201236679 P.R.T.C.T.;

THENCE North 44° 29' 58" West - 300.63' (deed called North 44° 20' 20" West - 300.95') along the northeast line of said Lot 3 and Lot 2, Block 1, Cantrell Addition, to the POINT OF BEGINNING and containing 0.7366 of an acre (32,087 square feet) of land.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That CNC Conglomerate Companies, Inc., the Owner, does hereby adopt this plat designating the herein before described property as **LOT 1, BLOCK 1, CANTRELL ADDITION**, an addition to the City of Hurst, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever any streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Hurst, Texas.

Witness our hands this _____ day of _____, 2020.

Christopher J. Ballerjos
 CNC Conglomerate Companies, Inc.

NOTARY CERTIFICATE
 STATE OF TEXAS
 COUNTY OF TARRANT

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Christopher J. Ballerjos, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations expressed herein.

Given under my hand and seal of office, this _____ day of _____, 2020.

Notary Signature _____ Notary Stamp: _____

Certificate of Approval of the Planning and Zoning Commission

This plat has been submitted to and considered by the PLANNING AND ZONING COMMISSION of the City of Hurst, and is hereby approved by such Commission.

This _____ day of _____, 2020, to approve this Plat.

BY: _____
 Chairman

Attest: _____
 Secretary

Statement of Adoption by Council

The City Council of Hurst, Texas on this _____ day of _____, 2020, voted affirmatively to adopt this plat and approve it for filing of record.

BY: _____
 Mayor

Attest: _____
 City Secretary

PURPOSE OF PLAT
 The Purpose of this plat is to create one lot.

A FINAL PLAT OF
LOT 1, BLOCK 1
CANTRELL ADDITION

AN ADDITION TO THE CITY OF HURST, BEING A TRACT OF LAND DESCRIBED IN THE DEED TO CNC CONGLOMERATE COMPANIES, INC. RECORDED IN DOCUMENT NUMBER D219210938, IN THE DEED RECORDS OF TARRANT COUNTY, TEXAS, WHICH IS 0.7366 ACRE IN THE W. T. JONES SURVEY, A-865 CITY OF HURST, TARRANT COUNTY, TEXAS

DATE: JULY 2020

City Council Staff Report

<p>SUBJECT: Consider authorizing the city manager to enter into a Contract with Deltatek, Inc., for engineering services, for the North Precinct Line Road Elevated Storage Tank Renovation and Repainting</p>	
<p>Supporting Documents:</p>	
<p>Engineering Services Contract Photo of Elevated Storage Tank</p>	<p>Meeting Date: 8/25/2020 Department: Public Works Reviewed by: Greg Dickens City Manager Review:</p>
<p>Background/Analysis:</p>	
<p>The 1.0-million-gallon North Precinct Line Road elevated storage tank is located just south of West Glade Road and the railroad tracks. TCEQ Title 30. CHAPTER 290.46(m) (1), requires that each of the systems ground storage tanks, elevated storage tanks, and pressure tanks be inspected annually by water system personnel or a contract inspection service. In recent years, the North Precinct Line Road Elevated Storage Tank (EST) has been inspected by professional services and has been found to have some minor interior and exterior structural issues. This elevated storage tank was last painted in 2000, twenty years ago. Most tank paint coatings last between 15 to 20 years. This tank is in need of a new coating on the interior and exterior surfaces. The renovation and repainting operations will meet all state and federal standards.</p> <p>Staff received an Engineering Services Contract from Deltatek Engineering, in an amount not to exceed \$127,900.00. Deltatek will provide design, bid phase, and construction inspection services for interior and exterior structure repairs, interior and exterior preparation and painting in accordance with state regulations. This firm has satisfactorily provided these type services to the City on past tank painting projects.</p>	
<p>Funding Sources and Community Sustainability:</p>	
<p>Sufficient funds are available in Depreciation Fund reserves for the engineering services. The engineering and subsequent repainting of this tank is in line with the Council’s goals of Financial Sustainability, Customer Service, and Public Safety.</p>	
<p>Recommendation:</p>	

Staff recommends the City Council **authorize the city manager to enter into an Engineering Services Contract with Deltatek, Inc., for engineering services, for the North Precinct Line Road Elevated Storage Tank Renovation and Repainting Project for a total fee not to exceed \$127,900.00.**

Section 4. PAYMENT FOR SERVICES

- A. Payment for services under Section 3 above will be lump sum, invoiced monthly based on percent complete.
- B. Payments shall also include Direct Non-Labor Expenses which, in general, include expenses for supplies, transportation, equipment, travel, communication, subsistence and lodging away from home, and similar incidentals.

The Direct Non-Labor expenses shall be reimbursable at actual invoice cost plus 10%, except for living and travel expenses when away from the home office on business connected with the Project. All travel outside of the Dallas/Fort Worth Metropolitan Area to be made, which are reimbursable at actual invoice cost, by the Engineer in connection with the Project must first be approved in writing by the Executive Director of Public Works. The contract cost amount in Section 3 above shall include an estimate of the Direct Non-Labor expenses.

- C. Subcontractor cost shall be reimbursed at the actual invoice cost plus 10%. All expected subcontractor's cost shall be included in the contract cost amount shown in Section 3 above.
- D. Engineer shall submit itemized monthly statements for Services, Direct Non-Labor Expenses, and for Subcontractors Costs incurred. City shall make payments in the amount shown by the Engineer's monthly statements and other documentation submitted, and no interest shall ever be due on late payments.
- E. Payments for expenses, costs, and services, in **Design Services**, described in Section 3 above, shall not exceed **\$88,450.00**
- F. Payments for expenses, costs, and services, in **Bid Phase Design**, described in Section 3 above, shall not exceed **\$3,750.00**.
- G. Payments for expenses, costs, and services, in **Construction Services**, described in Section 3 above, shall not exceed **\$35,700.00**.
- H. Total project payments for direct non-labor expenses, Design Services, Bid Phase Services, and Construction Services, described in Section 3 above, shall not exceed **\$127,900.00**.
- I. Nothing contained in this contract shall require the City to pay for any work which is unsatisfactory as reasonably determined by the Director or which is not submitted in compliance with the terms of this Contract. City shall not be required to make any payments to the Engineer when the Engineer is in default under this Contract; nor shall this paragraph constitute a waiver of any right, at law or in equity, which City may have if the Engineer is in default, including the right to bring legal action for damages or for specific performance of this Contract, nor shall it constitute a waiver of any right, at law or in equity, which Engineer may have to bring legal action for payment when Engineer believes it was not under such default and is owed fees

under the terms of this agreement.

Section 5. OWNERSHIP OF DOCUMENTS

All information and other data given to, prepared, or assembled by Engineer under this Contract, and other related items shall become the sole property of City and shall be delivered to City, without restriction on future use. Engineer may make copies of any and all documents and items for its files. A set of mylar reproducible plans shall be filed with the City prior to final payment. Engineer shall have no liability for changes made to or use of the drawings, specifications, and other documents by anyone subsequent to the completion of the Project.

City shall require that any such change or other use shall be sealed by the Engineer making that change or use and shall be appropriately marked to reflect what was changed or modified.

Section 6. SERVICES BY CITY

City shall provide the following services under this Contract:

- A. Provide available criteria and information to the Engineer as City's requirements for the Project.
- B. Provide sample drawings to use as guidelines.
- C. Provide all available City of Hurst drawings, maps, and notes relating to existing public facilities within the limits of the Project.

Section 7. COMPLETION SCHEDULE

The services furnished by the Engineer under this Contract will be completed in accordance with the following: Final plans and specifications shall be completed four (4) months after Notice to Proceed by the City of Hurst.

For the purposes of this Contract, a month is defined as thirty (30) calendar days and a week as seven (7) calendar days. If any of the following submissions fall on a City non-working day, then the submission shall be due the following City working day.

Section 8. NOTICE TO PROCEED

City shall have complete control of the services to be rendered and no work shall be done under this Contract until the Engineer is instructed in writing to proceed.

Section 9. TERMINATION OF CONTRACT

City may indefinitely suspend further work hereunder or terminate this Contract or any phase of this Contract upon thirty (30) days prior written notice to the Engineer with the

understanding that immediately upon the receipt of such notice all work and labor being performed under this Contract shall cease immediately. Before the end of the thirty (30) day period, Engineer shall invoice the City for all work accomplished by him prior to the receipt of such notice. No amount shall be due for lost or anticipated profits. All plans, field surveys, and other data related to the Project shall become property of City upon termination of the Contract and shall be promptly delivered to City in a reasonably organized form without restriction on future use except as stated in Section 5. Should City subsequently contract with a new consultant for continuation of services on the Project, Engineer shall cooperate in providing information.

Section 10. RESPONSIBILITY FOR CLAIMS AND LIABILITIES

Approval by City shall not constitute nor be deemed a release of the responsibility and liability of the Engineer, its employees, associates, agents, and consultants for the accuracy and competency of their designs or other work; nor shall approval be deemed to be an assumption of such responsibility by City for any errors or omissions in the design or other work prepared by the Engineer, its employees, subcontractor, agents and consultants.

Section 11. EQUAL EMPLOYMENT OPPORTUNITY

- A. The Engineer shall not discriminate against any employee or applicant for employment because of race, age, color, religion, sex, ancestry, national origin, or place of birth. The Engineer shall take affirmative action to insure that applicants are employed and that employees are treated during their employment without regard to their race, age, color, religion, sex, ancestry, national origin, or place of birth.
- B. If the Engineer fails to comply with the Federal Laws relating to Equal Employment Opportunity, it is agreed that the City at its option may do either or both of the following:
 - 1) Cancel, terminate, or suspend the contract in whole or in part;
 - 2) Declare the Engineer ineligible for further City Contracts until he is determined to be in compliance.

Section 12. AMENDMENTS

This Contract may be amended or supplemented in any particular only by written instrument and only as approved by resolution of City Council or the City Manager, except for termination under Section 9, Termination of Contract, which may be accomplished by the Executive Director of Public Works or his designated representative as identified in Section 9, Termination of Contract.

Section 13. COMPLIANCE WITH LAWS, CHARTERS, AND ORDINANCES, ETC.

The Engineer, his consultants, agents and employees, and subcontractors shall comply with applicable Federal and State Laws, the Charter and Ordinances of the City of Hurst, and with applicable rules and regulations promulgated by local, state, and national boards, bureaus, and agencies existing and published before date of this agreement.

Section 14. RIGHT OF REVIEW

Engineer agrees that City may review any and all of the work performed by Engineer under this Contract. City if hereby granted the right to audit at City's election, all of the Engineer's records and billings related to the performance of this contract. Engineer agrees to retain such records for a minimum of three (3) years following completion of this contract.

Section 15. CONFLICT OF INTEREST

No officer or employee shall have any financial interest, direct or indirect, in any contract with the City or be financially interested, directly, in the sale to the City of any land, materials, supplies, or services, except on behalf of the City as an officer or employee. Any violation of this section shall constitute malfeasance in office, and any officer or employee guilty thereof shall thereby forfeit his office or position with the City. Any violation of this section with knowledge, expressed or implied, of the person or corporation contracting with the City shall render the Contract involved voidable by the City Manager or the City Council.

Section 16. CONTRACT PERSONAL

This Contract is for personal and professional services; and the Engineer shall not assign this Contract, in whole or in part, without the prior written consent of the City.

Section 17. NOTICES

All notices, communications, and reports required or permitted under this Contract shall be personally delivered or mailed to the respective parties by depositing the same in the United States Mail at the address shown below unless and until either party is otherwise notified in writing by the other party at the following addresses. Mailed notices shall be deemed communicated after five days.

If intended for Hurst, to:

Gregory W. Dickens
Contact Person

Executive Director of Public Works
Title

City of Hurst
1505 Precinct Line Road
Hurst, Texas 76054
(817) 788-7080

If intended for Engineer, to:

Bahram Niknam, P.E.
Contact Person

Principal in Charge
Title

Deltatek Engineering
Firm Name

2211 Texas Drive
Address

Irving, Texas 75062
City, State, Zip Code

214-232-5040
Telephone No.

Section 18. INDEPENDENT CONTRACTOR

In performing services under this Contract, Engineer is performing services of the type performed prior to this contract; and Engineer by the execution of this contract does not change the independent status of the Engineer. No term, or provision hereof, or act of Engineer in the performance of this Contract shall be construed as making Engineer the agent, servant, or employee of Hurst.

Section 19. INDEMNITY

Engineer agrees to defend, indemnify, and hold City whole and harmless against claims for damages, costs, and expenses of persons or property that may arise out of, or be occasioned by, or from any negligent act, error or omission of Engineer, or any agent, servant, or employee of Engineer in the execution or performance of this Contract, without regard to whether such persons are under the direction of City agents or employees.

This provision shall not be deemed to apply to liability for damage that is caused by or results from the negligence of the City of Hurst or its employees or other agents.

Section 20. INSURANCE

Engineer agrees to maintain workmen's compensation insurance to cover all of its own personnel engaged in performing services for client under this agreement. Engineer also agrees to maintain professional liability insurance and commercial general liability coverage in the amounts listed below:

Professional Liability Insurance - \$1 Million per claim/aggregate

Commercial General Liability Insurance - \$1 Million per claim/aggregate
Workers Compensation - Statutory

Section 21. VENUE

The obligations of the parties to this Contract are performable in Tarrant County, Texas; and if legal action is necessary to enforce it, exclusive venue shall lie in Tarrant County, Texas.

Section 22. APPLICABLE LAWS

This Contract is made subject to the provisions of the Hurst Code, other City Ordinances, Standards, Hurst Specifications for materials and construction, as amended, and all State and Federal Laws.

Section 23. GOVERNING LAWS

This contract shall be governed by and construed in accordance with the laws and decisions of the State of Texas.

Section 24. LEGAL CONSTRUCTION

In case any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions thereof; and this Contract shall be considered as if such invalid, illegal or unenforceable provision had never been contained in this Contract.

Section 25. PUBLISHED MATERIAL

Engineer agrees that the City shall review and approve any written material about City projects and/or activities prior to being published by the Engineer.

Section 26. CAPTIONS

The captions to the various clauses of this Contract are for informational purposes only and shall not alter any substance of the terms and conditions of this Contract.

Section 27. SUCCESSORS AND ASSIGNS

This Contract shall be binding upon and insure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and, except as otherwise provided in this Contract, their assigns.

Section 28. ENTIRE AGREEMENT

This Contract (page 1 thru 8, Exhibit A,B, and C) embodies the complete agreement of the parties hereto, superseding all oral or written previous and contemporary agreements between the parties and relating to matters in this Contract, and except as otherwise provided

herein, cannot be modified without written agreement of the parties to be attached to and made a part of this Contract.

IN WITNESS WHEREOF, the parties hereby have executed this agreement in triplicate originals on this date, the _____ day of _____, 2020.

Deltatek Engineering

Firm Name

Bahram Niknam

Signature

Principal in Charge

Title

2211 Texas Drive

Address

Irving, Texas 75062

City, State, Zip Code

CITY OF HURST

City Manager

Gregory T. Wilken

Executive Director of Public Works

APPROVED AS TO FORM:

City Attorney



Exhibit A

July 14, 2020

Mr. Gregory W. Dickens, P.E.
Executive Director of Public Works
City of Hurst
1505 Precinct Line Road
Hurst, Texas 76054

Reference: City of Hurst North Precinct 1.0 MG Steel Fluted Column
Elevated Storage Tank Renovation and Repainting

Dear Mr. Dickens:

In response to your request, Deltatek Engineering is pleased to provide the following
Opinion of Probable Cost for renovation of the referenced facility.

Scope of Service

Deltatek Engineering shall provide plans and specifications for the interior and exterior repainting of North Precinct 1.0 MG Single Pedestal Steel Fluted Column. The task shall include full containment of the tank exterior. The exterior will receive surface preparation per SSPC SP6 Commercial Blast Cleaning. The interior wet will receive Near White Blast Cleaning per SSPC SP10. The interior of pedestal will be blast cleaned per SSPC SP6 Commercial Blast. Paint chip samples will be collected to determine lead-based paint in tank interior and exterior. All operational and regulatory requirements will be addressed. All structural and corrosion repairs will be addressed as a part of these specifications. Deltatek Engineering shall provide Quality Assurance services during renovation to conduct site visits as necessary to perform the following:

- Review surface preparation
- Measure surface profile
- Measure surface, ambient, and dew point temperatures
- Measure wet/dry film thickness of paint applied
- Conduct Holiday detection test on tank interior submerged surfaces
- Review corrosion and structural repairs
- Review pay applications
- Assist in substantial completion walk-thru
- Prepare punch list items
- Assist in final completion walk-thru
- Assist in final project closeout

DELTA TEK ENGINEERING
Firm Registration No. F-4419
214-232-5040

Opinion of Probable Cost

Description	Amount
Renovation and Repainting of North Precinct 1.0 MG Elevated Storage Tank	
Renovation Items	
Full containment including ground cover and roof bonnet	\$125,000.00
Interior wet surface preparation	\$88,000.00
Paint interior wet surfaces	\$142,000.00
Exterior surface preparation	\$245,550.00
Paint all exterior surfaces	\$320,500.00
Pedestal interior dry surface preparation	95,250.00
Pedestal interior dry painting	\$85,450.00
Monitoring, abatement, and proper disposal of lead in the spent media	\$50,000.00
Structural repairs including roof rafter & plates replacement	\$42,000.00
Paint logos (2 logos)	\$32,000.00
New vandal resistant roof vent, screen, and hatch gaskets	\$17,000.00
SS Interior wet ladder with antifall rail	\$19,500.00
Dry access ladder anti-fall rails	\$16,750.00
Disinfection	\$4,500.00
Total	1,283,500.00

Summary of Cost

Renovation	\$1,283,500.00
Design	\$84,000.00
Pre-Design Report	\$4,450.00
Bid Phase Services	\$3,750.00
QA Services	\$35,700.00
Total	\$1,411,400.00

Should you have any questions, please call or email.

Sincerely,
DELTATEK ENGINEERING



Bahram Niknam, P.E.
Revised - 8/5/20

*"A Quality
of
Life City"*



City Council Staff Report

SUBJECT: Consider authorizing the purchase of a Fire Engine Replacement 2020	
Supporting Documents:	
Siddons-Martin Bid 671	<p>Meeting Date: 8/25/2020</p> <p>Department: Fire</p> <p>Reviewed by: David Palla</p> <p>City Manager Review:</p>
Background/Analysis:	
<p>The Fire Department has two front line engines and two reserve engines. The two front line engines are over ten years old, the two reserve engines are twenty years old. As the vehicles age, they become more difficult to maintain, in reliable working order, due to the number of repairs and maintenance costs. Fleet Services provides excellent maintenance service, but the level of deterioration is difficult to restore. As new fire engines are purchased, the existing front-line apparatus is moved to a reserve status. The twenty plus year old reserve vehicle is sold at auction. Both of the front-line fire apparatus have had significant motor issues in their service life and justification exists to replace either or both of the vehicles. To reduce the impact to the budget and fleet replacement funds, Fleet and Fire proposes one be replaced now and the other vehicle in a year or two. This will spread out the replacement of the three front-line apparatus to one every three years. The configuration of the replacement vehicle will be similar to the existing front-line vehicles, in that the fire pump controls are mounted in the center, on an elevated platform, and fire personnel believe this a safer more efficient design. The proposed vendor is the same one used during the recent aerial unit purchase and pricing is through an H-GAC contract.</p>	
Funding Sources and Community Sustainability:	
<p>The fire apparatus is a major part of the departmental infrastructure that allows for responsive services such as EMS, fires, and motor vehicle accidents, which makes Hurst a safer place to live, work and play, and supports Council’s goals of Financial Sustainability, Customer Service, and Public Safety. The City Council approved Ordinance 2440 to fund \$575,000.00 of the cost of the vehicle, and the remaining amount (\$145,000.00) will be funded through the Fleet Services fund. Approximately \$50,000 will be needed to fully equip the new engine. The fire department will acquire the necessary equipment through separate contract.</p>	

Recommendation:

The Fire Department recommends the City Council **approve the Siddons-Martin Emergency Group proposal for the purchase of a fire engine, in an amount not to exceed \$720,000.00.**

Siddons Martin Emergency Group, LLC
 3500 Shelby Lane
 Denton, Texas 76207
 GDN P115891
 TXDOT MVD No. A115890
 EIN 27-4333590



August 18, 2020

HURST FIRE DEPARTMENT
2100 PRECINCT LINE RD
HURST, TX 76054

Proposal for Hurst Impel HDRP

Siddons-Martin Emergency Group, LLC is pleased to provide the following proposal to **HURST FIRE DEPARTMENT**. The unit will comply with all specifications attached. Total price includes delivery to **HURST FIRE DEPARTMENT** and training on operation and use of the apparatus.

Description	Amount
1) Bid #671 Pierce-Custom Impel Heavy Duty Rescue Pumper Unit price - \$740,207.46	
Price guaranteed for 60 days. Delivery within 9.5.10.5 months of order date. A warranty term of 12 months is included.	
Vehicle Price	\$740,207.46
Chassis Prepay Discount	(\$11,034.90)
Full Prepay Discount	(\$13,260.40)
Trade-In	\$0.00
Sub Total	\$715,912.16
Contract Amount	<u>\$2,000.00</u>
**Final Sales Price	<u>\$717,912.16</u>

Additional. **Price includes 2 trips to Pierce for 3 personnel, 3 days of training upon delivery, \$5,000 for poly, \$3,000 for buildout and \$10,000 for customer changes.

Taxes. Taxes are not included in this proposal. In the event that the purchasing organization is not exempt from sales tax or any other applicable taxes and/or the proposed apparatus does not qualify for exempt status, it is the duty of the purchasing organization to pay any and all taxes due. Balance of sale price is due upon acceptance of the apparatus at the factory.

Late Fee. A late fee of .033% of the sale price will be charged per day for overdue payments beginning ten (10) days after the payment is due for the first 30 days. The late fee increases to .044% per day after the first 30 days until the payment is received. In the event a prepayment is received after the due date, the discount will be reduced by the same percentages above, increasing the overall cost of the apparatus.

Cancellation. In the event this proposal is accepted, and a purchase order is issued then cancelled or terminated by Customer before completion, Siddons-Martin Emergency Group may charge a cancellation fee. The following charge schedule based on costs incurred and may be applied:

- (A) 10% of the Purchase Price after order is accepted and entered by Manufacturer;
- (B) 20% of the Purchase Price after completion of the approval drawings;
- (C) 30% of the Purchase Price upon any material requisition by Manufacturer.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering

and into manufacturing. Siddons-Martin Emergency Group endeavors to mitigate any such costs through the sale of such product to another purchaser; however, the customer shall remain liable for the difference between the purchase price and, if applicable, the sale price obtained by Siddons-Martin Emergency Group upon sale of the product to another purchaser, plus any costs incurred by Siddons-Martin Emergency Group to conduct such sale.

Acceptance. In an effort to ensure the above stated terms and conditions are understood and adhered to, Siddons-Martin Emergency Group, LLC requires an authorized individual from the purchasing organization to sign and date this proposal and include it with any purchase order. Upon signing this proposal, the terms and conditions stated herein will be considered binding and accepted by the Customer. The terms and acceptance of this proposal will be governed by the laws of the State of Texas. No additional terms or conditions will be binding upon Siddons-Martin Emergency Group, LLC unless agreed to in writing and signed by a duly authorized officer of Siddons-Martin Emergency Group, LLC

Sincerely,

Brian Peters

Brian Peters

Siddons-Martin Emergency Group, LLC

I, _____, the authorized representative of **HURST FIRE DEPARTMENT**, agree to all of the terms of this proposal and the specifications attached hereto and this proposal will be binding upon **HURST FIRE DEPARTMENT**.

Signature & Date

City Council Staff Report

SUBJECT: Consider authorizing the city manager to enter into an Agreement with Jeryl E. White, developer and property owner, concerning public water and sanitary sewer service for four proposed single family homes in Hurst Extra Territorial Jurisdiction Area

Supporting Documents:

Location Map
Subdivision Map
City-Developer Agreement

Meeting Date: 8/25/2020
Department: Public Works
Reviewed by: Greg Dickens
City Manager Review:

Background/Analysis:

City staff has been working with Nathan White (Jeryl White’s son) and Tarrant County concerning development of properties in the City of Hurst’s extra territorial jurisdiction area in far northeast Hurst. The properties front on Lowrie Road and Styles Lane. One is a platted piece of property about one acre with an existing house and the other piece of property is unplatted and 2.1 acres in size. Mr. White wants to be able to tie onto the City of Hurst sanitary sewer system a short distance away at Hurst city limits to replat the combined 3.1 acres into 4 residential lots. Three of the lots would front Styles Lane and be approximately 1/3 of an acre each. These lots, being in the County, would require a minimum of 1.0 acre to have an on-site wastewater system. With public sanitary sewer service, Tarrant County will consider smaller size lots being platted, such as the proposed 1/3 acre lots. The remaining 2.1 acres would be platted as a single lot for one home.

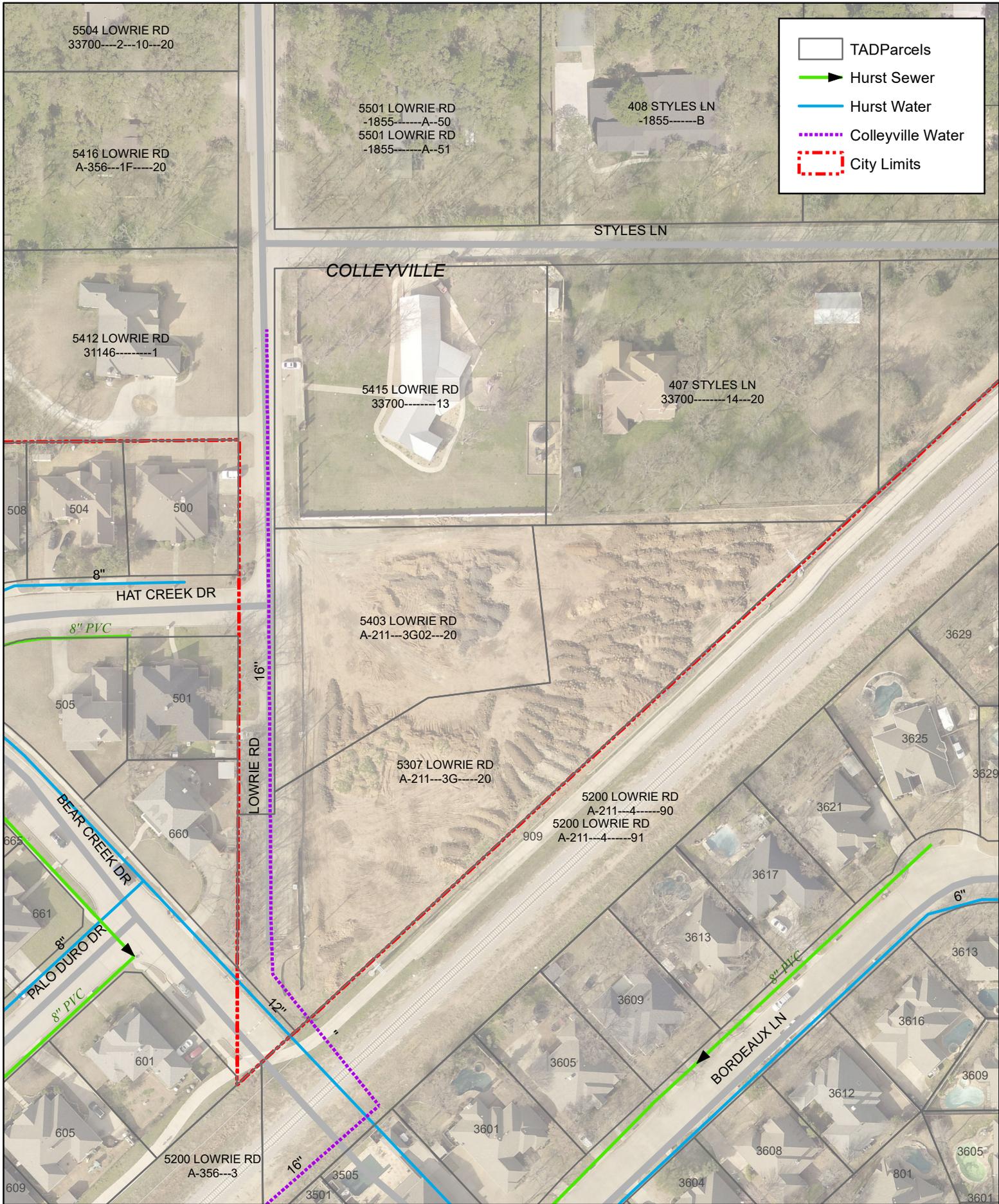
The agreement outlines all of the actions the developer will have to accomplish in order for the City of Hurst to allow the developer to tie onto our public water and sanitary sewer lines. All costs, to extend City of Hurst water and sanitary sewer lines to serve these proposed four lots, would be the responsibility of the developer to fully pay for. Once the new water and sanitary sewer mains are installed and accepted by the City, normal maintenance costs will be the City’s responsibility.

Funding Sources and Community Sustainability:

No funds are needed for this Agreement. The is in line with the Council’s goals of **Financial Sustainability and Customer Service.**

Recommendation:

Staff recommends the City Council **authorize the city manager to enter into an Agreement with Jeryl E. White, developer and property owner, concerning public water and sanitary sewer service, for four proposed single family homes in Hurst Extra Territorial Jurisdiction Area in far northeast Hurst.**



LOCATION MAP

1 inch = 100 feet

Styles Ln

Styles Ln

Styles Ln

Lowrie Rd

Lowrie Rd

Lowrie Rd

Lowrie Rd

Lowrie Rd

Lot1-77'wide

Lot2-70'wide

Lot3-70'wide

Lot4-464'wide

Cotton Belt Trail

Cotton Belt Trail

Cotton Belt Trail

Cotton Belt Trail

Google My Maps

SUBDIVISION MAP

**AGREEMENT BETWEEN
CITY OF HURST, TEXAS AND JERYL E. WHITE, DEVELOPER
CONCERNING PUBLIC WATER AND WASTEWATER SERVICE**

STATE OF TEXAS §
 KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TARRANT §

WHEREAS, **City of Hurst, Texas**, a municipal corporation operating under a Home Rule Charter, hereinafter referred to as "**City**", and Jeryl E. White, hereinafter referred to as "**Developer**", desire to enter into an agreement concerning public water and wastewater service from the City's systems to the Developer's Property at the southeast corner of Lowrie Road and Styles Lane; and

WHEREAS, the **Developer** is planning to replat Lot 13, Block 1, Reagan Estates and plat the approximately 2.1 unplatted acres adjacent to the south of this lot into a total of four single family residential lots (the "Property"); and

WHEREAS, the **Developer** plans to plat the Property with Tarrant County since it is in the City's extraterritorial jurisdiction area and still considered county; and

WHEREAS, the **Developer** is requesting the City allow him to tie onto the public City wastewater system with all four homes to be built on the proposed four lots; and

WHEREAS, the City is willing to make water and wastewater service available to the Property so long as the use of the Property will be limited to single family residential homes; and

WHEREAS, the **City** requires all properties to be served by City wastewater to also be served City water; and

WHEREAS, the City Council of the City of Hurst, Texas has deemed it necessary and in the best interest of the citizens of Hurst and the region to enter into said agreement.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the receipt and sufficiency of which are hereby affirmed, the parties hereto do hereby agree as follows:

1. The City and Developer hereby affirm the findings above and those findings are incorporated herein by reference.
2. Developer shall plat the Property into four single family residential lots. No mobile, modular, or similar homes shall be placed on the Property.
3. Developer shall design and install the wastewater extensions at his cost to these four lots in full accordance with the City of Hurst requirements. Developer shall submit such plans to the City for its review and approval of the design. The wastewater improvements shall be installed in the same contract with the water system extension. Construction shall be completed by a duly qualified utility contractor who shall provide a two-year maintenance bond to the City. All construction will be inspected by the City inspectors and shall meet all applicable City standards.

4. Developer negotiate with the City of Colleyville and City of Hurst concerning the transfer of ownership of the existing 8-inch water main on Lowrie Road south of Styles Lane to the City of Hurst. Developer shall pay the agreed to amount for the water main to the City and the City will pay Colleyville that amount for the transfer of the water main ownership.
5. Developer shall design and install at his cost a 6-inch water main across the front of the proposed lots on Styles Lane in order to serve these lots from a City water main. The design shall include extending the existing 8-inch water main in Hat Creek Drive to tie to the transferred 8-inch main in Lowrie Road. The water main extensions will be designed and installed to the City requirements. Developer shall submit such plans to the City for its review and approval of the design and with construction to be inspected by the City inspectors to ensure compliance with all applicable standards.
6. No approval of plans and specifications by the City shall be construed as representing or implying that improvements built in accordance therewith shall be free of defects.
7. Developer shall plat the four lots through Tarrant County after the sewer and water improvements have been installed and inspected and accepted by the City.
8. Normal impact fees and tie-on charges for the water and wastewater connections will be paid by the Developer to the City prior to beginning construction of a single family home on each lot.
9. Subject to and conditioned upon the previous items being done, the City will provide public water and wastewater service to the Property as provided for herein. The applicable water and wastewater rates for the Property shall be 1.25X the applicable in-City rate at the given time.
10. The parties agree that in the event of any breach or threatened breach of any obligation under this Agreement, an action for monetary damages would not be adequate relief. Accordingly, the parties agree that should a breach or allegation of breach occur, the parties would not seek monetary damages but would, in that case, apply to court for any applicable equitable remedies (including injunctive relief), without the need to post any security. Nothing herein constitutes a waiver of the City's immunity.

EXECUTED this the _____ day of _____, 2020.

CITY OF HURST, TEXAS

Clay Caruthers, City Manager

Recommended by:

Gregory W. Dickens, P.E. , Executive Director of Public Works

Attest:

Rita Frick, City Secretary

Approved as to Form and Legality:

Matthew Boyle, City Attorney

DEVELOPER

By: Jeryl White
Jeryl White

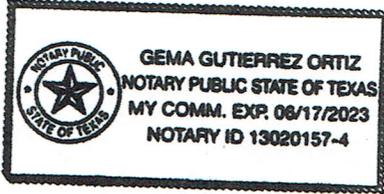
STATE OF TEXAS |
COUNTY OF TARRANT |

Before me, the undersigned Notary Public, in and for said State, on this day personally appeared **Jeryl White**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed.

Gema Gutierrez Ortiz
Notary Public, State of Texas

Commission Expires:
06-17-2023

Notary's Printed Name:
Gema Gutierrez Ortiz



Future Event Calendar

August 25, 2020

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>
Monday, September 7, 2020	City Offices Closed - Holiday