

**WORK SESSION AGENDA OF THE CITY COUNCIL OF  
HURST, TEXAS  
CITY HALL, 1505 PRECINCT LINE ROAD  
THIRD FLOOR CONFERENCE ROOM  
TUESDAY, SEPTEMBER 8, 2020 – 5:30 P.M.**

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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, September 8, 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 881-9670-8305 followed by # when prompted. If prompted, the meeting password is 179767. 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
- Update and Discussion of Tarrant County West Nile Aerial Spray Program

**III. Discussion of Agenda Item(s) 4**

Consider authorizing the city manager to enter into an Agreement with RealWellU, for Health and Wellness Professional Services

**Matia Messemer**

**IV. Discussion of Agenda Item(s) 5**

Consider ordering a public hearing to decide whether to order the repair, removal, or demolition of property located at 443 Circleview Drive N., legally described as Lot 26, Block 12, Mayfair Addition and whether to cause the cost of such work to be paid and levied as a special assessment against the property

**Michelle Lazo**

**V. Discussion of Agenda Item(s) 6**

Consider casting votes for candidates to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

**Rita Frick**

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

Consider authorizing the city manager to enter into a Memorandum of Understanding between the City of Hurst, Texas and Gardner Capital Investment Fund, LLC

**Clay Caruthers**

**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 4<sup>th</sup> day of September 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.

**REGULAR MEETING AGENDA OF THE CITY COUNCIL OF HURST,  
TEXAS  
CITY HALL, 1505 PRECINCT LINE ROAD  
TUESDAY, SEPTEMBER 8, 2020**

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**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)**

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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, September 8, 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 881-9670-8305 followed by # when prompted. If prompted, the meeting password is 179767. 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 (Councilmember David Booe)**

1. Presentation of City flag flown at half-staff in memory of City Attorney John Boyle

**CONSENT AGENDA**

2. Consider approval of the minutes for the August 25, 2020 City Council meetings
3. Consider Ordinance 2443, second reading, amending the Hurst Code of Ordinances, Chapter 2, Article X. Senior Citizens Advisory Board

**OTHER BUSINESS**

4. Consider authorizing the city manager to enter into an Agreement with RealWellU, for Health and Wellness Professional Services

5. Consider ordering a public hearing to decide whether to order the repair, removal, or demolition of property located at 443 Circleview Drive N., legally described as Lot 26, Block 12, Mayfair Addition and whether to cause the cost of such work to be paid and levied as a special assessment against the property
6. Consider casting votes for candidates to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election
7. Consider authorizing the city manager to enter into a Memorandum of Understanding between the City of Hurst, Texas and Gardner Capital Investment Fund, LLC
8. Review of upcoming calendar items
9. 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**

10. Take any and all action ensuing from Executive Session

**ADJOURNMENT**

Posted by: \_\_\_\_\_

This 4<sup>th</sup> day of September 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.**

City Council Staff Report

<b>SUBJECT:</b> Presentation of Flag flown in memory of City Attorney John Boyle	
<b>Supporting Documents:</b>	
	<b>Meeting Date:</b> 9/8/2020 <b>Department:</b> City Secretary <b>Reviewed by:</b> Rita Frick <b>City Manager Review:</b>
<b>Background/Analysis:</b>	
This item provides for the presentation of a flag flown in memory of City Attorney John Boyle.	
<b>Funding and Sources and Community Sustainability:</b>	
N/A	
<b>Recommendation:</b>	
N/A	

# DRAFT

**HURST CRIME CONTROL DISTRICT BOARD AND CITY COUNCIL JOINT  
MEETING MINUTES  
TUESDAY, AUGUST 25, 2020  
CITY HALL CONFERENCE ROOM**

On the 25<sup>th</sup> day of August 2020, at 5:03 p.m., the Hurst Crime Control and Prevention Board and City Council convened in the Hurst City Hall Third Floor Conference Room, 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 directors present:

Mayor Wilson called the meetings to order at 5:03 p.m. with the following members present:

Henry Wilson	)	Mayor
Jon McKenzie	)	Mayor Pro Tem
Cathy Thompson	)	Councilmembers
Cindy Shepard	)	
Bill McLendon	)	
David Booe	)	
Larry Kitchens	)	

Others Present: Clay Caruthers, City Manager  
Matthew Boyle, Assistant City Attorney  
Rita Frick, City Secretary  
Clayton Fulton, Assistant City Manager  
Sunny Patel, Information Technology Director

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

1. Call to Order – the meeting was called to order at 5:03 p.m.
2. Information Items - None
3. Hurst Crime Control and Prevention District’s consideration of approval of the minutes from the July 28, 2020 Crime Control and Prevention District Board meeting

The minutes of the July 28, 2020 Crime Control and Prevention District Board meeting were presented, and upon a motion by Director Booe and a second by Director Thompson were approved by unanimous vote.

4. Discussion of proposed amendment to the FY 2020-2021 Hurst Crime Control and Prevention District Budget

Mayor Wilson noted Governor Abbott's comments regarding a police department budget reduction could cause the city's tax rate to be reduced. He stated the City is not reducing the police budget, but did have some program reductions. He stated staff will restore original funding. City Manager Caruthers stated the Governor and Lt. Governor made it very clear that any city defunding a police department budget would be subject to property tax reductions in the future. He stated the City never discussed defunding police, however, discussions with the Police Chief resulted in a fiscally responsible budget due to the COVID economic impact. He stated the proposed budget presented to Council was reduced in every department, not just the police department, and the police department simply managed and handled their budget preparation process the same as every other department in the City. Mr. Caruthers stated given the Governor's statement, staff wants to ensure there is no "defunding" of the police and the goal this evening, is to make the police budget even or level to the prior year budget. He reviewed the transfer in the General Fund of \$150,000 from the General Fund so the police budget remains \$11.3 million. He reiterated no action is needed regarding the General Fund transfer, in this meeting, as action will be taken during second reading at the regular Council meeting at 6:30 p.m. He noted the Charter provides the ability to shift funds from non-departmental to the police budget. Mr. Caruthers stated in the Anti-Crime Fund budget, he wants to make Council well aware, we reestablished a flat budget. There was about a \$1 million reduction in the originally proposed budget that is being reinstated. Staff determined other major cities, with a crime budget, also lowered the crime fund, but in those cases, the general fund for police increased substantially. He stated to accomplish this reserves in the Anti-crime fund must be drawn down about \$1 million. He stated Chief Niekamp and I remain very committed to financial stability and will make fiscally responsible expenditures. He stated even with the need to draw from reserves, it will still have \$4.2 million in reserves. He stated the remaining police related budgets were also returned to a flat budget and reviewed the noted changes. He stated the General Fund, Commercial Motor Vehicle and Red Light Fund were adjusted in accordance with the Governor's statement, and the budget remains neutral. Mr. Caruthers stated staff worked with the City Attorney on the amendment process for the Crime Fund and the proposed amendment will have the budget in place prior to October 1, 2020. He further stated the increase is not for any other reason than to address the Governor's statement. Members discussed the proposed amendment and the necessity to be cautious and make the changes. Also noted is if sales tax rebounds reserves can re-established.

5. Hurst Crime Control and Prevention District's consideration of approval of amended FY 2020-2021 Hurst Crime Control and Prevention District Budget

Director Thompson moved to approve the amended fiscal year 2020-2021 Hurst Crime Control and Prevention District's budget. The motion was seconded by Director McKenzie and carried unanimously.

6. City Council consideration of Resolution 1776 ratifying the actions of the Hurst Crime Control and Prevention District Board

Councilmember Thompson moved to approve Resolution 1776 ratifying all actions of the Hurst Crime Control and Prevention District Board taken on August 25, 2020. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

7. City Council consideration of Ordinance 2444, first and final reading, adopting the Crime Control and Prevention District budget for fiscal year beginning October 1, 2020 and ending September 30, 2021

City Manager Caruthers noted language provided for the Ordinance, by the City Attorney, which makes it very clear, how to handle the amendment and that the Council supports the police department and has no intention to defund the police.

Councilmember Booe moved to approve Ordinance 2444, first and final reading, adopting the Crime Control and Prevention District budget, as amended, for fiscal year beginning October 1, 2020 ending September 30, 2021. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

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

8. Adjournment – the meeting adjourned at 5:22 p.m.

**APPROVED** this the 25<sup>th</sup> day of August 2020.

**ATTEST:**

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Rita L. Frick, City Secretary

**APPROVED:**

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Henry Wilson, Mayor

**Minutes**  
**Hurst City Council**  
**Work Session**  
**Tuesday, August 25, 2020**

On the 25<sup>th</sup> day of August 2020, at 5:30 p.m., the City Council of the City of Hurst, Texas, convened in Work Session at City Hall, 1505 Precinct Line Road, Hurst, Texas, by telephone conference to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19) with the following members present:

Henry Wilson	)	Mayor
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
Rita Frick	)	City Secretary
Michelle Lazo	)	Executive Director of Planning and Development
Greg Dickens	)	Executive Director of Public Works
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 5:30 p.m.

**II. Informational Items**

- **Update and Discussion of upcoming Calendar Items** – City Manager Caruthers noted city offices will be closed September 7, for the Labor Day holiday.
- **Update and Discussion of State and Local reopening plans due to COVID-19** – City Manager Caruthers stated there are no COVID-19 reopening plan changes since the last time he spoke with Council. He noted a target date of September 28 for expansion of the Recreation Center and Library, and possibly the Senior Center. He reviewed area cities surveyed regarding their Senior Centers, and, at this time, all indicated the centers remain closed. Mayor and Council discussed options for reopening the Senior Center and the need to further monitor the numbers after school opens to see if there is a spike in cases.
- **Discuss Proposed Contract with Texas Coalition for Affordable Power (TCAP)** – City Manager Caruthers stated this item is to make Council aware of the proposed contract and will be on a future agenda for consideration. He stated the City uses the coalition of affordable power (TCAP) with several other cities. He explained TCAP was

formed to aggregate members' power needs in order to negotiate better electric prices for members. He stated, in the past, TCAP used a fixed rate structure, but are introducing a new program, where you are not locked into a rate for a long period of time. He stated a TCAP official is on the line tonight and Assistant City Manager Clayton Fulton will provide an overview of the new program. He stated the new program purchases power in two month increments in the future with a rolling one-month agreement. He noted 66 members of the coalition have joined the program. TCAP representative Margaret Somereve advised that even though TCAP will be going to market every month with a competitive RFP process, it will come across to the City by taking monthly quotes and buys, and average a price over the term of a year, similar to average cost dollars. Assistant City Manager Clayton Fulton stated a Council decision will need to be made before the end of September.

### **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

Mayor Wilson stated this item will bring the Senior Citizens Advisory Board to the membership number discussed by Council.

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

Consider Resolution 1777 to adopt the City of Hurst Investment Policy

City Manager Clay Caruthers stated cities are required to review its investment policy and investment strategies not less than annually and adopt the policy. He noted the numerous restrictions placed on public fund investments, which protect the tax payer's dollars. He stated there are no major changes to the proposed 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

City Manager Caruthers stated there are no changes to the previous tax rate discussions and the General Fund and other operational funds, in total, have not changed. He explained some funds were shifted as discussed in the joint meeting with the Crime Control and Prevention Board. He stated tonight's action is simply the second reading and adoption. Mr. Caruthers stated, with Council approval, staff will report the tax rate to Tarrant County.

**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

Mayor Wilson noted two letters received from Mr. Paprskar and Ms. Hamilton regarding the proposed site plan. He noted he was on Council when the development was platted and the Council agreed two story houses would not be built, which is noted on the plat. He stated the Planning and Zoning Commission recommended 7-0 to approve, but he believes the Council needs to be thinking of the original plat agreement. City Manager Caruthers stated the two citizens that provided letters to the Council were unable to be heard at the Planning and Zoning Commission due to technical difficulties. They submitted the letters and were given instructions on how to speak during this meeting. He stated the Planning and Zoning Commission made their decision without hearing these individuals. Council discussed the original plat and restrictions and that the builder was trying to construct a rear elevation similar to a one story home.

**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

Executive Director of Planning and Development Michelle Lazo stated the owner of Car Wash City purchased Lot 4 to expand the car wash to add additional shaded vacuum structures and realign the entrance to the car wash tunnel. She stated no engineering plans are required.

**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

Executive Director of Planning and Development Michelle Lazo stated this lot has never been platted and CNC Conglomerate Companies is requesting the plat in order to submit a building permit for a shade structure on the east side of the building. She noted there are no engineering plans required for this plat.

**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

City Manager Clay Caruthers stated staff remains committed to looking at capital projects and infrastructure that are truly necessary. He stated this item is for Council approval of engineering services for the repair and repainting of the North Precinct Line Road Elevated Storage Tank. Executive Director of Public Works Greg Dickens stated engineering will

begin in 2021 and construction in 2022, and it is important to be in the off season, winter, when less water is necessary. Mr. Caruthers stated the entire project will be in the million dollar range due to large surface area and environmental protections required. In response to Councilmember questions, staff stated Deltatek will provide engineering design, specifications, drawings and provide inspection during restoration, but another company will provide the painting.

#### **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

City Manager Caruthers stated the City closed on the bond financing and funds are in the bank and due to the public financing through bonding, the funds were received before the purchase. He stated the financing will fund 80% of the vehicle and the item this evening is approval of the contract with the manufacturer of the truck. He stated it generally takes about a year from approval, to test drive and be placed in service. Mr. Caruthers stated the item tonight calls for \$720,000, but there is still equipment, which will be purchased separate, so the total cost will be approximately \$750,000 to \$775,000. He explained that paying upfront provides a discount on the purchase price and that there is bonding in place to protect the City in case the company goes out of business. Mayor Wilson said Council should mark the calendar for a November 2021 push-in ceremony.

#### **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

Mr. Caruthers briefed Council on the proposed developer's agreement noting the area is in the City's extra territorial jurisdiction (ETJ) in far northeast Hurst near Colleyville and the landowner wants to build four homes on the vacant land. He stated the City of Colleyville could provide water, but due to gravity issues, not sanitary sewer. He noted the agreement is proposed in that the developer was contemplating mobile homes, but needed water and sewer services. Mr. Caruthers stated staff worked with the owner and essentially the agreement is that in exchange for water and sewer service, he will build single family homes. He explained the builder will not have to adhere to City codes, that the last legislative session, reduced city controls regarding building materials. Mr. Caruthers noted an additional clause to the agreement, recommended by the City Attorney, makes it clear the City has the right to terminate services if not constructed in accordance with the agreement. He requested Council include the amended language, per the attorney's recommendation, in the motion. In response to Councilmember questions, Mr. Caruthers stated there is not legal means to require the builder to share building plans, and there is a single family home on the parcel that will be demolished to maximize the number of lots to 3.5 lots on 1 acre.

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 8<sup>th</sup> day of September 2020.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rita Frick, City Secretary

\_\_\_\_\_  
Henry Wilson, Mayor

**City Council Minutes**  
**Tuesday, August 25, 2020**

On the 25<sup>th</sup> day of August 2020, at 6:30 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
Matthew Boyle	)	Assistant City Attorney
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Executive Director of Planning and Development
Greg Dickens	)	Executive Director of Public Works
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.

Mayor Wilson gave the Invocation.

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

**PROCLAMATION**

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

Mayor Wilson read a Proclamation recognizing former Councilmember Nancy Welton’s 90<sup>th</sup> Birthday. Councilmembers and staff wished Ms. Welton Happy 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

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

### **BUDGET RELATED(S)**

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

City Manager Caruthers stated the budget, since first reading, has not changed in total, but staff did ensure the police department is funded at the same level as prior years.

Councilmember Thompson moved to approve Ordinance 2441(a) adopting the budget for fiscal year beginning October 1, 2020 and ending September 30, 2021. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

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

City Manager Caruthers stated this is the second reading to ratify the property tax revenue increase and is required any time the rate exceeds the no new revenue or roll back rate. He stated the City will not exceed the rollback, but does the no new revenue rate, with a rate of \$0.625159 per \$100 value. He noted, as a matter of coincidence, the increase is about equivalent to the lost revenue in the Anti-Crime Fund and the goal is to maintain police funding.

Councilmember Shepard moved to adopt Ordinance 2441(b) ratifying the Property Tax Revenue Increase in the 2020-2021 fiscal year budget. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard

No: None

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

City Manager Caruthers stated this item is another second reading on the budget and tax rate items and this ordinance sets the tax rate for the 2020 tax year with a rate of \$0.625159 per \$100 value. He stated the rate is approximately 50 cents for maintenance and operations and 12 cents for the interest and sinking fund. He stated the City continues to measure the amount of debt obligation by a percentage of the I&S rate, and it is about an 80/20 split with a measurable goal remaining better than a 75/25 split. Mr. Caruthers reminded Council of required language to be included in the motion.

Councilmember Booe moved 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

#### **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

Mayor Wilson announced a public hearing to 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 and recognized Executive Director of Planning and Development Michelle Lazo who provided an overview of the plan. She stated a site plan was approved in 2015 for single family development on the property with the north lots being single story. She stated the buyer is asking for a second story with a game room and bedroom, but no window on rear of the elevation.

Mayor Wilson recognized Jerry Golf representing building Krissy Bublitz, with Sandlin Custom Homes and owner of 1124 Blakely Court. He stated one reason for the restriction on the two story home is privacy for the homeowners to the north and concern for large structures so close to the fence line. He stated the building plan shows the back roof line is a single story roof line, with no windows over the roof plate and no visibility into the homes on the north.

Mayor Wilson recognized the following individuals who expressed concerns regarding privacy, view obstruction, not being able to speak at the Planning and Zoning Commission meeting and Council not honoring the original plat restrictions regarding

single story residences for the development: John Paprskar, owner of a lot north and Evelyn Hamilton, 200 Melbourne Road, Hurst, Texas.

Mr. Golf stated he understands the concerns of the neighbors regarding a window, but reiterated that the roof line is not any larger than a single story home and the view would not change if it was one or two story. He stated the window on the west is towards the front building line and with a three car garage there is no line of site from that window into anyone's yard. Mr. Paprskar noted an entry on the site plan, which allows for the reposition of the home on the lot after the survey and again expressed his concerns regarding privacy and view obstruction.

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

Councilmembers discussed the original development approval for single family homes and concerns expressed by the residents.

Councilmember Kitchens moved to deny SP-20-03 Melbourne Place and Ordinance 2445. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

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

### **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

Executive Director of Planning and Development Michelle Lazo stated this item is a simple re-plat request by the owner of Car Wash City who purchased Lot 4 to expand the car wash to add additional shaded vacuum structures and realign the entrance to the car wash tunnel and also noted no changes to the driveway on Grapevine Highway. In response to Council questions, Mr. Dickens stated it meets all engineering requirements.

Councilmember Thompson moved to approve P-20-05 Belco Addition. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

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

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.

Executive Director of Planning and Development Michelle Lazo stated this lot has never been platted and CNC Conglomerate Companies is requesting the plat in order to submit a building permit for a shade structure on the east side of the building. She noted there are no engineering plans required for this plat.

Councilmember Shepard moved to approve P-20-03 Cantrell Addition. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard

No: None

### **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

City Manager Caruthers stated this item is for an engineering contract for the repair and refurbishing of the North Precinct Line Road Elevated Storage Tank. He stated there will be a future construction contract to skirt, remove and repaint the tank why following all environmental requirements. He stated the tanks have to be maintained to ensure safe drinking water for the community. Executive Director of Public Works Greg Dickens stated the typical life of the tank is 15 to 20 years. City Manager Caruthers also noted the total fee for this item is not to exceed \$127,900.

Councilmember Booe moved to 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. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard

No: None

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

City Manager Caruthers stated this item is a replacement truck for a 12 to 13 year old truck that will move into reserve status. He stated the fleet maintenance group has worked to pull as many life years as they can from the truck, but both the Fire Chief and Fleet Manager believe it is time to move the existing truck to reserve. He noted the public financing instrument recently approved through Council will fund 80% of the vehicle. He stated the total amount for the truck is not to exceed \$720,000, but there will

be another contract for equipment. Councilmember Booe noted newer technology on the truck and Mayor Wilson stated Council looks forward to the push-in ceremony.

Councilmember Thompson moved to approve the Siddons-Martin Emergency Group proposal for the purchase of a fire engine, in an amount not to exceed \$720,000. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

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

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

City Manager Caruthers stated the City has an extra territorial jurisdiction (ETJ) in far northeast Hurst near Colleyville and the landowner wants to build four homes on the vacant land. He stated there is an existing home on one parcel that will be removed. He noted the agreement is proposed in that the developer was contemplating mobile homes, but needed water and sewer services. Mr. Caruthers stated staff worked with the owner and essentially the agreement provides in exchange for water and sewer service, the property owner will agree to build single family homes. Mr. Caruthers noted an additional clause to the agreement recommended by the City Attorney, clarifying the City has the right to terminate services if not constructed in accordance with the agreement. He requested Council include the amended language, per the attorney's recommendation, in the motion.

Councilmember Shepard moved to 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 and to include the advised language per the attorney. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

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

14. Review of upcoming calendar items – City Manager Caruthers noted city offices will be closed September 7 for the Labor Day holiday.
15. City Council Reports - Items of Community Interest – None given.

**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

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

**ADJOURNMENT** – The meeting adjourned at 7:21 p.m.

**APPROVED** this the 8<sup>th</sup> day of September 2020.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rita Frick, City Secretary

\_\_\_\_\_  
Henry Wilson, Mayor

City Council Staff Report

**SUBJECT:** Consider Ordinance 2443, second 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:** 9/8/2020

**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, second 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 25<sup>th</sup> day August 2020 by a vote of 6 to 0.

Passed on the second reading on the 8<sup>th</sup> 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

City Council Staff Report

**SUBJECT:** Consider authorizing the city manager to enter into an Agreement with RealWellU, for Health and Wellness Professional Services

**Supporting Documents:**

Health and Wellness Professional Services Contract

**Meeting Date:** 9/8/2020

**Department:** Human Resources

**Reviewed by:** Matia Messemer

**City Manager Review:**

**Background/Analysis:**

During our Total Rewards assessment and design phase last plan year, we determined it necessary to consider some changes to the City’s health and wellness efforts as the key strategy for mitigating the ever-increasing cost of healthcare. We partnered with a wellness strategist through the City’s benefits consultant, HUB International, to assist in evaluating and designing the next iteration of the City of Hurst wellness efforts. The senior leadership team then met to brainstorm overall wellness efforts, which was used as the starting point for our strategy. In year one, 2019-2020, the focus was assessment, analysis, leadership engagement, and program design decisions. In year two, 2020-2021, we are focusing on education, implementation and employee engagement. Year three, 2021-2022, will be evaluation and refinement.

Entering the second year focused on implementation and employee engagement, we knew the continued partnership with Esther White, owner of RealWellU, for individualized coaching and wellness programming would be an important element of successful wellness efforts. The Agreement with RealWellU would become effective October 1, 2020 through September 30, 2021, with an automatic renewal for subsequent one-year periods, until terminated by either party with 30 days written notice. If engaged for services in the coming year, RealWellU will provide the following:

1. Coordinate and implement a health fair in a manner consistent with the prevailing standards in the Company’s field and in alignment with the Client’s wellness goals and allowed budget.
2. Plan, coordinate, execute, evaluate, and report on four healthy living programs in alignment with the Client’s wellness goals and allowed budget.

3. Provide individualized wellness consultation, support, and accountability to the Client's employees in a manner consistent with the prevailing standards in the Company's field.

While the programming and incentives for wellness efforts will be offered only to benefits-eligible employees, RealWellU's services will be available to all employees. This is in alignment with the City's support of employees' overall health and well-being.

The Hurst Way: Customer Service

Identifying the best service to our employees as part of the balance of the Hurst Way elements remains a challenge. Each employee and their family have unique well-living needs and challenges. Making this, and other changes will best serve the organizational whole by evaluating their needs and customizing wellness efforts to those needs.

The Hurst Way: Financial Sustainability

Previously, the City's total budget for the wellness was \$123,200. Making this, and other significant changes, the wellness budget for FY 20-21, will be approximately \$45,000. The savings is primarily from the reduction of this contract's scope of services and providing an alternate method for annual preventive screenings and flu shots. Additionally, the goal is to achieve savings in claims costs where wellness efforts typically provide the largest return on investment.

**Funding Sources and Community Sustainability:**

The RealWellU and City of Hurst Health and Wellness Professional Services Contract fees are budgeted, and would be incurred in the Loss Reserve Fund. The total annual cost would be \$27,000. With the change in scope, this is a decrease from last fiscal year, yielding a budget savings of \$28,000.

**Recommendation:**

Staff recommends Council **authorize the city manager to enter into an Agreement with RealWellU for Health and Wellness Professional Services.**

## Health and Wellness Professional Services Contract

Professional Services Agreement (this "Agreement"), dated as of October 1, 2020, by and between RealWellU (the "Company"), and The City of Hurst (the "Client").

WHEREAS, the Client desires to engage the Company, and the Company desires to be engaged by the Client, to perform certain services on behalf of the Client upon the terms and subject to the conditions set forth herein.

NOW THEREFORE for good and valuable consideration, the receipt and sufficiency of which is hereby irrevocably acknowledged, the undersigned, intending to be legally bound, hereby covenant and agree as follows:

- I. Professional Consulting Services and Term. The Client hereby engages the Company to render Professional Consulting Services (as defined below), and the Company hereby accepts such engagement, upon the terms and subject to the conditions set forth herein. This Agreement will continue in full force and effect during the period commencing on the date hereof and ending on the first anniversary of such date. Thereafter, the Agreement will automatically renew for subsequent one-year periods and continue in full force and effect until terminated by either party with 30 days written notice,
- II. Services. It is understood and agreed that nothing in this agreement shall create or be deemed to create an employer-employee relationship. The Company's staff will not be provided any employee benefits, and the sole compensation will be as stated in Section IV of this Agreement.
- III. Scope. The Company shall perform on behalf of the Client the following scope of services:
  - a. Coordinate and implement a health fair in a manner consistent with the prevailing standards in the Company's field and in alignment with the Client's wellness goals and allowed budget.
  - b. Plan, coordinate, execute, evaluate, and report on four healthy living programs in alignment with the Client's wellness goals and allowed budget.
  - c. Provide individualized wellness consultation, support, and accountability to the Client's employees in a manner consistent with the prevailing standards in the Company's field.
- IV. Compensation. In consideration for the Professional Consulting Services to be rendered by the Company, the Client shall pay to the Company a fee in an amount

equal to \$2,250 per month (the “Monthly Fee”). The Monthly Fee shall be paid in advance 30 days from the receipt of an invoice from the Company submitted to the Client by email to [mmessemer@hursttx.gov](mailto:mmessemer@hursttx.gov) or by mail:

City of Hurst  
Attention: Human Resources  
1505 Precinct Line Road  
Hurst, Texas 76054

- V. Indemnification: The Contractor shall indemnify the Client, it’s elected officials, officers, employees, attorneys, and agents against and hold harmless from, any and all liability, suits, claims, actions, causes of action costs, expenses or fees (including reasonable attorney’s fees) including but not limited to any injury to or death of any person, damage to, or destruction of any property resulting from or based upon, in whole or in part, any act or omission of contractor, his or her agents/employees, under this agreement. The provision of this paragraph shall survive the termination of this agreement.
  
- VI. Termination: This Agreement may be terminated by the Contractor by giving at least thirty (30) days written notice to City. This Agreement may be terminated by the City with or without cause by giving the Contractor at least thirty (30) days written notice. Notwithstanding the above, the City may terminate this Agreement immediately and without notice upon the happening of any of the following:
  - a. The conviction of Contractor of any felony, or of any Misdemeanor; or
  - b. The failure of Contractor to diligently or properly perform Contractor’s duties under this Agreement.

EXECUTED THIS the \_\_\_\_ day of \_\_\_\_\_ 2020.

RealWellU

City of Hurst

\_\_\_\_\_

By:

Esther White

\_\_\_\_\_

By:

Matia Messemer, Executive Director of HR

\_\_\_\_\_

By:

Clay Caruthers, City Manager

City Council Staff Report

**SUBJECT:** Consider ordering a public hearing to decide whether to order the repair, removal, or demolition of property located at 443 Circleview Drive N., legally described as Lot 26, Block 12 Mayfair Addition and whether to cause the cost of such work to be paid and levied as a special assessment against the property

**Supporting Documents:**

**Meeting Date:** 9/8/2020

**Department:** Planning and Development

**Reviewed by:** Michele Lazo

**City Manager Review:**

**Background/Analysis:**

In March 2014, the City of Hurst inspected the home at 443 Circleview Drive N. based on a complaint of trash and debris, stagnant water, and over-all property conditions. The Hurst Fire Department contacted Atmos Gas to investigate a possible gas leak. Atmos confirmed the leak and unsafe wiring then ordered the gas meter pulled until a repair was made to the furnace.

Over the years, staff has continued to work complaints on this property. On June 17, 2020, the homeowner was provided 30 days to abate the nuisances.

On August 27, 2020, the City declared the home as a Substandard Building and Public Nuisance as described in Chapter 5, Article VII, Section 5-295 of the City of Hurst Substandard Building Ordinance.

Failing to comply with the June 17, 2020 notice to abate the nuisances in 30 days has resulted in the City of Hurst City Council, at the request of the Building Official, calling for a public hearing to consider requiring the repair, removal, or demolition of the substandard home located at 443 Circleview Drive N, and whether to cause the cost of such work to be paid and levied as a special assessment against the property.

A title search has been executed and all interested parties will be notified of the possible condemnation and time and place of the public hearing.

**Funding Sources and Community Sustainability:**

There is no fiscal impact.

**Recommendation:**

Staff recommends Council **order a public hearing on Tuesday, October 13, 2020, at 6:30 p.m., to decide whether to order the repair, removal, or demolition of property located at 443 Circleview Drive N., legally described as Lot 26, Block 12, Mayfair Addition and whether to cause the cost of such work to be paid and levied as a special assessment against the property.**

City Council Staff Report

<b>SUBJECT:</b> Consider casting votes for candidates to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election	
<b>Supporting Documents:</b>	
TML Official Ballot	<b>Meeting Date:</b> 9/8/2020 <b>Department:</b> Legislative and Judicial Services <b>Reviewed by:</b> Rita Frick <b>City Manager Review:</b>
<b>Background/Analysis:</b>	
<p>The City received the Official Ballot for the election of Places 1 – 4 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each member of the pool is entitled to vote for Board of Trustee members.</p> <p>The officials listed on the ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers’ Compensation, Property and Liability) Board of Trustees. Ballots must reach the office of the Secretary of the Board no later than September 30, 2020.</p>	
<b>Funding and Sources and Community Sustainability:</b>	
There is no fiscal impact.	
<b>Recommendation:</b>	
Staff recommends the City Council <b>move to cast votes for</b> _____.	

# OFFICIAL BALLOT

## Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

This is the official ballot for the election of Places 1 – 4 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name or writing in the name of an eligible person in the space provided. You can only vote for one candidate for each place.

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

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2020. Ballots received after September 30, 2020, cannot be counted. **The ballot must be properly signed, and all pages of the ballot must be mailed to:**

**Trustee Election  
David Reagan, Secretary of the Board  
P.O. Box 149194  
Austin, Texas 78714-9194**

**If the ballot is not signed, it will not be counted.**

**PLACE 1**

- Robert T. Herrera** (Incumbent). City Manager, City of Cibolo (Region 7) since 2012. Mr. Herrera served as City Manager of Hondo, Texas from 2003 to 2012 and as City Manager of La Porte from 1986 to 2002. He has served other Texas cities, including management positions with the cities of San Marcos, Missouri City, and Woodway. Mr. Herrera has been a Board member of the TML Intergovernmental Risk Pool since 1993 and has served as Chair and Vice Chair of the Board. He also served as Chair of the Finance-Information Technology Committee and the Underwriting-Claims Committee of the TML Intergovernmental Risk Pool.

**WRITE IN CANDIDATE:**

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**PLACE 2**

- Chris Armacost.** City Commissioner for the City of Hitchcock (Region 14). Mr. Armacost is Director of Technology, Transportation, Facilities, and Operations for the Hitchcock Independent School District. He serves on the Hitchcock Education Foundation and Hitchcock Chamber of Commerce. He is the president of the Hitchcock Little League Baseball Association and coached several teams. Mr. Armacort has been awarded the Hitchcock Chamber President Award and the Above and Beyond Citizen Award from the Hitchcock ISD. He has obtained a Certified Municipal Official certification from TML.
  
- John W. (Buzz) Fullen (Incumbent).** Mayor of the City of Henderson since 2019 and from 2004 to 2012 (Region 15). Mr. Fullen also served as a Commissioner of the Henderson Housing Authority from 2011 to 2019 and is now ex-officio on same. He currently serves on the Henderson Main Street Board (2004–present), Henderson Civic Center Board (2003–present), and the Henderson ETMC Hospital Diabetes Board (2009–present). He has been a Board member of the TML Intergovernmental Risk Pool since 2010, during which time he served as Chair (2018-2020) and Vice Chair (2016-2018).

**WRITE IN CANDIDATE:**

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**PLACE 3**

- George Hyde.** City Attorney for the City of Wauuga (Region 8). Mr. Hyde is a partner in the law firm Russell Rodriguez Hyde Bullock, LLP, located in Georgetown. He is a member of and holds Merit Certification in Municipal Law from the Texas City Attorneys Association. He has served as City Attorney for ten other cities across Texas, since 2003. He has also served local governments in various public safety positions within Fire Departments, Parks Departments, and Police Departments. During his tenure as a peace officer, Mr. Hyde received the Texas Commission on Law Enforcement Educational Achievement Award for exceeding normal expectations in job performance.
  
- Roy E. Maynor.** City Alderman, Position 3, for the City of West Columbia (Region 14). He has been an elected official of West Columbia since 2013. Mr. Maynor is a Life Safety Systems Specialist for Vallen Safety Services and a member of Gulf Coast Christian Church. He is also part-owner of Grit Fitness in West Columbia. He and his wife, Rachel, have two children.
  
- Jeffrey Snyder (Incumbent).** City Manager for the City of Plainview (Region 2). He previously served as the Assistant City Manager for Plainview and as the City Manager for Idalou. Mr. Snyder graduated from West Texas A&M University and obtained a Master of Public Administration from Texas Tech University. He is a member of the International City Management Association (ICMA) and TCMA. He is a graduate of the Public Executive Institute through the University of Texas and is a credentialed manager through ICMA. He has been a Board member of the TML Intergovernmental Risk Pool since 2018 and served on various committees with TML, TCMA and ICMA and as past president of the Panhandle City Management Association.

**WRITE IN CANDIDATE:**

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## PLACE 4

- Robert S. Hauck** (Incumbent). City Manager for the City of Tomball (Region 14), a position he has held since April 2018. He began his full-time career in public service with the Los Angeles Police Department in 1988. In 2008, Mr. Hauck retired from the LAPD and joined the City of Tomball, where he has served as Chief of Police, Assistant City Manager, and now City Manager. Mr. Hauck holds a Bachelor of Arts degree in Business Administration, and a Master of Science degree in Management. He has been a Board member of the TML Intergovernmental Risk Pool since 2019. Mr. Hauck and his wife Kathleen have three children – Lauren, Conner, and Madeline.
  
- Dave Martin**. City Councilmember and current Mayor Pro Tem for the City of Houston (Region 14). Mr. Martin serves as Chair of the City Council Budget and Fiscal Affairs Committee. He previously served on the Humble ISD Board of Trustees and as Secretary/Treasurer of the Board of Directors for the Harris County Houston Sports Authority. Mr. Martin is a Managing Director of Marsh & McLennan Companies, Inc., the largest Global Risk Management firm. Previously he worked for two “Big Four” accounting firms, PricewaterhouseCoopers, LLP and Ernst & Young, LLP.
  
- Kimberly Meismer**. Executive Director for General Operations for Kerrville (Region 7), overseeing Human Resources, Municipal Court, Public Library, Public Information, the Senior Services Advisory Committee, and the Kerrville Area Youth Leadership Academy. Ms. Meismer has over 23 years of public service, which includes serving Kerrville and La Porte. She is a member of the TCMA, International Public Management Association for Human Resources (IPMA-HR), Society for Human Resource Management (SHRM), and is a former President of the Bay Area Human Resource Management Association. She has a Master’s degree in Public Administration and is an IPMA-HR Senior Certified Professional and a SHRM Certified Professional.
  
- Sean Overeynder**. City Manager for the City of Lamesa, Texas (Region 3). Sean Overeynder began his career in local government administration in August 2014 in Economic Development, working for various public and private organizations. He has held the position of City Manager for the City of Lamesa since March 2020. Prior to becoming the City Manager, he was appointed as the Economic Development Director for the City of Lamesa on August 27, 2018.

**WRITE IN CANDIDATE:**

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**Certificate**

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

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Title

\_\_\_\_\_  
Printed Name of Authorized Official

\_\_\_\_\_  
Printed Name of Political Entity

City Council Staff Report

**SUBJECT:** Consider authorizing the city manager to enter into a Memorandum of Understanding between the City of Hurst, Texas and Gardner Capital Investment Fund, LLC

**Supporting Documents:**

**Meeting Date:** 9/8/2020

**Department:**

**Reviewed by:** Clay Caruthers

**City Manager Review:**

**Background/Analysis:**

In December 2018, the City Council passed Resolution 1719 supporting Gala at Central Park, LP's proposed development for an age restricted (55+) apartment home community located at 309 W. Pipeline Road to be named "Gala at Central Park". Gala at Central Park, LP submitted an application to the Texas Department of Housing and Community Affairs (TDHCA) for the 2019 Competitive 9% Housing Tax Credits for Gala at Central Park. That application was denied, but Gala at Central Park advised of its intent to submit an application to the TDHCA for the 2020 4% Housing Tax Credits for the Senior Project.

The Hurst Public Facility Corporation was created and an organizational meeting was held October 15, 2019. Also on this date, the HPFC authorized the HPFC President to take any and all action necessary to induce bonds and submit volume allocation application to the Texas Bond Review Board for a proposed senior apartment complex located at 309 West Pipeline and declaration of expectation to reimburse expenditures with proceeds of future debt.

On December 10, 2019, the HPFC approved the Contract for Ground Lease subject to the revisions of the City Manager and City Attorney and authorized the President to execute the contract.

On April 28, 2020, the HPFC approved Resolution 1 indicating the Board's awareness of its participation and identifying persons who may act on its behalf to the proposed Senior Housing in Hurst and acknowledged awareness of participation as the General Partner in the Gala at Central Park, LP's application to Texas Department of Housing and Community Affairs (TDHCA) for 2020 Housing Tax Credits for the Senior Project.

The housing tax credits were received, and the proposed Memorandum of Understanding will finalize the agreement. The site plan will be presented at a future City Council meeting.

**Funding Sources and Community Sustainability:**

This item is a direct representation of Council's Strategic Priorities of **Redevelopment** and **Economic Vitality** by identifying potential City involvement and focusing on neighborhood and commercial revitalization and identifying external and internal influences on the financial condition of the City.

**Recommendation:**

Staff recommends the City Council **move to authorize the city manager to enter into a Memorandum of Understanding between the City of Hurst, Texas and Gardner Capital Investment Fund, LLC.**

## Future Event Calendar

September 8, 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>
Saturday, October 3, 2020 At curb by 7:00 a.m.	Bulk Trash Collection - North of Highway 121
Saturday, October 10, 2020 At curb by 7:00 a.m.	Bulk Trash Collection - South of Highway 121
Saturday, October 10, 2020 8:00 a.m. – 11:00 a.m.	Household Hazardous Waste Event Service Center, 2001 Precinct Line Road