

**WORK SESSION AGENDA OF THE CITY COUNCIL OF HURST, TEXAS  
CITY HALL, 1505 PRECINCT LINE ROAD  
FIRST FLOOR CONFERENCE ROOM  
TUESDAY, SEPTEMBER 8, 2015 – 5:30 P.M.**

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**I. Call to Order**

**II. Informational Items**

**III. Discussion of Agenda Item(s) 6, 7, 8 and 9**

Consider Ordinance 2296 (a), first reading, adopting budget for fiscal year beginning October 1, 2015 and ending September 30, 2016

Consider Ordinance 2296 (b), first reading, ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2015-2016 Budget

Consider Ordinance 2297, first reading, setting the tax rate for the 2015 tax year

Consider Ordinance 2298 first reading, approving all water and wastewater rates for Fiscal Year 2015-2016

**Clay Caruthers**

**IV. Discussion of Agenda Item(s) 10 and 11**

Conduct a public hearing to consider Z-15-02 Pecan Street Townhomes, a zoning change from LB to R2-PD with a site plan for Lot 12R1, Block 1 WB La Cava Addition, being .44 acre located at 232 East Pecan Street

Consider Ordinance 2299 first reading, Z-15-02 Pecan Street Townhomes, a zoning change from LB to R2-PD with a site plan for Lot 12R1, Block 1 WB La Cava Addition, being .44 acre located at 232 East Pecan Street

**Michelle Lazo**

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

Consider P-15-08 Pecan Townhomes, a replat of Lot 12-R1, Block 1 WB La Cava Addition to Lots 1-4, Block A Pecan Townhomes Addition, being .44 acre located at 232 East Pecan

**Michelle Lazo**

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

Consider authorizing the city manager to enter into a contract with Ark Contracting Services, LLC, of Kennedale, Texas, for the Calloway Branch Stream Bank Stabilization Improvements Project

**Ron Haynes**

**VII. Adjournment**

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

This the 4th day of September 2015, 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, SEPTEMBER 8, 2015**

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**AGENDA:**

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

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

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**CALL TO ORDER**

**INVOCATION (Councilmember Larry Kitchens)**

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

1. Consider approval of the minutes for the August 25, 2015 City Council meetings
2. Consider Ordinance 2294, second reading, to consider SP-15-08 Super Target, a site plan revision for Lot 5A, Block 1 Olde Towne Square Addition, being 18.04 acres located at 1400 Precinct Line Road
3. Consider Ordinance 2295, second reading, to consider SP-15-09 Mayfair Village, a site plan revision for signage only on Lot A, Block 2, Norwood North Addition, being 19.89 acres located at 600 Grapevine Highway
4. Consider authorize the city manager to enter into a contract with Pyles Whatley Corporation, for appraisal services for Pipeline Road Improvements, Phase 3
5. Consider authorizing the city manager to enter into an interlocal agreement with the cities of Fort Worth and Bedford for the funding participation in the Flood Protection Planning Study for Valley View Branch Watershed

**BUDGET RELATED ITEM(S)**

6. Consider Ordinance 2296 (a), first reading, adopting budget for fiscal year beginning October 1, 2015 and ending September 30, 2016
7. Consider Ordinance 2296 (b), first reading, ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2015-2016 Budget
8. Consider Ordinance 2297, first reading, setting the tax rate for the 2015 tax year
9. Consider Ordinance 2298 first reading, approving all water and wastewater rates for Fiscal Year 2015-2016

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

10. Conduct a public hearing to consider Z-15-02 Pecan Street Townhomes, a zoning change from LB to R2-PD with a site plan for Lot 12R1, Block 1 WB La Cava Addition, being .44 acre located at 232 East Pecan Street
11. Consider Ordinance 2299 first reading, Z-15-02 Pecan Street Townhomes, a zoning change from LB to R2-PD with a site plan for Lot 12R1, Block 1 WB La Cava Addition, being .44 acre located at 232 East Pecan Street

**PLAT(S)**

12. Consider P-15-08 Pecan Townhomes, a replat of Lot 12-R1, Block 1 WB La Cava Addition to Lots 1-4, Block A Pecan Townhomes Addition, being .44 acre located at 232 East Pecan

**ACTION ITEM(S)**

13. Consider authorizing the city manager to enter into a contract with Ark Contracting Services, LLC, of Kennedale, Texas, for the Calloway Branch Stream Bank Stabilization Improvements Project

**OTHER BUSINESS**

14. Review of the following advisory board meeting minutes:
  - HEB Teen Court Advisory Board
15. Review of upcoming calendar items
16. City Council Reports

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

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

This 4th day of September 2015, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

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**Minutes  
Hurst City Council  
Work Session  
Tuesday, August 25, 2015**

On the 25th day of August 2015, at 5:50 p.m., the City Council of the City of Hurst, Texas, convened in Work Session at Hurst City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Richard Ward	)	Mayor
Bill McLendon	)	Mayor Pro Tem
Larry Kitchens	)	Councilmembers
Anna Holzer	)	
Henry Wilson	)	
Nancy Welton	)	
David Booe	)	
Allan Weegar	)	City Manager
John Boyle	)	City Attorney
Allan Heindel	)	Deputy City Manager
Clay Caruthers	)	Assistant City Manager
Jeff Jones	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Managing Director of Planning
Steve Bowden	)	Executive Director of Economic Development
Steve Moore	)	Police Chief

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

**I. Call to Order – The meeting was called to order at 5:50 p.m.**

- II. Informational Items** – City Manager Allan Weegar reviewed the Employee Conference schedule and provided information regarding a nonprofit’s request for bins at the Northeast Mall. Assistant City Manager Jeff Jones reviewed the current Water and Sewer Warranty Program letter that will be going out and participation numbers.

Council moved to Work Session Item VII.

**VII. Discussion of Agenda Item(s) 17**

Consider authorizing the city manager to reject all bids and proceed with Falkenberg Construction Company, Inc., for the purchase and installation of a restroom at the Hurst Athletic Complex.

Deputy City Manager Allan Heindel briefed Councilmembers on the request to reject all bids and proceed with Falkenberg Construction for the purchase and installation of a restroom at the Hurst Athletic Complex. Mr. Heindel explained the original bidder awarded the contract could not provide bonding. The project was rebid but exceeded the

estimates. He explained Falkenberg was on TXMAS and could do the project for the proposed \$360,000.

### **VIII. Discussion of Agenda Item(s) 18**

Consider authorizing the city manager to enter into an annual contract with LandCare for citywide landscape maintenance services with the option to renew for four additional twelve month periods

Deputy City Manager Allan Heindel briefed Councilmembers on the proposed annual contract for citywide landscape maintenance services and reviewed the benefits of outsourcing instead of providing these services in house. He reviewed the current contract rates and explained they had been held low since 2010. Mr. Heindel reviewed the bid process and pricing for the proposed contract and noted staff provided an analysis of bringing this service in-house or outsourcing and the analysis proved it more economical to contract.

Managing Director of Development Michelle Lazo provided a revised proposed Ordinance 2294.

Due to time constraints, the following items were not discussed.

### **III. Discussion of Agenda Item(s) 10 and 11**

Presentation of the Distinguished Budget Award from (GFOA) The Government Finance Officers Association

Conduct a Public Hearing to consider the budget for fiscal year beginning October 1, 2015 and ending September 30, 2016

### **IV. Discussion of Agenda Item(s) 12 and 13**

Conduct a public hearing to consider SP-15-08 Super Target, a site plan revision for Lot 5A, Block 1 Olde Towne Square Addition, being 18.04 acres located at 1400 Precinct Line Road

Consider Ordinance 2294, first reading, to consider SP-15-08 Super Target, a site plan revision for Lot 5A, Block 1 Olde Towne Square Addition, being 18.04 acres located at 1400 Precinct Line Road

### **V. Discussion of Agenda Item(s) 14 and 15**

Conduct a public hearing to consider SP-15-09 Mayfair Village, a site plan revision for signage only on Lot A, Block 2, Norwood North Addition, being 19.89 acres located at 600 Grapevine Highway

Consider Ordinance 2295, first reading, to consider SP-15-09 Mayfair Village, a site plan revision for signage only on Lot A, Block 2, Norwood North Addition, being 19.89 acres located at 600 Grapevine Highway

**VI. Discussion of Agenda Item(s) 16**

Consider P-15-09 Olde Towne Square, a replat of Lot 5A, Block 1A and 1C, Block 1 to Lots 5AR, 5D, and 5E, Block 1A Olde Towne Square Addition being 18.81 acres located at 1400 Precinct Line Road

**IX. Adjournment**

The work session adjourned at 6:23 p.m.

**APPROVED** this the 8th day of September 2015.

**ATTEST:**

**APPROVED:**

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

\_\_\_\_\_  
Richard Ward, Mayor

**City of Hurst  
City Council Minutes  
Tuesday, August 25, 2015**

On the 25th day of August 2015, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Richard Ward	)	Mayor
Bill McLendon	)	Mayor Pro Tem
Larry Kitchens	)	Councilmembers
Anna Holzer	)	
Henry Wilson	)	
Nancy Welton	)	
David Booe	)	

Allan Weegar	)	City Manager
John Boyle	)	City Attorney
Allan Heindel	)	Deputy City Manager
Clay Caruthers	)	Assistant City Manager
Jeff Jones	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Managing Director of Planning
Steve Bowden	)	Executive Director of Economic Development
Steve Moore	)	Police Chief
Steve Neikamp	)	Assistant Police Chief

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 Nancy Welton gave the Invocation.

The Pledge of Allegiance was given.

**PRESENTATION**

1. Presentation of the Hurst Police Department's Commission on Accreditation for Law Enforcement Agencies (CALEA) Reaccreditation Award. Mayor Ward recognized City Manager Allan Weegar who expressed his appreciation for the Police Department and introduced Police Chief Steve Moore, who reviewed the process to attain accreditation by the Commission on Accreditation for Law Enforcement Agencies (CALEA). He noted the department has received reaccreditation eight times and is only two of ninety-eight agencies to receive the Gold Award. Chief Moore recognized Accreditation Manager Janet Grubish and thanked her and the department for their role in receiving this award. Assistant Chief Steven Neikamp displayed the award for the Council.

Mayor Ward expressed his appreciation for the Police Department.

**CONSENT AGENDA**

2. Considered approval of the minutes for the August 11 and 18, 2015 City Council meetings.
3. Considered Resolution 1629 ratifying the actions of the Hurst Community Services Development Board.
4. Considered Ordinance 2290, second reading, adopting the Crime Control and Prevention District budget for fiscal year beginning October 1, 2015 and ending September 30, 2016.
5. Considered Ordinance 2292, second reading, SP-15-07, Quik Stop Valero, a site plan revision for signage only on Lot 1, Block 1 Harwood / Norwood Addition, being .70 acre located at 100 W. Harwood Road.
6. Considered Ordinance 2293, second reading, SUP-15-01, Verizon Wireless Cell Tower, a special use permit for Lot 2, Block 2, Melbourne Addition, being 1.08 acres located at 805 Melbourne Road.
7. Considered Ordinance 2291, second reading, amending the Hurst Code of Ordinances, Section 2-222 replacing Ordinance 2268 and decreasing the Neighborhood and Community Advisory Committee membership to ten (10) members.
8. Considered authorizing the city manager to enter into an annual contract for citywide portable restroom rentals with the option to renew for four additional twelve month periods.
9. Considered approval of the extension of the ground and pole lease agreement with Crown Castle.

Councilmember Wilson moved to adopt the consent agenda. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

**PUBLIC HEARING(S) AND BUDGET RELATED ITEMS**

10. Presentation of the Distinguished Budget Award from (GFOA) The Government Finance Officers Association. Mayor Ward recognized City Manager Allan Weegar, who introduced Assistant City Manager Clay Caruthers. Mr. Caruthers reviewed the guidelines to receive the award noting this is the twenty-seventh year the City has been recognized. He expressed his appreciation for Budget Director Joni Baldwin and Budget Analyst Russell Shiflet for their role in the budget process. Mayor Ward expressed his appreciation to Mr. Caruthers for the financial savings identified for the City.
11. Conducted a Public Hearing to consider the budget for fiscal year beginning October 1, 2015 and ending September 30, 2016. Mayor Ward announced a public hearing and recognized City Manager Allan Weegar who reviewed the budget process noting the multiple City Council work sessions on the budget. Mr. Weegar also noted the challenge of developing this year's budget due to the Tarrant Appraisal Districts new computer system and reporting methods. He expressed his appreciation for Assistant City Manager Clay Caruthers for really

scrubbing the numbers and finding TAD's reporting error. Mr. Weegar stated the appraisal rolls were down or basically flat this year, but staff believes they will recover next year. He noted sales tax is positive and the City is in sound financial shape. He noted a few challenges, including the City being 98% to 99% developed and the need to maintain the infrastructure and facilities to provide good customer service. Mr. Weegar stated staff believes they have a sound budget to present this evening and introduced Assistant City Manager Clay Caruthers. Mr. Caruthers stated Budget Director Joni Baldwin would present the budget this evening as part of her Leadership program.

Ms. Baldwin reviewed the Fiscal Year 2015-2016 proposed General Fund budget of \$33,462,875, a 1.76% increase from last year. Reviewed were total revenue and expenditure changes, the budget versus the municipal cost index, sales tax revenue and an appraised property valuation decrease of .37% . Ms. Baldwin reviewed where the money comes from and where the money goes along with the Pay as You Go program. She noted a proposed tax rate of \$0.61056, the same as the effective tax rate of \$0.61056, and a rollback rate of \$0.6377137. Ms. Baldwin noted the current tax rate of \$0.606 and City Manager Allan Weegar stated he wanted to be sure everyone understands the proposed tax rate is about a half-cent increase from last year.

Mr. Caruthers reviewed the distribution of the property tax rate with a Maintenance and Operation rate of \$.4742765 and Debt Service rate of \$.1362835 and explained the multiple factors to consider when comparing cities including exemptions. He explained the revenue impact for Hurst exemptions is \$2.2 million returned to the taxpayers.

Mr. Caruthers reviewed the Community Services Half Cent Sales Tax Fund and noted the Hurst Community Services Development Corporation met and held a public hearing for the Community Services Development Fund and due to a landscaping project, an updated number would be used for this part of the presentation. He noted revenue of approximately \$4.5 million and stated, by policy, a minimum fund balance of at least one million dollars is maintained. He reviewed beginning and ending fund balances, along with proposed expenditures, noting this fund is a positive 20 cents on the property tax rate.

Mr. Caruthers noted the public hearing process and ordinance for the Anti-Crime Fund had already been before the Council but provided a brief overview noting this fund is a positive 22 cents on the property tax rate. Mr. Caruthers reviewed the Enterprise Fund of \$21,800,642, a 2.2% increase, primarily generated by pass through costs from the City of Fort Worth. He stated the overall cost for water increased 2.12% and for wastewater 8.56%. He stated a 5.0% increase to the water and sewer rates is being proposed, and it is simply to take care of the wholesale costs, which the City does not control. Mr. Caruthers reviewed expenditures for the fund. Also reviewed were the primary operating and debt funds for the proposed budget for a Fiscal Year 2016 budget of \$69,351,563. Mr. Caruthers reviewed other enterprise and special revenue funds and noted the vote on the budget would be at the September 8, 2015 City Council meeting, 6:30 p.m. in the Council Chamber.

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

Councilmember Kitchens noted the City's very healthy debt ratio and the City is more than fiscally conservative. Councilmember Booe noted the lowering of the tax rate in 1992 and reiterated the City did not elongate the time of payment when refinancing the debt issuances.

Mayor Ward stated there is no Council action this evening and the first reading of the proposed budget will be at the September 8, 2015 City Council meeting.

### **PUBLIC HEARING(S) AND RELATED ITEMS**

12. Conducted a public hearing to consider SP-15-08 Super Target, a site plan revision for Lot 5A, Block 1, Olde Towne Square Addition, being 18.04 acres located at 1400 Precinct Line Road. Mayor Ward announced a public hearing and recognized applicant Nick Maxwell with Cates and Clark Associates, a civil engineer firm. Mr. Maxwell stated the site plan revision is for the Super Target on Pipeline Road, proposing two out lots in the parking lot. He stated there will be parking spaces left to meet City ordinances and water and sewer service will be provided. Managing Director of Development Michelle Lazo reviewed the site plan noting the two parcels will be less than an acre.

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

In response to Councilmembers' questions, Ms. Lazo explained the space is zoned for general retail and restaurants. Councilmembers discussed traffic flow and congestion in the area and Ms. Lazo stated there are currently no changes to access points.

13. Considered Ordinance 2294, first reading, to consider SP-15-08 Super Target, a site plan revision for Lot 5A, Block 1, Olde Towne Square Addition, being 18.04 acres located at 1400 Precinct Line Road.

Councilmember Wilson moved to pass SP-15-08, a site plan revision for Lot 5A, Block 1, Old Towne Square Addition, being 18.04 acres located at 1400 Precinct Line Road, and Ordinance 2294 on first reading. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

14. Conducted a public hearing to consider SP-15-09 Mayfair Village, a site plan revision for signage only on Lot A, Block 2, Norwood North Addition, being 19.89 acres located at 600 Grapevine Highway. Mayor Ward announced a public hearing and recognized Brian Guenzel and President of Point of Sale Outdoor Media Raymond Rodriguez. Mr. Guenzel reviewed the request for five signs for on-premise advertising. He stated the signs are more pedestrian oriented, and located deep in the interior of the parking lot. He explained they are not electronic signs, but high quality print backed by LED lighting, solar powered with battery backup.

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

In response to Councilmembers' questions, Mr. Guenzel stated the signs are double sided, approximately 13.8 feet in height with an additional 1.5 feet for the solar panel. He stated no one has run into the signs, that a parking stop is placed below the signs so no one will try to drive underneath the sign. He stated the verbiage for the signs will include store sales and promotions and they have strict guidelines from the owners regarding what type of information may be displayed. Mr. Rodriguez outlined benefits for the shoppers and stated the signs are being requested by the landlords. Mayor Ward expressed his concern for

having the parking stop underneath the signs.

15. Considered Ordinance 2295, first reading, to consider SP-15-09 Mayfair Village, a site plan revision for signage only on Lot A, Block 2, Norwood North Addition, being 19.89 acres located at 600 Grapevine Highway.

Councilmember Booe moved to approve Ordinance 2295 an ordinance adopting a site plan approval for signage only, for Lot A, Block 2, Norwood North Addition, being 19.89 acres located at 600 Grapevine Highway, SP-15-09. Motion seconded by Councilmember Wilson. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

### **PLAT(S)**

16. Considered P-15-09 Olde Towne Square, a replat of Lot 5A, Block 1A and 1C, Block 1, to Lots 5AR, 5D, and 5E, Block 1A Olde Towne Square Addition being 18.81 acres located at 1400 Precinct Line Road.

In response to Councilmember Wilson's questions, City Manager Allan Weegar stated engineering reviewed the plat.

Councilmember Wilson moved to approve P-15-09 Olde Towne Square replat. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

### **ACTION ITEM(S)**

17. Considered authorizing the city manager to reject all bids and proceed with Falkenberg Construction Company, Inc., for the purchase and installation of a restroom at the Hurst Athletic Complex.

Deputy City Manager Allan Hiendel provided Council an overview of the proposed project, noting the original bid award was not able to bond the project and new bids were received but were higher than the original amount. Staff looked at alternatives and found the low bidder, Falkenburg, does significant work under TEXMAS and agreed to submit under TEXMAS, which is the lowest bid. He stated staff is requesting the Council reject all bids and award the contract to Falkenburg for \$360,000.

In response to Councilmembers' questions, Mr. Heindel stated the restrooms are for adults and children and a lift station would be utilized similar to the one at the Chisholm Park restroom.

Councilmember McLendon moved to authorize the city manager to reject all bids and proceed with Falkenberg Construction Company, Inc., for the purchase and installation of a restroom at the Hurst Athletic Complex, for an amount not to exceed \$360,000, with funding from the Half Cent Sales Tax Fund. Motion seconded by Councilmember Welton. Motion

prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

18. Considered authorizing the city manager to enter into an annual contract with LandCare for citywide landscape maintenance services with the option to renew for four additional twelve month periods.

Deputy City Manager Allan Heindel reviewed the proposed contract explaining the history of contracting for these services rather than servicing in-house. He explained the scope of service to be provided noting the City added a number of sites to the contract. He explained the company contracted with in 2010, kept their rates low and Landcare, the company that bought TruGreen, indicated they were losing money in Hurst. Mr. Heindel reviewed the bid process and noted Landcare was the only bidder with an annual contract value of \$645,000. He reviewed funding availability in the Parks Division operating budget and \$200,000 identified in the reserved revenue of the Half Cent Sales Tax Fund. He explained staff did an analysis if it would be more cost effective to bring the services back in-house and determined contracting was still more economical.

Councilmember Kitchens moved to authorize the city manager to enter into an annual contract with LandCare for citywide landscape maintenance services with the option to renew for four additional twelve month periods. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

### **OTHER BUSINESS**

19. Review of upcoming calendar items – City Manager Allan Weegar noted it is time for the communication to go out regarding the water and sewer line warranty program. He stated letters will be going out about the program that is vetted through the National League of Cities and he wants to make sure the residents know the letters include the City logo and Mayor's signature. He stated other companies send out similar materials, but have not been vetted through the National League of Cities. He stated the only other calendar item is the September 22, 2015 City Council meeting is changed to September 29, 2015.
20. City Council Reports – Councilmember Wilson noted Councilmember Welton's birthday celebration.

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

Mayor Ward recognized Gary Waldron who questioned if the rates were going to go up for the water and sewer line warranty program. City Manager Allan Weegar indicated they were not going up.

Mayor Ward recognized Magnolia Martinez, a Hurst resident and student who stated one of her assignments is to attend a Council meeting. She also expressed her desire to become more involved in the community.

**ADJOURNMENT**

The meeting adjourned at 8:16 p.m.

**APPROVED** this the 8th day of August 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Rita L. Frick, City Secretary

\_\_\_\_\_  
Richard Ward, Mayor

City Council Staff Report

<p>SUBJECT: SP-15-08 a Site Plan revision for Lot 5A, Block 1, Olde Towne Square Addition, being 18.04 acres located at 1400 Precinct Line Road</p>	
<p>Supporting Documents:</p>	
<p>Supporting documents provided at first reading</p>	<p>Meeting Date: 9/8/2015                  Department: Development                  Reviewed by: Steve Bowden                  City Manager Review: _____</p>
<p>Background/Analysis:</p>	
<p>An application has been made by Cates-Clark and Associates LP on behalf of Dayton Hudson Corporation and The Hangover Opportunity for a site plan revision for Lot 5A, Block 1A, Olde Town Square Addition, being 18.04 acres located at 1400 Precinct Line Road. The property is zoned GB-PD (General Business Planned Development).</p> <p>Dayton Hudson has purchased Lot 1C, Block 1, Olde Towne Square to incorporate the vacant parcel into Lot 5A and Lot 5E. Lots 5D and 5E will be subdivided as two (2) new parcels and will be marketed for future retail/restaurant users.</p> <p>There are no other changes to the proposed Super Target site. The access to the store will remain the same and there will be 714 parking spaces remaining, which exceeds what is required. The pylon sign will continue to serve Super Target only. The two new parcels will be site planned at a later date.</p>	
<p>Funding and Sources:</p>	
<p>There is no fiscal impact.</p>	
<p>Recommendation:</p>	
<p>The Planning and Zoning Commission met on Monday, August 17, 2015 and voted 7-0 to recommend approval of SP-15-08 Super Target.</p>	

ORDINANCE 2294

AN ORDINANCE ADOPTING A SITE PLAN REVISION FOR LOT 5A BLOCK 1 OLDE TOWNE SQUARE ADDITION, BEING 18.04 ACRES LOCATED AT 1400 PRECINCT LINE ROAD. SP-15-08

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 change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Hurst.

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 approval with Exhibit A for Lot 5A, Block 1 Olde Town Square Addition, being 18.04 acres located at 1400 Precinct Line Road.

AND IT IS SO ORDERED.

Passed on the first reading on the 25<sup>th</sup> day of August 2015 by a vote of 6 to 0.

Approved on the second reading on the 8<sup>th</sup> day of September 2015 by a vote of \_ to \_.

ATTEST:

CITY OF HURST

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Rita Frick, City Secretary

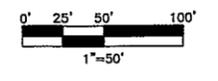
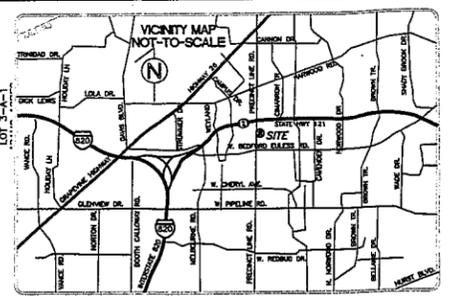
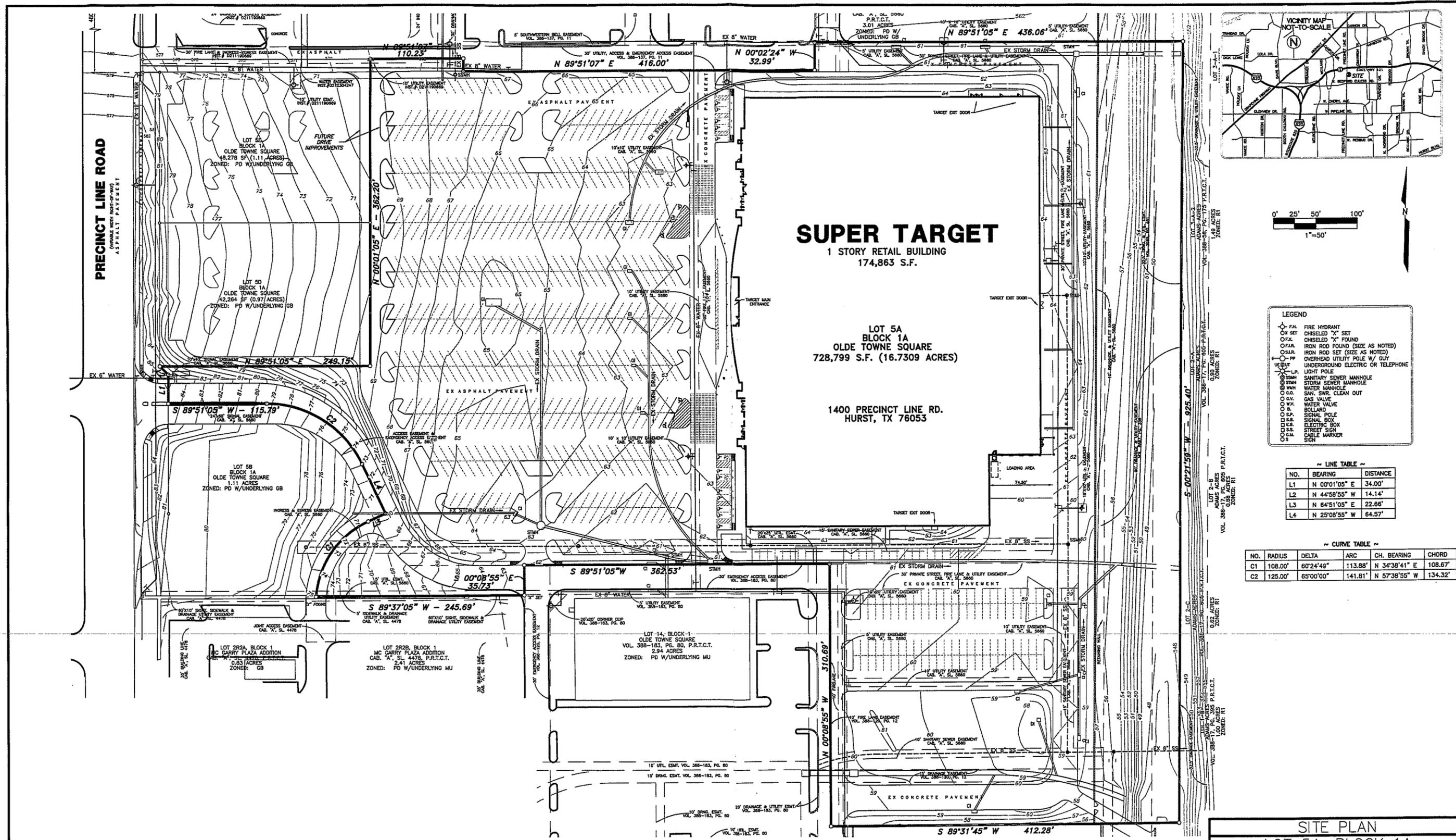
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Richard Ward, Mayor

Approved as to form and legality:

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City Attorney



**LEGEND**

- ⊕ F.H. FIRE HYDRANT
- ⊙ CH SET CHISELED "X" SET
- ⊙ CH F.X. CHISELED "X" FOUND
- ⊙ F.I.R. IRON ROD FOUND (SIZE AS NOTED)
- ⊙ O.I.R. IRON ROD SET (SIZE AS NOTED)
- ⊙ O.U.P. OVERHEAD UTILITY POLE W/ CUY
- ⊙ U.E. UNDERGROUND ELECTRIC OR TELEPHONE
- ⊙ L.P. LIGHT POLE
- ⊙ S.S.M. SANITARY SEWER MANHOLE
- ⊙ S.S.M. STORM SEWER MANHOLE
- ⊙ W.M. WATER MANHOLE
- ⊙ C.C.O. GAS VALVE
- ⊙ C.C.O. SAN. SWR. CLEAN OUT
- ⊙ W.V. WATER VALVE
- ⊙ BOLLARD
- ⊙ S.P. SIGNAL POLE
- ⊙ S.B. SIGNAL BOX
- ⊙ E.B. ELECTRIC BOX
- ⊙ S.S. STREET SIGN
- ⊙ C.M. CABLE MARKER
- ⊙ SIGN

**~ LINE TABLE ~**

NO.	BEARING	DISTANCE
L1	N 00°01'05" E	34.00'
L2	N 44°58'55" W	14.14'
L3	N 64°51'05" E	22.66'
L4	N 25°08'55" W	64.57'

**~ CURVE TABLE ~**

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	108.00'	60°24'49"	113.88'	N 34°38'41" E	108.67'
C2	125.00'	65°00'00"	141.81'	N 57°38'55" W	134.32'

**SITE DATA**

SITE AREA: 16.93 AC.  
ZONING: PD W/ UNDERLYING GB

LOT	BUILDING AREA (SF)	BUILDING USE	REQUIRED PARKING	PARKING PROVIDED	PARKING AREA (SF)
5A1	140,000 (RETAIL) 34,638 (STORAGE)	RETAIL STORAGE	1/200 (5/1000) 700 1/3000 (0.4/1000) 12 TOTAL: 712	714 (18 HC)	217,933



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY LAWRENCE A. CATES, P.E. 41838 ON 07.13.15

**SITE PLAN**  
 LOT 5A, BLOCK 1A  
 OLDE TOWNE SQUARE  
 CITY OF HURST, TEXAS

**CITY OF HURST, TEXAS**  
 ENGINEERING DIVISION

DESIGN	DRAWN	CHECKED	DATE	SCALE	REVISED	FILE NO.
NM	CAC	NM	JULY 2015	1"=50'		SP

City Council Staff Report

SUBJECT: SP-15-09 Mayfair Village, a site plan revision for signage only on Lot A, Block 2, Norwood North Addition, being 19.89 acres located at 600 Grapevine Highway

Supporting Documents:

Supporting documents provided at first reading

Meeting Date: 9/8/2015  
 Department: Development  
 Reviewed by: Steve Bowden  
 City Manager Review:

Background/Analysis:

An application has been made by SJR Planning Consultants, on behalf of Phillips Edison and Company, for a site plan revision, for signage only, on Lot A, Block 2, Norwood North Addition, being 19.89 acres located at 600 Grapevine Highway. The property is zoned GB-PD (General Business Planned Development).

The applicant is requesting the revision in order to install five (5) parking lot signs. The industry name is “Sustainable Displays” as they use LED lighting and solar panels, use recycled and/or recyclable materials when feasible, and are also meant to be economically sustainable as the aim is to maximize sales receipts, keep retail vacancy rates low, etc. These signs will only advertise merchandise or specials for businesses in the shopping center.

The proposed sign will have a printed copy message and will be powered by a solar unit on the top of each sign. Each sign will generate 20 lumens. The proposed height of the sign is 15 ft. with 36 square feet of sign area per face.

The applicant is requesting to place two (2) near the Tom Thumb entrance and three (3) near Stein Mart and the southwest retail area. There are no proposed changes to the existing Mayfair Village signs. These signs will be owned and maintained by the manufacturer POS Lakepointe SC. The sign copy may change every three (3) months.

Funding and Sources:

There is no fiscal impact for this agenda item.

Recommendation:

The Planning and Zoning Commission met on Monday, August 17, 2015 and voted 7-0 to recommend approval of SP-15-09 Mayfair Village.

ORDINANCE 2295

AN ORDINANCE ADOPTING A SITE PLAN APPROVAL FOR SIGNAGE ONLY, FOR LOT A, BLOCK 2, NORWOOD NORTH ADDITION, BEING 19.89 ACRES LOCATED AT 600 GRAPEVINE HIGHWAY, SP-15-09

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 change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Hurst.

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 approval with Exhibits A-B for Lot A, Block 2, Norwood North Addition, at Mayfair Village, being 19.89 acres located at 600 Grapevine Highway.

AND IT IS SO ORDERED.

Passed on the first reading on the 25<sup>th</sup> day of August 2015 by a vote of 6 to 0.

Approved on the second reading on the 8<sup>th</sup> day of September 2015 by a vote of \_ to \_.

ATTEST:

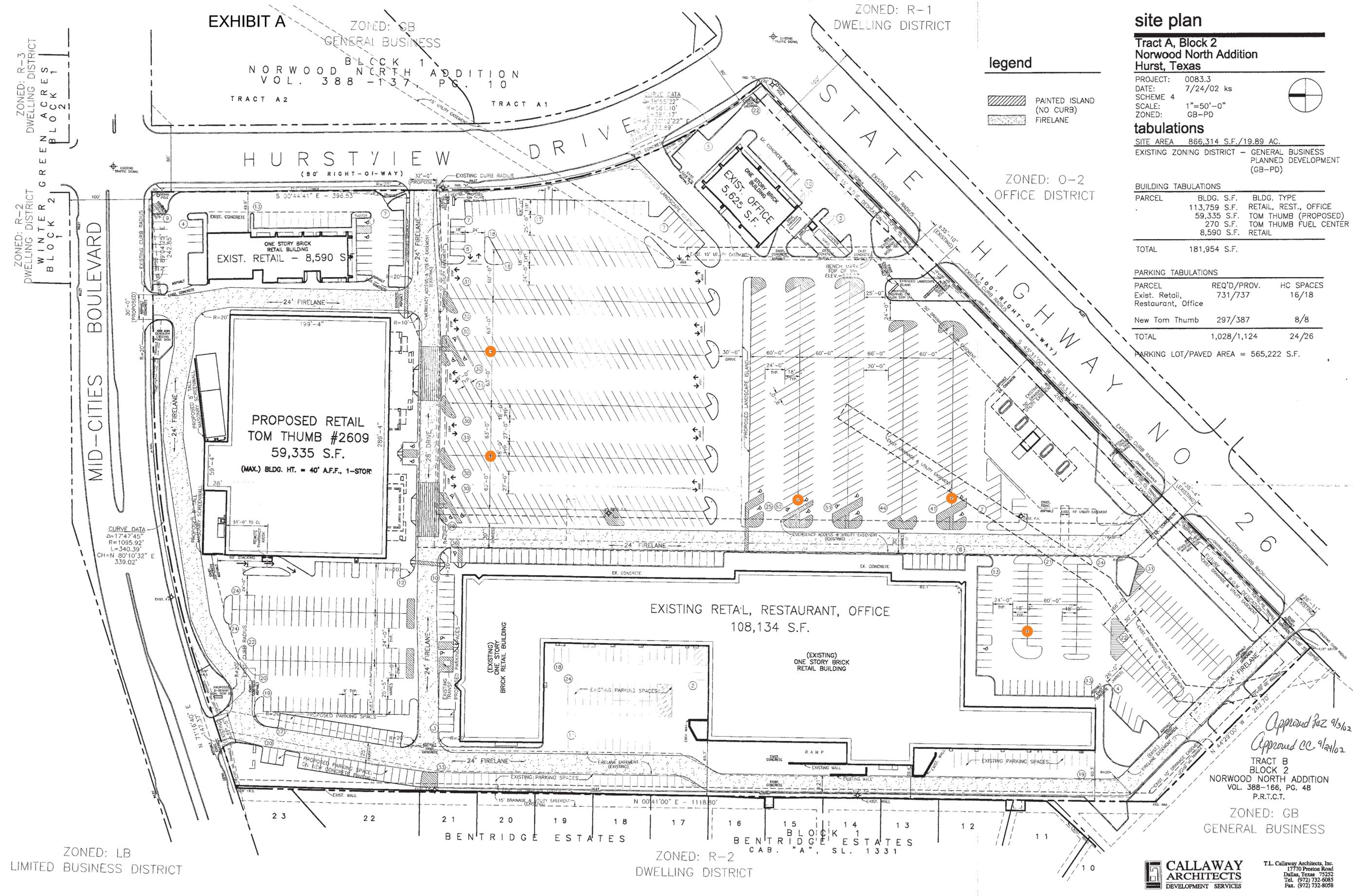
CITY OF HURST

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

\_\_\_\_\_  
Richard Ward, Mayor

Approved as to form and legality:

\_\_\_\_\_  
City Attorney



ZONED: R-3 DWELLING DISTRICT  
WINTER GREEN ACRES BLOCK 1  
WINTER GREEN ACRES BLOCK 2  
ZONED: R-2 DWELLING DISTRICT  
MID-CITIES BOULEVARD  
ZONED: LB LIMITED BUSINESS DISTRICT

**EXHIBIT A**  
ZONED: GB GENERAL BUSINESS  
BLOCK 1  
NORWOOD NORTH ADDITION  
VOL. 388-137 PG. 10  
TRACT A2 TRACT A1

ZONED: R-1 DWELLING DISTRICT

**legend**

- PAINTED ISLAND (NO CURB)
- FIRELANE

**site plan**

Tract A, Block 2  
Norwood North Addition  
Hurst, Texas

PROJECT: 0083.3  
DATE: 7/24/02 ks  
SCHEME 4  
SCALE: 1"=50'-0"  
ZONED: GB-PD



**tabulations**

SITE AREA 866,314 S.F./19.89 AC.  
EXISTING ZONING DISTRICT - GENERAL BUSINESS PLANNED DEVELOPMENT (GB-PD)

**BUILDING TABULATIONS**

PARCEL	BLDG. S.F.	BLDG. TYPE
	113,759 S.F.	RETAIL, REST., OFFICE
	59,335 S.F.	TOM THUMB (PROPOSED)
	270 S.F.	TOM THUMB FUEL CENTER
	8,590 S.F.	RETAIL
<b>TOTAL</b>	<b>181,954 S.F.</b>	

**PARKING TABULATIONS**

PARCEL	REQ'D/PROV.	HC SPACES
Exist. Retail, Restaurant, Office	731/737	16/18
New Tom Thumb	297/387	8/8
<b>TOTAL</b>	<b>1,028/1,124</b>	<b>24/26</b>

PARKING LOT/PAVED AREA = 565,222 S.F.

ISSUED: 8/28/02

REVISIONS: 7/26/02

8/1/02  
Bally transf., asphalt pharm. kiosk 8/7/02  
sign labels 8/14/02  
8/21 DRC 8/2/02  
ALT. PKG. 8/22/02

**UBS Realty Investors L.L.C.**  
242 Trumbull Street  
Hartford, CT 06103  
Contact Andy Burns  
t: (781) 395-9945  
f: (781) 395-9947

**CALLAWAY ARCHITECTS**  
DEVELOPMENT SERVICES  
T.L. Callaway Architects, Inc.  
17770 Preston Road  
Dallas, Texas 75252  
Tel. (972) 732-6085  
Fax. (972) 732-8058

**MAYFAIR VILLAGE**  
TRACT A, BLOCK 2  
NORWOOD NORTH ADDITION  
HURST, TEXAS

Approved PZ 9/3/02  
Approved CC 9/4/02

TRACT B  
BLOCK 2  
NORWOOD NORTH ADDITION  
VOL. 388-166, PG. 48  
P.R.T.C.T.

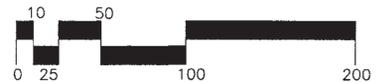
ZONED: GB GENERAL BUSINESS

**CALLAWAY ARCHITECTS**  
DEVELOPMENT SERVICES

T.L. Callaway Architects, Inc.  
17770 Preston Road  
Dallas, Texas 75252  
Tel. (972) 732-6085  
Fax. (972) 732-8058

\* This site drawing was made with information researched in our office or provided to our office by some concerned parties, but does not include all boundary, roadway, utility or other site data of unknown nature or known site data not made available to our office. No warranties or guarantees are given or implied.

**1 Site Plan**  
SCALE: 1" = 50'-0"



DRAWN KS CHECKED TC

JOB NO. 0083.3

TITLE

**SITE PLAN**

SHEET

**SP-1**



## City Council Staff Report

SUBJECT: Authority to award a Professional Services Contract to Pyles Whatley Corporation for appraisal services for the Pipeline Road Improvements, Phase 3 Project	
Supporting Documents:	
Contract	Meeting Date: 9/8/2015 Department: Public Works / Engineering Reviewed by: Ron Haynes City Manager Review:
Background/Analysis:	
<p>The next phase of Pipeline Road after Phase 2 is Phase 3 from Lorean Branch to Harrison Lane. The engineering design is 75% complete. The road alignment has been approved and the survey documents needed for acquiring additional street right-of-way are complete. Pyles Whatley Corporation (PWC) did the appraisals on Phase 2 in a timely manner. Tarrant County and City staff are recommending PWC be utilized on Phase 3 to provide eleven appraisals, for a total amount of \$43,100.00.</p>	
Funding and Sources:	
<p>As part of the recent 2015 bond sale, sufficient funds are available for this contract with the \$2.8 million Pipeline Road, Phase 3 budget.</p>	
Recommendation:	
<p>Staff recommends that City Council authorize the city manager to enter into a contract with Pyles Whatley Corporation, for appraisal services for Pipeline Road Improvements, Phase 3, in the amount of \$43,100.00 plus 10% contingency, for a total fee not to exceed \$47,410.00.</p>	

THE STATE OF TEXAS §

COUNTY OF TARRANT §

**PROFESSIONAL SERVICES CONTRACT**

**PIPELINE ROAD PHASE 3**

City of Hurst Project No. 6413-107

**THIS CONTRACT**, By and between the **CITY OF HURST**, a municipal corporation located in Tarrant County, Texas, hereinafter called "City", and Pyles-Whatley Corporation, professional real estate appraisers, hereinafter called "Professional", evidences the following:

**WHEREAS**, City desires the professional services for : Real Estate Appraisal Services

**WHEREAS**, Professional represents that it is qualified and capable of performing the professional services proposed herein and is willing to enter into this Contract with City to perform said services;

**NOW, THEREFORE**, the parties in consideration of the terms and conditions contained herein agreed as follows:

**1. EMPLOYMENT OF THE PROFESSIONAL**

Professional agrees to perform professional services as set forth in the following sections of this Contract, and City agrees to pay, and Professional agrees to accept fees as set forth in the following sections as full and final compensation for all services provided under this Contract.

**2. CONTRACT ADMINISTRATION**

This Contract shall be administered on behalf of the City by the Executive Director of Hurst Public Works or his designated representatives (hereinafter called "Executive Director"), and on behalf of the Professional by its duly authorized officials.

**3. CONSULTANT'S SERVICES**

The Professional agrees to render services as outlined in Exhibit A, Appraisal Proposal for Pipeline Road Phase 3, dated August 10, 2015.

**4. PAYMENT FOR SERVICES**

A. Payment for services will be computed on a per parcel basis to determine the payment due for services.

B. Professional shall submit an invoice on completion of each parcel for Services. City shall make payments in the amount shown by the Professional's invoice. Payments are

due within 30 days. No interest shall ever be due on late payments.

- C. Total payments for expenses, costs, and professional services related to additional appraisals needed beyond those specifically listed in Exhibit A shall be at a rate as shown on Exhibit A.
- D. Nothing contained in this article shall require 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 Professional when the Professional 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 Professional is in default, including the right to bring legal action for damages or for specific performance of this Contract.

**5. OWNERSHIP OF DOCUMENTS**

N/A

**6. SERVICES BY CITY**

City shall provide the following services under this Contract:

- A. Provide available criteria and information to the Professional as City's requirements for each assignment related to the Contract.
- B. Provide all available City of Hurst drawings, maps, and notes relating to existing public facilities within the scope of each Contract assignment.
- C. Provide all subdivision ordinance material and related booklets/studies necessary for the proper review of proposed water, sanitary sewer, storm drainage, and paving facilities.

**7. COMPLETION SCHEDULE**

All information and other data given to, prepared, or assembled by Professional under this Contract, and other related items shall become the sole property of the City and shall be delivered to City, without restriction on future use. Professional may make copies of any and all documents and items for its files. A set of final documents shall be filed with the City prior to final payment. Professional 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.

**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 Professional is instructed in writing to proceed.

**9. TERMINATION OF CONTRACT**

City may indefinitely suspend further work hereunder or terminate this Contract or any phase of this Contract upon five (5) days prior written notice to the Professional 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 five (5) day period, Professional 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 data related to the Contract 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. Should City subsequently contract with a new consultant for continuation of services on the Contract, Professional shall cooperate in providing information.

**10. RESPONSIBILITY FOR CLAIMS AND LIABILITIES**

Approval by City shall not constitute nor be deemed a release of the responsibility and liability of the Professional, its employees, associates, agents, and consultants for the accuracy and competency of their work.

**11. EQUAL EMPLOYMENT OPPORTUNITY**

- A. The Professional 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 Professional 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 Professional 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 Professional ineligible for further City Contracts until he is determined to be in compliance.

**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 Director of Public Works or his designated representative as identified in Section 9, Termination of Contract.

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

The Professional 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 Contract.

**14. RIGHT OF REVIEW**

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

**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.

**16. CONTRACT PERSONAL**

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

**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, P.E.  
**Contact Person**

City Engineer  
**Title**

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

**If intended for Consultant, to:**

Charles Stearman  
**Contact Person**

Appraiser  
**Title**

Pyles-Whatley Co.  
**Firm Name**

16910 Dallas Parkway Suite 100  
**Address**

Dallas, TX 75248  
**City, State, Zip Code**

(214) 640-5880  
**Telephone No.**

**18. INDEPENDENT CONTRACTOR**

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

**19. INDEMNITY**

Professional 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 Professional, or any agent, servant, or employee of Professional 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.

**20. INSURANCE**

Professional will maintain the following insurance coverage with insurance companies that are acceptable to City and that are rated level “A” or better by A.M. Best. Professional will also provide City with certificates of insurance naming City as additional insured for all of the following insurance coverage, except the Texas Workers Compensation insurance:

1. Texas Workers Compensation Insurance – statutory amounts required by law

2. Commercial General Liability Insurance – combined single limit per occurrence \$1,000,000 - aggregate \$2,000,000
2. Business Automobile Liability Insurance – DO NOT OWN AUTOMOBILES.
3. Professional Umbrella Liability Insurance – \$1,000,000

**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.

**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 of Texas and Federal Laws.

**23. GOVERNING LAWS**

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

**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.

**25. PUBLISHED MATERIAL**

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

**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.

**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.

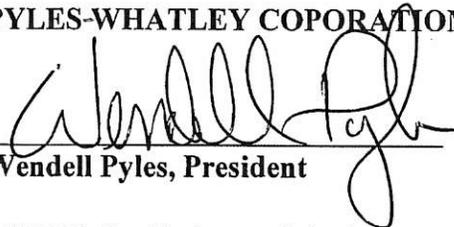
**28. ENTIRE AGREEMENT**

This Contract (pages 1 thru 7, and Exhibit A) 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 September, 2015.

**PYLES-WHATLEY COPORATION**

**CITY OF HURST**



\_\_\_\_\_  
**Allan Weegar, City Manager**

**Wendell Pyles, President**

**Recommended:**

16910 Dallas Parkway, Suite 100  
**Address**

\_\_\_\_\_  
**Executive Director of Public Works**

Dallas, Texas 75248  
**City, State, Zip Code**

**WITNESS:**

**APPROVED AS TO FORM:**

  
**Signature**

 , Boyle & Lowry, LLP  
**Ass't. City Attorney**

TAYLOR SHAUCHUNAS  
**Printed Name**

# EXHIBIT "A"

## PYLES ★ WHATLEY CORPORATION

Real Estate Consultants

---

August 10, 2015

Mr. Jim Juneau  
Project Manager  
Public Works Engineering  
City of Hurst  
1505 Precinct Line Road  
Hurst, Texas 76054

Re: Real Estate Appraisals of Proposed Fee Simple Acquisitions

Dear Mr. Juneau:

Thank you for your request to submit a proposal for providing real estate appraisal services on proposed fee simple acquisitions for the Pipeline Road Phase 3 Project. Based on the information provided, for the parcels identified on the attached pages, we have estimated real estate appraisal fees at a total cost of \$43,100.00. Up to ten additional appraisals for additional parcels (to be identified) may be added to this proposal at an average cost of \$2,800.00 each.

We propose to use a narrative format report as appropriate to meet the needs of the appraisal assignment. Once authorized to begin work, and following receipt of the parcel survey plats, the reports can be completed in 60 days. Three hard copies as well as an electronic copy of each report would be submitted to your office.

The fee for preparation and testimony in connection with a Special Commissioners Hearing for any parcel would be billed at the rate of \$150.00 per hour for preparation and meetings and \$250.00 per hour for testimony.

The appraisal reports would be submitted and prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) and in conformity with the requirements of the Code of Ethics and Standards of Professional Practice of the Appraisal Institute.

If you should need additional information, give me a call at 214-340-5880.

Respectfully submitted,

**PYLES WHATLEY CORPORATION**



Charles Stearman, SR/WA

Agreed to and accepted this \_\_\_\_ day of \_\_\_\_\_, 2015

By \_\_\_\_\_  
Authorized Representative of the City of Hurst, Texas

August 10, 2015

Mr. Jim Juneau

Page 2

### **Scope of the Appraisal Assignments**

Pyles Whatley Corporation, through its licensed appraisers, will perform all aspects of the real estate appraisal reports, to include the following:

- The client is identified as the City of Hurst, and the intended users are the City of Hurst and its legal counsel, and authorized agents and/or assigns, to include its consultants and acquisition service provider;
- The intended use is to provide an opinion of value of adequate compensation to property owners for fee simple rights-of-way in connection with the Project;
- Identify the properties and interests to be appraised;
- Communicate with the City of Hurst personnel, and as appropriate, other service providers, and landowners, regarding the appraisal assignment;
- Communicate with the property owners regarding the history and the condition of the subject properties;
- Research the public records for data on the subject properties, including zoning, assessments, taxes, acreage, buildings and site improvements, and maps;
- A preliminary search of all available resources to determine market trends, influences and other significant factors pertinent to the subject properties. Inspect the subject properties and subject area, and photograph the subject and relevant comparable sales and income properties; although due diligence will be exercised in inspecting the properties, the appraiser is not an expert in such matters as soils, structural engineering, hazardous waste, environmental conditions, the ADA, and other similar matters, and no warranty is given as to these elements;
- An analysis of the highest and best use of the subject property;
- Research and collection of relevant data (improved sales, escrow sales, listings, and income and other market data) as present in the market area (from public and private sources) and of sufficient quality to express an opinion of value as defined in the appraisal reports;
- Gather and analyze the market data to reach an estimate of market value for the appropriate interest in the subject, using the methodology and valuation approaches that are relevant to the assignments;
- Assemble and write the narrative reports, complete with maps, photos, and supporting addenda;
- Submit a **draft** of each report to the client for review and comment with respect to technical and legal aspects of the Project and individual properties, but in no way in regard to value; the **drafts** shall not be considered an appraisal, and are not suitable for presentation to landowners or the City's decision making;
- Prepare and submit a written appraisal report of each property on the Project, as requested by the client;
- A narrative report meets the client's requirements.

City Council Staff Report

SUBJECT: Consider authorizing the city manager to enter into an Interlocal Agreement with the cities of Fort Worth and Bedford for the funding participation in the Flood Protection Planning Study for Valley View Branch Watershed

Supporting Documents:

Location Map  
 Interlocal Agreement

Meeting Date: 9/8/2015  
 Department: Public Works  
 Reviewed by: Ron Haynes  
 City Manager Review:

Background/Analysis:

On July 12, 2015, the Texas Water Development Board authorized acceptance of the 50/50 flood protection planning grant application the City Council approved in Resolution 1610 early this year. The proposed study will basically be a master drainage study for the Valley View Branch Watershed. It will be a report that evaluates flood prone properties and infrastructure within the project area, formulates and analyzes conceptual alternative solutions that will reduce or eliminate flooding problems, and outline prudent floodplain management processes. This will serve as the second phase of the City-Wide Master Drainage Plan. Phase 1 was Lorean Branch Watershed and was completed in 2013 by Halff Associates, Inc.

Study Costs with TWDB 50% grant funds

Matching Study Cost = \$61,500  
 City of Hurst = \$50,500  
 City of Bedford = \$2,000  
 City of Fort Worth = \$9,000

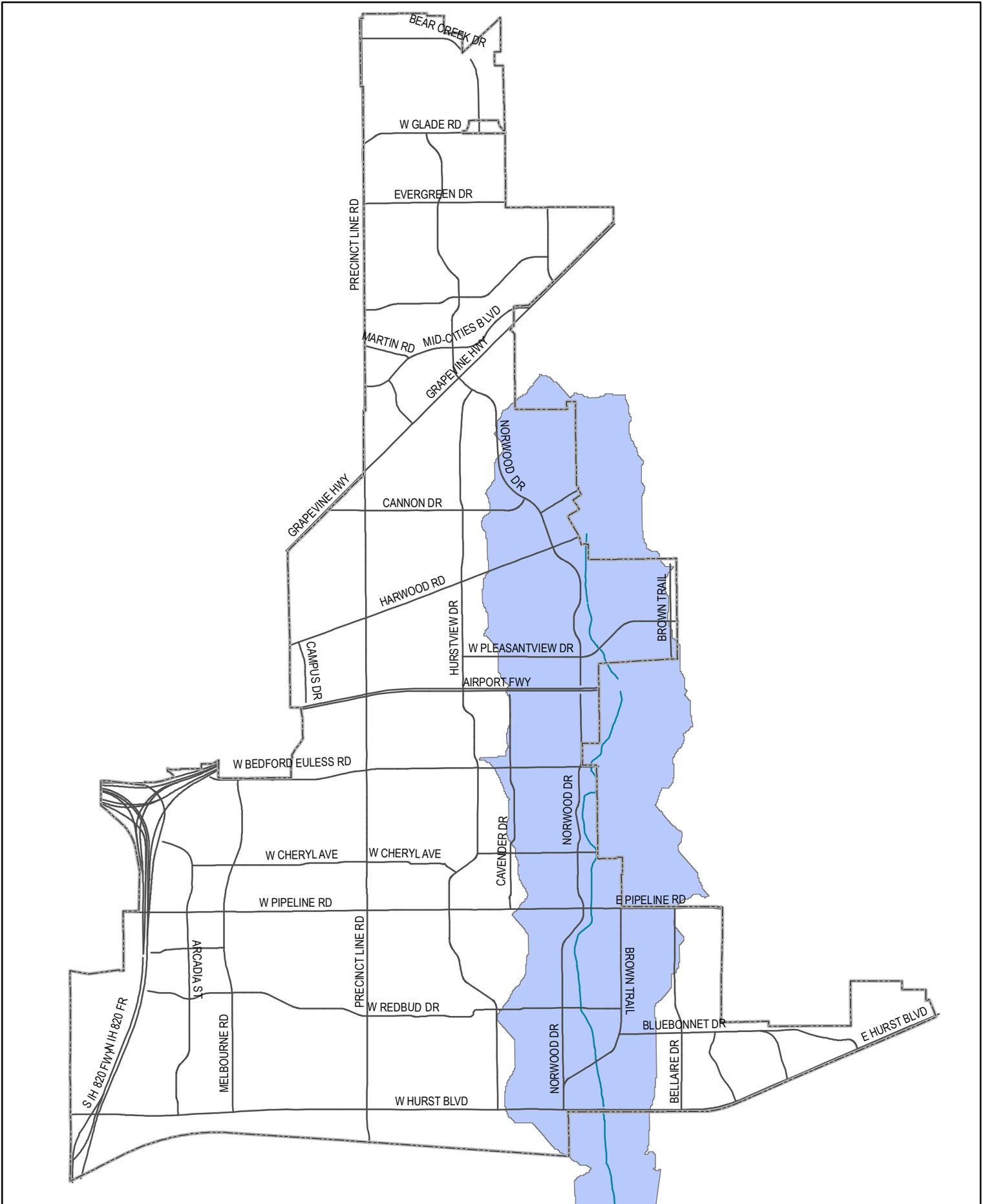
Funding and Sources:

Sufficient funds of \$52,500 were budgeted this year in the Storm Water Management Fund for the proposed engineering study (Project 6415-002).

Recommendation:

Staff recommends that City Council authorize the city manager to enter into an interlocal agreement with the cities of Fort Worth and Bedford for the funding participation in the Flood Protection Planning Study for Valley View Branch Watershed .

# Valley View Branch Watershed Location Map



INTERLOCAL AGREEMENT BETWEEN CITY OF HURST, CITY OF FORT WORTH, AND THE CITY OF BEDFORD, TEXAS

THIS AGREEMENT is made and entered into pursuant to the Interlocal Cooperation Act, TEX GOV'T CODE ANN., Ch. 791, by and among **CITY OF HURST**, a body corporate and politic under the laws of the State of Texas, **CITY OF FORT WORTH**, a body corporate and politic under the laws of the State of Texas and the **CITY OF BEDFORD**, a body corporate and politic under the laws of the State of Texas.

WITNESSETH:

**WHEREAS**, City of Hurst ("Hurst") has applied to the Texas Water Development Board for a grant that will provide funding for a Watershed Study of the Valley View Branch Watershed ("Project") within the City of Hurst, City of Fort Worth ("Fort Worth"), and the City of Bedford ("Bedford"); and

**WHEREAS**, each respective governing body finds it is mutually beneficial to, respectively, the City of Hurst, the City of Fort Worth, and the City of Bedford to participate in the Project and the parties are willing to commit to participating in the Project, as set out herein, provided the grant is awarded; and

**WHEREAS**, each governing body, in performing governmental functions or in funding the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

**WHEREAS**, subject to award of the grant, Hurst, Fort Worth, and Bedford desire to proceed with the Project, subject to the terms and conditions set forth herein; and

**WHEREAS**, the parties understand that entering into this Agreement in no way obligates any of the parties to implement any improvements identified by the Project or recommendations for flood plain management regulations made therein and that whether a party subsequently supports improvements identified by the Project or regulation recommendations made therein and prepares budgets for implementation depends upon, among other things, the outcome and conclusions of the Project, whether any improvement identified or regulation recommendation is within the legal authority of the party, and the particular budget priorities and limitations of the parties.

**NOW, THEREFORE**, for and in consideration of these recitals and the mutual covenants, agreements, and benefits to the parties herein named, the parties agree as follows:

**Section 1. MANAGEMENT COMMITTEE; ADMINISTRATION OF STUDY.**

- A. Fort Worth and Bedford understand that it shall designate, within sixty (60) days after the execution of this Agreement, one representative who shall work with Hurst to provide oversight for the preparation of the

Project parameters, who shall be a member of the Project Management Committee (“Committee”). The Committee will approve the study schedule, scope and work products as shown in Attachment A, beginning approximately October 1, 2015 and completing all tasks by November 1, 2016, with final report due to the TWDB by January 1, 2017. Recommendations of the Committee must be unanimous and shall be implemented by Hurst through its contract with consultant(s), to the extent that funding for the Project is available.

- B. Hurst shall serve as the lead sponsor for the purpose of this Agreement in which capacity it shall perform all administrative duties associated with Project including, but not limited to, entering into contract(s) with consultants(s) and contract administration necessary for the Project. Hurst shall thereafter provide a copy of the Notice to Proceed to Fort Worth and Bedford.

**Section 2. FISCAL PROVISIONS.** Hurst anticipates a grant from the Texas Water Development Board of \$61,500 that will pay 50% of the cost of the Project. This grant was awarded by the Texas Water Development Board at their regularly scheduled meeting on July 2, 2015. Any data, studies or information existing prior to that time shall be considered existing information and cannot be counted as payment or in-kind services, however, improvements or enhancements to such information or studies may be counted as in-kind services. The local 50% share of costs will be allocated among Hurst and Fort Worth based on the proportion of stream channel length in each city:

Fort Worth shall provide payment to Hurst in the amount of \$9,000 on or before January 10, 2016.

Bedford shall provide payment to Hurst in the amount of \$2,000 on or before January 10, 2016.

Hurst shall provide funding of \$50,500.00, half of which is to be made available on or before January 10, 2016 and half of which is to be made available on or before January 10, 2017.

Nothing in this agreement should be construed as creating any obligation on the part of the parties to compile new data, studies, or information that did not exist on the effective date of the agreement.

No debt is created by this Agreement. Hurst, Fort Worth, and Bedford each hereby warrant that all payments, contributions, fees and disbursements, if any, required under this Agreement shall be made from then-current revenues.

Each entity agrees to make its best efforts to include funds in future budgets to fulfill its obligations under this Agreement.

**Section 3. TERM OF AGREEMENT.** This Agreement shall become effective when executed by all parties hereto and shall remain in effect until completed, or until December 31, 2017, unless earlier terminated as provided herein.

**Section 4. NOTICES.** All notices or communications provided herein shall be delivered by certified mail, return receipt requested to Hurst, Fort Worth, and Bedford at their respective addresses. For the purposes of notice, the addresses of the parties, until changed by written notice, as provided above, shall be as follows:

City of Hurst  
1505 Precinct Line Road  
Hurst, Texas 76054  
Greg Dickens, City Engineer

City of Fort Worth  
1000 Throckmorton Street  
Fort Worth, Texas 76102  
Clair Davis, Floodplain Administrator

City of Bedford  
1813 Reliance Parkway  
Bedford, Texas 76021  
Thomas Hoover, Director of Public Works

**Section 5. FUNDING.** It is expressly understood and agreed between the parties, such understanding and agreement being of the absolute essence to the Agreement, that the total maximum sum Hurst will contribute for completion of the Project is the amount of \$50,500.00. When Hurst has expended such sum to meet its obligations hereunder, Hurst shall have no further obligation of duty under the terms of this Agreement, notwithstanding any word, statement, or thing contained in or inferred from the provisions hereof, which might in any light by any person be construed to the contrary. Hurst commits to provide detailed information along the Valley View Branch Watershed and designated tributaries in Hurst, Fort Worth, and Bedford; however, Hurst will develop information sufficient to determine the impacts of any projects planned as deemed necessary by the Committee.

It is expressly understood and agreed between the parties that Fort Worth and Bedford shall have no obligation to contribute its share unless the grant funds are awarded to Hurst. Hurst shall notify Fort Worth and Bedford in writing within 30 days of learning whether or not Hurst will be awarded the grant funds.

Participation by the parties in the Project shall in no way commit a party to financial participation in implementation of any solution to problems which may be identified by the Project, or the adoption of flood plain management regulations which may be recommended in the Project.

It is expressly understood and agreed between the parties that once the parties have provided payment and/or in-kind services, they shall have fully met their obligations hereunder, and shall have no further obligations, financial or otherwise, under the terms of this Agreement.

**Section 6. TERMINATION.** This Agreement may be terminated by either party by thirty (30) days advance written notice to the other party to this Agreement. In the event of termination under this provision, the parties shall have no further obligation to the other for any respective contribution at the time of termination.

**Section 7. IMMUNITY.** It is expressly understood and agreed that in the execution of this Agreement, no party waives nor shall be deemed to waive any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.

**Section 8. NOT A JOINT ENTERPRISE.** This Agreement is not intended to and shall not create a joint enterprise among any party hereto. The parties hereto are undertaking governmental functions or services under this Agreement and the purpose hereof is solely for the public good, rather than any pecuniary purpose. A party undertaking work under this Agreement shall have a superior right to control the direction and management of such work, except as may otherwise expressly be provided herein.

**Section 9. MISCELLANEOUS.**

- A. No party hereto shall make, in whole or in part, any assignment of this Agreement without the advance written consent of the other parties.
- B. The validity of this Agreement and any of its terms and provisions, as well as the rights and duties hereunder, shall be governed by the laws of the State of Texas.
- C. This Agreement may only be amended by written instrument duly executed on behalf of each party subject to this Agreement.
- D. This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original.

**IN WITNESS WHEREOF**, the parties' action under authority of their respective governing bodies have caused this Agreement to be duly executed in multiple counterparts.

CITY OF HURST, TEXAS

\_\_\_\_\_  
Allan Weegar, City Manager

Date: \_\_\_\_\_

Recommended by:

\_\_\_\_\_  
Ron Haynes, P.E. , Executive Director of Public Works

Attest:

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

Approved as to Form and Legality:

  
\_\_\_\_\_  
John Boyle, City Attorney  
Ben Stool Assit.  
Boyle & Lowry, LLP

**CITY OF BEDFORD, TEXAS**

\_\_\_\_\_  
Roger Gibson, City Manager

Date: \_\_\_\_\_

Recommended by:

\_\_\_\_\_  
Thomas Hoover, P.E. , Director of Public Works

Attest:

\_\_\_\_\_  
Michael Wells, City Secretary

Approved as to Form and Legality:

\_\_\_\_\_  
Stan Lowry, City Attorney

**CITY OF FORT WORTH, TEXAS**

\_\_\_\_\_  
City Manager

Date: \_\_\_\_\_

Recommended by:

\_\_\_\_\_  
Douglas Wiersig, P.E.  
Director Transportation and Public Works Department

Attest:

\_\_\_\_\_  
Mary J. Kayser, City Secretary

Approved as to Form and Legality:

\_\_\_\_\_  
Douglas W. Black, Assistant City Attorney

ORDINANCE 2296 (a)

AN ORDINANCE ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2016 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 2015-2016 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, 2015, and ending September 30, 2016, 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 2014-2015, as calculated by Fiscal Services and approved by the city manager, are hereby appropriated and transferred to the Special Projects and Loss Reserve Funds.

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 designate 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 8<sup>th</sup> day of September 2015 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

Approved on the second reading on the 29th day of September 2015 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

ATTEST:

CITY OF HURST

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

\_\_\_\_\_  
Richard Ward, Mayor

Approved as to form and legality:

\_\_\_\_\_  
City Attorney

City Council Staff Report

SUBJECT: Consider Ordinance 2296 (b) Ratifying the Property Tax Revenue Increase Reflected in the Fiscal Year 2015-2016 Budget

Supporting Documents:

Ordinance 2296 (b)

Meeting Date: 9/8/2015

Department: Fiscal Services

Reviewed by: CC/JCB

City Manager Review: \_\_\_\_\_

Background/Analysis:

There are special requirements for cities that propose a budget that raises more 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 2015-2016 budget.

When the revenues raised by property taxes in the City of Hurst Proposed Operating Budget for Fiscal Year 2015-2016 are compared to the revenues raised by property taxes in the City of Hurst, Texas Annual Operating Budget for Fiscal Year 2014-2015, the result is an increase of \$321,157 or 3% in property tax revenues for the General Fund Operating Budget.

When the revenues raised by property taxes in the City of Hurst Proposed Interest & Sinking Fund Budget for Fiscal Year 2015-2016 are compared to the revenues raised by property taxes in the City of Hurst Interest & Sinking Fund Budget for Fiscal Year 2014-2015, the result is a decrease of \$198,707 or 6% in property tax revenues.

The City's tax rate is proposed to increase by approximately one-half cent from \$0.606 to \$0.61056 per \$100 of taxable property values. The net property tax revenue increase of \$122,450 will be used to fund Justice Center operations, health care costs, public safety equipment, and ensure the city's compensation program remains competitive with surrounding municipalities.

Funding and Sources:

N/A

Recommendation:

In compliance with the Local Government Code, adoption of Ordinance 2296 (b) will ratify the property tax revenue in the 2015-2016 fiscal year budget.

ORDINANCE 2296 (b)

AN ORDINANCE RATIFYING THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2016 FOR THE CITY OF HURST, TEXAS

WHEREAS, the budget for the City of Hurst, Texas, for the fiscal period beginning October 1, 2015, and ending September 30, 2016, in words and figures has been adopted by Ordinance 2296 (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 2296 (a).

AND IT IS SO ORDERED.

Passed on the first reading on the 8<sup>th</sup> day of September 2015 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

Approved on the second reading on the 29<sup>th</sup> day of September 2015 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

ATTEST:

CITY OF HURST

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

\_\_\_\_\_  
Richard Ward, Mayor

Approved as to form and legality:

\_\_\_\_\_  
City Attorney

City Council Staff Report

SUBJECT: Adoption of Ad Valorem Tax Rate	
Supporting Documents:	
Ordinance 2297	Meeting Date: 9/8/2015 Department: Fiscal Services Reviewed by: CC/JCB City Manager Review: _____
Background/Analysis:	
<p>According to Section 26.05 of the Tax Code, a taxing unit may not impose property taxes in any (fiscal) year until the governing body has adopted a tax rate for that year.</p> <p>Senate Bill 18 as passed by the 79<sup>th</sup> Legislature requires the following language in caps and larger font placed in the Ordinance adopting a maintenance and operations tax rate that is higher than the effective maintenance and operations tax rate. The same information is required to be posted on the home page of the City's Internet website if the proposed rate is adopted.</p> <p><b>"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 2 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$8."</b></p>	
Funding and Sources:	
N/A	
Recommendation:	
<p>The City Council is required, under state law, to make a specific motion only if the total proposed tax rate exceeds the total effective rate. This not being the case, staff recommends that Council approve Ordinance 2297 setting a total tax rate of \$0.61056 for Fiscal Year 2015-2016 with a debt tax rate of \$0.1362835 and a maintenance and operations tax rate of \$0.4742765.</p>	

ORDINANCE 2297

AN ORDINANCE SETTING THE TAX RATE FOR THE CITY OF HURST FOR THE 2015 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 required public hearings; 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 2 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$8.

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 2015 the purposes hereinafter stipulated, to-wit:

- (a) For the General Fund (operations and maintenance) levied on the \$100.00 valuation: \$0.4742765; and
- (b) For the interest and sinking fund levied on the \$100.00 valuation: \$0.1362835.

TOTAL            \$0.61056

AND IT IS SO ORDERED.

Passed on the first reading on the 8<sup>th</sup> day of September 2015 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

Approved on the second reading on the 29th day of September 2015 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

ATTEST:

CITY OF HURST

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

\_\_\_\_\_  
Richard Ward, Mayor

Approved as to form and legality:

\_\_\_\_\_  
City Attorney

City Council Staff Report

SUBJECT: Consider Approval of Water and Wastewater Rates for Fiscal Year 2015-2016

Supporting Documents:

Ordinance 2298

Meeting Date: 9/8/2015

Department: Fiscal Services

Reviewed by: CC/JCB

City Manager Review: \_\_\_\_\_

Background/Analysis:

The Fiscal Services, Utility Billing and Public Works Departments reviewed the proposed Water and Wastewater Services budget for Fiscal Year 2015-2016 and are proposing the establishment of a new rate structure. The proposed water and sewer rates are expected to result in a sound financial position for the Enterprise Fund in 2015-2016. Weather and consumption trends can quickly improve or deteriorate the Enterprise Fund's annual financial performance.

A 2.12% increase in wholesale water costs, a 8.56% increase in wholesale wastewater costs, and the City's efforts to smooth revenue variability associated with weather patterns and water conservation efforts will make an increase in water and wastewater rates necessary for Fiscal Year 2015-2016. The following tables illustrate the proposed changes in wholesale water and sewer rates by the City of Fort Worth for the upcoming fiscal year:

<b>WATER</b>			
<b>City of Fort Worth</b>	<b>2014-2015</b>	<b>2015-2016</b>	<b>% Change</b>
Volume (1,000 gallons)	\$0.9133	\$0.9523	4.27%
Raw Water	\$1.1868	\$1.3019	9.70%
Total	\$2.1001	\$2.2542	7.34%
Max Day Above Average (MG)	\$156,017	\$128,074	-17.91%
Max Hour Above Max Day (MG)	\$47,325	\$ 41,788	-11.70%
<b>Overall Average Increase (based on est. volumes, max hr. &amp; max day)</b>			<b>2.12%</b>

<b>WASTEWATER</b>			
<b>City of Fort Worth</b>	<b>2014-2015</b>	<b>2015-2016</b>	<b>% Change</b>
Volume (1,000 gallons)	\$1.1495	\$1.2784	11.2%
BOD (per pound)	\$0.3682	\$0.3532	-4.1%
TSS (per pound)	\$0.2010	\$0.2514	25.1%
<b>Overall Average Increase</b>			<b>8.56%</b>

The customer's water and sewer utility bill is proposed to increase by an average of 5% for Fiscal Year 2015-2016. Based on 12,000 gallons usage, this amounts to an additional \$6 per month. Commercial customers will also continue to pay an additional base fee amount of \$4 or \$12 per month depending upon meter size. There are no proposed changes to these additional base fee amounts for FY 2015-2016. It is important to note that apartment complexes and other multi-unit properties pay the additional base fee on a per unit basis. Both water and wastewater rates are proposed to change this year. These rate increases are primarily driven by the City of Fort Worth's increase in wholesale water and wastewater charges and the City of Hurst's fiscal policy. The current and proposed rates are as follows:

**WATER AND WASTEWATER RATES**  
(Current and Proposed/Inside City Limits)

<b>Water</b>	<b>Current</b>	<b>Proposed</b>
Minimum 2,000 gallons*	\$15.42*	\$16.19*
Over 2,000 gallons	\$6.20/1,000 gallons	\$6.51/1,000 gallons
<b>Water – Fire Hydrant or Temporary Meter</b>		
Minimum 2,000 gallons*	\$23.12*	\$24.28*
Over 2,000 gallons	\$9.30/1,000 gallons	\$9.77/1,000 gallons
<b>Wastewater - Residential</b>		
Minimum	\$11.16	\$11.72
First 12,000 gallons	\$3.58/1,000 gallons	\$3.76/1,000 gallons
Maximum Charge	\$54.12	\$56.84
<b>Wastewater - Commercial</b>		
Minimum*	\$11.16*	\$11.72*
All	\$3.58/1,000 gallons	\$3.76/1,000 gallons

\* An additional base fee of \$4 or \$12 /mo. (based on meter size) for commercial accounts is proposed to remain in effect for FY 2015-2016.

City Council Staff Report

Funding and Sources:

N/A

Recommendation:

Staff recommends that the City Council approve Ordinance 2298 including the proposed Water and Wastewater rates effective October 1, 2015, to be included in all City utility bills processed on, or after, November 1, 2015.

ORDINANCE 2298

AN ORDINANCE AMENDING SECTIONS 26-22(1), 26-60(1) AND (2), AND 26-67 (b) OF THE HURST CODE OF ORDINANCES; UPDATING THE CHARGES FOR WATER SERVICE AND WASTEWATER SERVICE TO ALL CUSTOMERS AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council has been advised by staff that it is necessary to raise water and wastewater rates in order to insure the fiscal integrity of the utility system; and,

WHEREAS, the City Council finds that the rates herein promulgated are no more than what is required in order to preserve such fiscal integrity.

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

Section 1: That Section 26-22 of the Hurst Code of Ordinances be amended to read as follows:

"Section 26-22. Rates established for water.

The following monthly rates shall be charged by the water department for water:

- (1) Inside city limits—Single-family and commercial rates:
  - a. First 2,000 gallons (minimum charge) \$16.19
  - b. All over 2,000 gallons, per 1,000 gallons \$ 6.51

Section 2: That Section 26-60(1) and (2) of the Hurst Code of Ordinances be amended to read as follows:

"Section 26-60. Rates for Service Inside City Limits.

The following schedules of rates per month, or fraction thereof, shall be the basis for determining charges to customers as specified for rendering wastewater service, where the wastewater produced by such customer is normal sewage and where such customer is located within the City:

(1) A minimum charge of eleven dollars and seventy-two cents (\$11.72) shall be charged to all wastewater customers for each residential or business occupancy; provided, however, if multiple occupancies are served with a single water meter, the minimum charge shall be computed at ninety (90) percent of dwelling units, business occupancies or mobile homes, whichever is applicable, times the minimum charge established herein for individual customers.

(2) A monthly volume charge shall also be charged to all wastewater customers in the amount of three dollars and seventy-six cents (\$3.76) per one thousand (1,000) gallons of water used or wastewater produced as more specifically set forth hereinafter...."

Section 3: That Section 26-67(b) of the Hurst Code of Ordinances be amended to read as follows:

"Sec. 26-67. Fees and charges.

(b) Monitoring, sampling and analytical fees for significant industrial users. These users may be sampled by the authority no less frequently than semi-annually and charged for the laboratory and sampling services. Laboratory and sampling fees assessed are based on the types of service rendered and categories of analysis. Such fees shall be set forth and established according to the annual budget process.

Wastewater rate fees (additional fees may be applied):

BOD strength charge, per pound . . \$0.3532

TSS strength charge, per pound . . . \$0.2514

Section 4: The rates herein established shall be effective on all bills processed on or after November 1, 2015.

AND IT IS SO ORDERED.

Passed on the first reading on the 8<sup>th</sup> day of September 2015 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

Approved on the second reading on the 29th day of September 2015 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

ATTEST:

CITY OF HURST

---

Rita Frick, City Secretary

---

Richard Ward, Mayor

Approved as to form and legality:

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City Attorney

City Council Staff Report

SUBJECT: Z-15-02 Pecan Street Townhomes, a zoning change from LB to R2-PD with a site plan for Lot 12R1, Block 1 WB La Cava Addition, being .44 acre located at 232 East Pecan Street

Supporting Documents:

Area map  
 Legal notice  
 Ownership data  
 Zoning exhibit – Exhibit A  
 Site plan – Exhibit B  
 Building elevations - Exhibit C and D

Meeting Date: 9/8/2015  
 Department: Development  
 Reviewed by: Steve Bowden  
 City Manager Review:

Background/Analysis:

An application has been made by MJ Wright Architects for a zoning change from LB (Limited Business) to R-2PD (Single Family Planned Development) with a site plan, being .44 acre located at 232 E. Pecan St.

The applicant is requesting the zoning change with a site plan to develop four (4) attached zero lot line townhomes. The developer is proposing one access driveway per lot onto Pecan Street. The minimum lot size will be 4,118 square feet. The applicant is requesting a modification on each lot width, but does not exceed the maximum lot coverage.

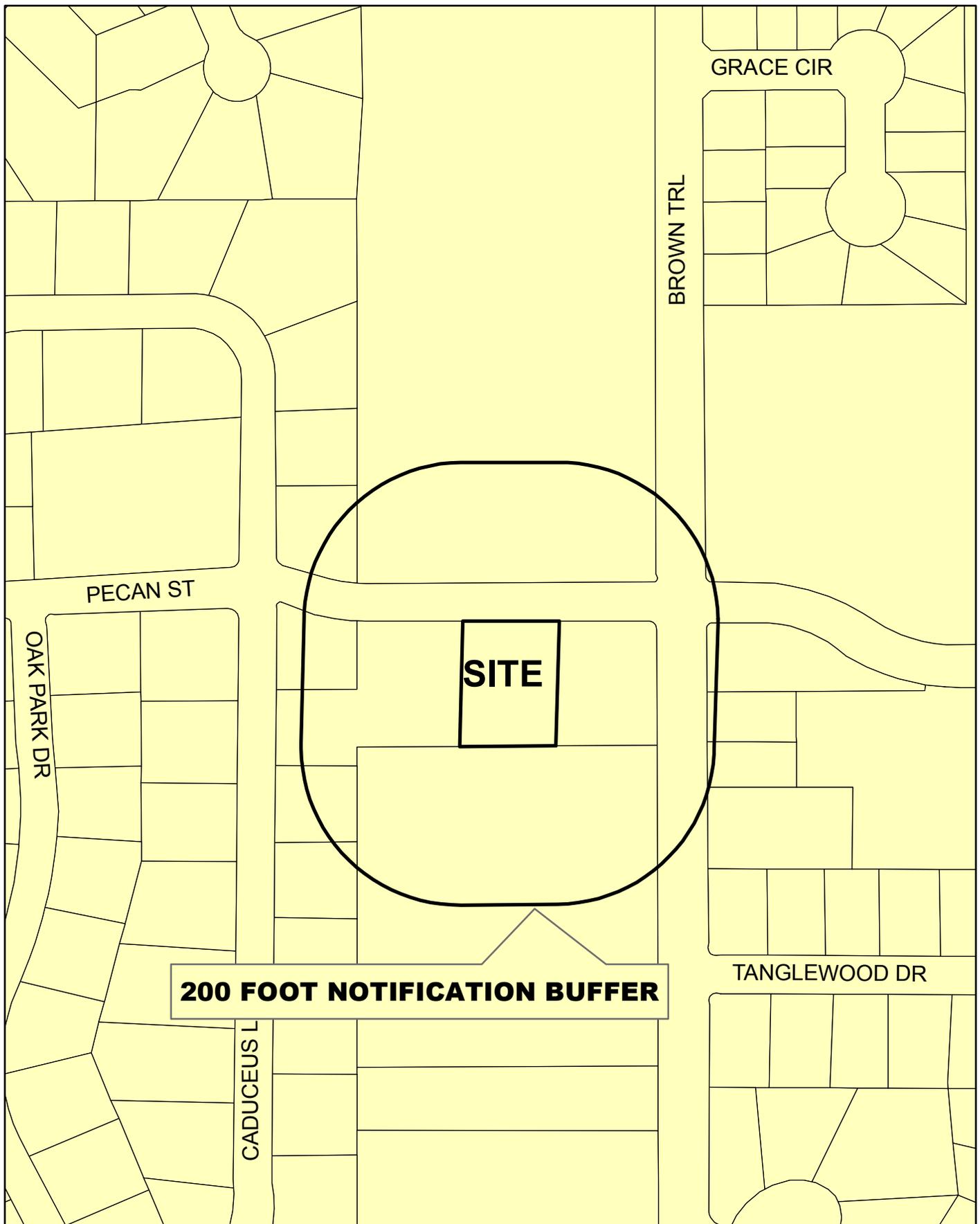
There is a 10 foot pedestrian access easement on the south, east, and west side of the property. The applicant will install a six (6) ft. wooden fence along the southern property line and repair the existing fences on the east and west side. There is no masonry screening wall requirement adjacent to the R-1 residential property.

There are no fences planned between the residential lots at this time. If the lots sell or are rented, the access easement will provide future residents access to their rear yard.

The building elevations indicate a two-story masonry structure with stone veneer accents and cement siding on the second level. Each home will have a one car garage and a carport.

The developer will plant three (3) 3-inch trees as required by ordinance.

<b>Funding and Sources:</b>
There is no fiscal impact.
<b>Recommendation:</b>
The Planning and Zoning Commission met on Monday August 31, 2015 and voted 7-0 to recommend approval of Z-15-02 Pecan Street Townhomes.



<p>CASE NO: Z-15-02 Pecan Street Townhomes</p>	<p>LEGAL DESCRIPTION: Lot 12R1, Block 1 WB La Cava Addition</p>	<p>AGENDA DATE: 9/08/15</p>
<p>REQUESTED ACTION: Zoning/site plan from LB to R2-PD</p>	<p>LOCATION: 232 E. Pecan St.</p>	



Z-15-02

## LEGAL NOTICE

**A PUBLIC HEARING WILL BE HELD BY THE HURST CITY COUNCIL ON TUESDAY, SEPTEMBER 8, 2015 AT 6:30 P.M. AT HURST CITY HALL, 1505 PRECINCT LINE ROAD TO CONSIDER A ZONING CHANGE WITH A SITE PLAN FOR LOT 12R1, BLOCK 1 WB LA CAVA ADDITION, BEING .44 ACRE LOCATED AT 232 E. PECAN STREET.**

**Pecan Townhomes**  
Lot 12R1, Block 1  
WB La Cava Addition  
232 E. Pecan St.



Z-15-02

**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.**

Pecan Townhomes  
Zoning Change  
Lot 12R1, Block 1, W.B. La Cava Addition  
232 E. Pecan Street

**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:**

<b>PROPERTY OWNER</b>	<b>LEGAL DESCRIPTION</b>	<b>ADDRESS</b>
GNH HURST PARTNERS LTD	LOT AR, BLOCK 2 WB LACAVA ADDITION	1800 WEST LOOP S # 1925 HOUSTON, TX 77027
TAFT DOUG	LOT 14 BLK 2 OAK PARK ESTATES ADDN	600 CADECEUS HURST, TX 76053
MCNEIL LEE ANNE MARIE	LOT 2 BLK 1 WHITEMAN ADDITION	536 BROWN TR HURST, TX 76053
GELDARD KEVINP	LOT 11 BLK5 OAK PARK ESTATES	540 CADUCEUS LN HURST, TX 76053
TROW KEVIN	LOT 11R BLK 5 WB LACAVA ADDITION	536 CADUCEUS LN HURST, TX 76053
NGUYEN THANH TIEN	LOT 12R1 BLOCK 1 WB LACAVA ADDITION	3943 LUKE LN CARROLLTON, TX 75007
HITEK INVESTMENT GROUP LLC	LOT 12R1 BLOCK 1 WB LACAVA ADDITION	1010 LOST VALLEY DR EULESS, TX 76039
TEXCAN VENTURES II LTD	LOT 1R BLK 1 PECAN CREEK MANOR	5100 POOL RD COLLEYVILLE, TX 76034

COLLUP BARBARA JOYCE	LOT 4, BLOCK 1 WHITEMAN ADDITION	6216 GLENGARRY CT NORTH RICHLAND HILLS, TX 76180
SPOONER TRISTA N	LOT 1R BLK 1 WHITEMAN ADDITION	540 BROWN TR HURST, TX 76053
BLAND CHRISTY	LOT 14 BLK 1 WB LA CAVA ADDITION	532 CADUCEUS LN HURST, TX 76053
BLAND CHRISTY L	LOT 9 BLK 5 OAK PARK ESTATES	532 CADUCEUS LN HURST, TX 76053
CLARK DOROTHY K	LOT 8 BLK 5 OAK PARK ESTATES	524 CADUCEUS LN HURST, TX 76053
TEXCAN VENTURES II LTD	LOT 2A, BLOCK 1 PECAN CREEK MANOR	5100 POOL RD COLLEYVILLE, TX 76034
OCCUPANT	LOT AR, BLOCK 2 WB LACAVA ADDITION	601 BROWN TRAIL HURST, TX 76053
OCCUPANT	LOT 12R1 BLOCK 1 WB LACAVA ADDITION	232 E PECAN ST HURST, TX 76053
OCCUPANT	LOT 12R1 BLOCK 1 WB LACAVA ADDITION	547 BROWN TRAIL HURST, TX 76053
OCCUPANT	LOT 1R BLK 1 PECAN CREEK MANOR	304 E PECAN ST HURST, TX 76053
OCCUPANT	LOT 4, BLOCK 1 WHITEMAN ADDITION	544 BROWN TRAIL HURST, TX 76053
OCCUPANT	LOT 14 BLK 1 WB LA CAVA ADDITION	529 BROWN TRAIL HURST, TX 76053
OCCUPANT	LOT 9 BLK 5 OAK PARK ESTATES	528 CADUCEUS LN HURST, TX 76053
OCCUPANT	LOT 2A, BLOCK 1 PECAN CREEK MANOR	307 E PECAN ST HURST, TX 76053





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E. PECAN STREET  
 PECAN STREET TOWNHOMES



M. J. WRIGHT & ASSOCIATES, INC.  
 601 W. HARWOOD ROAD  
 OFFICE: 817/268-5555  
 WWW.MJWRIGHT.COM

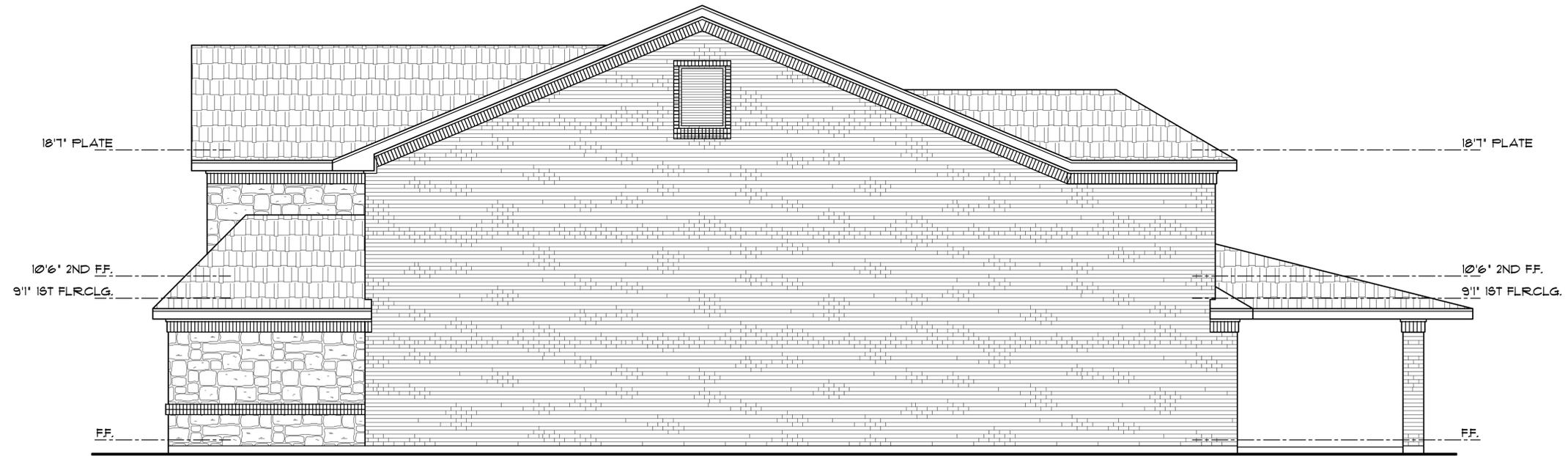
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FRONT ELEVATION  
 1/4"=1'0"



REAR ELEVATION  
 1/4"=1'0"



**RIGHT ELEVATION**  
1/4" = 1'0"



**LEFT ELEVATION**  
1/4" = 1'0"

Date 08/28/15  
 Drawn By MJW  
 Checked By MJW  
 Revisions \_\_\_\_\_

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**PECAN STREET TOWNHOMES**  
**E. PECAN STREET**  
**PECAN STREET TOWNH**



**MJW ARCHITECTS**  
 M. J. WRIGHT & ASSOCIATES, INC.  
 601 W. HARWOOD ROAD  
 OFFICE: 817.268.5555  
 FAX: 817.268.5558  
 HURST TX 76054-3161  
 MJW@MJWRIGHT.COM  
 WWW.MJWRIGHT.COM

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Sheet No.

**3**

Project No.  
**15060UZO**

ORDINANCE 2299

AN ORDINANCE ADOPTING A ZONING CHANGE FROM LB TO R2-PD FOR LOT 12R1 BLOCK 1 WB LA CAVA ADDITION, BEING .44 ACRE LOCATED AT 232 E. PECAN ST, Z-15-02

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 change herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the City of Hurst.

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 zoning change from LB to R2-PD with a site plan, Exhibits "A-D", for Lot 12R1, Block 1 WB La Cava Addition, being .44 acre located at 232 E. Pecan St.

AND IT IS SO ORDERED.

Passed on the first reading on the 8<sup>th</sup> day of September 2015 by a vote of \_\_\_ to \_\_\_ .

Approved on the second reading on the 29<sup>th</sup> day of September 2015 by a vote of \_\_\_ to \_\_\_.

ATTEST:

CITY OF HURST

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

\_\_\_\_\_  
Richard Ward, Mayor

Approved as to form and legality:

\_\_\_\_\_  
City Attorney

City Council Staff Report

SUBJECT: P-15-08 Pecan Townhomes, a replat of Lot 12-R1, Block 1 WB La Cava Addition to Lots 1-4, Block A Pecan Townhomes Addition, being .44 acre located at 232 East Pecan Street

Supporting Documents:

Area map  
 Plat

Meeting Date: 9/8/2015  
 Department: Development  
 Reviewed by: Steve Bowden  
 City Manager Review:

Background/Analysis:

An application has been made by Hamilton Duffy Engineering for a replat of Lot 12-R1, Block 1 W B La Cava Addition to Lots 1-4, Block A Pecan Townhomes Addition, being .44 acre located at 232 East Pecan St.

The applicant is requesting the replat to develop four (4) zero lot line attached townhomes.

Engineering plans have been reviewed and accepted. This plat does not meet the minimum lot width for R-2 (Residential Duplex) zoning and is contingent on the approval of the PD site plan on this agenda.

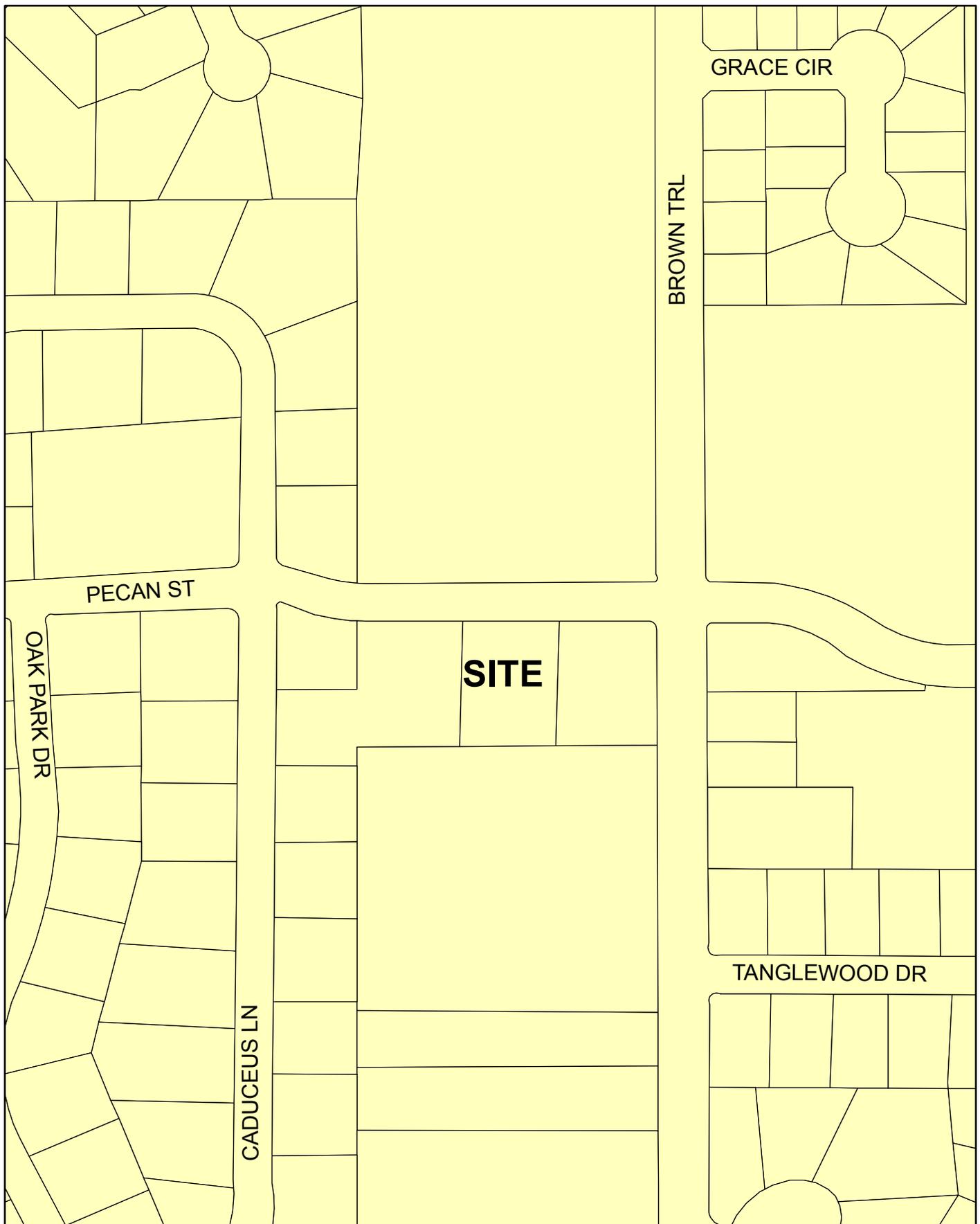
A 10 foot pedestrian access easement has been added to the south, east, and west property line to provide access to each rear yard.

Funding and Sources:

There is no fiscal impact.

Recommendation:

The Planning and Zoning Commission met on Monday, August 31, 2015 and voted 7-0 to recommend approval of P-15-08 Pecan Townhomes Addition.



<p><b>CASE NO:</b> P-15-08 Pecan Street Townhomes</p>	<p><b>LEGAL DESCRIPTION:</b> Lot 12R1, Block 1 WB La Cava Addition</p>	<p><b>AGENDA DATE:</b> 9/08/15</p>
<p><b>REQUESTED ACTION:</b> Replat</p>	<p><b>LOCATION:</b> 232 E. Pecan St.</p>	



**ABBREVIATIONS**

- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS OF TARRANT COUNTY, TEXAS
- VOL. VOLUME
- PG. PAGE
- DOC. NO. DOCUMENT NUMBER
- U.E. UTILITY EASEMENT
- B.L. BUILDING LINE
- IRF IRON ROD FOUND
- P.O.B. POINT OF BEGINNING
- P.A.E. PEDESTRIAN ACCESS EASEMENT

- LEGEND NOT TO SCALE**
- PROPERTY CORNER
  - INTERIOR PROPERTY CORNER

**NOTES**

1. All building lines, easements and bearings shown hereon are according to the Plat of W. B. La Cava Subdivision recorded under Volume 388-189, Page 40, in the Plat Records of Tarrant County, Texas, unless otherwise noted.
2. According to the Flood Insurance Rate Map No. 48439C0210 K, 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.
3. The surveyed property is Zoned for LB - Limited Business District as of the date of this survey. Building Setbacks, Heights, and Area restrictions are dependent upon end use. See Section "27-15.4 Mixed Use Planned Development Overlay District" in the City of Hurst Ordinances, Zoning Chapter 27.
4. The basis of bearing for the property shown hereon is based on the south right-of-way line of Pecan Street as shown on Lot 12-R-1 W. B. La Cava Subdivision recorded in Volume 388-189, Page 40 P.R.T.C.T.
5. Unless otherwise noted, all corners shown hereon are 1/2" iron rods set with a cap stamped "SPRY".

**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: JUNE 10, 2015

Surveyor's Signature



**OWNER'S DEDICATION**

STATE OF TEXAS  
COUNTY OF TARRANT

WHEREAS, Thanh Tien Nguyen & Ann H. Pham are the owners of all that certain 0.4585 of an acre of land, recorded in Document Number D211107758, in the Official Public Records of Tarrant County, Texas (O.P.R.T.C.T.), which is all of Lot 12-R-1, W. B. La Cava Subdivision, an addition to the City of Hurst, recorded in Volume 388-189, Page 40, in the Plat Records of Tarrant County, Texas (P.R.T.C.T.), in the G. Wilson Survey, A-1627, Tarrant County, Texas and more particularly described by metes and bounds as follows (all bearings based on the south right-of-way line of Pecan Street as shown on said Lot 12-R-1, W. B. La Cava Subdivision):

BEGINNING at a 1/2" iron rod found for the northwest corner of the herein described tract, common to the northeast corner of Lot 11-R, W. B. La Cava Subdivision, recorded in Volume 388-46, Page 412, P.R.T.C.T., in the south right-of-way line of Pecan Street (a 50' right-of-way);

THENCE East - 125.00' along the south right-of-way line of said Pecan Street, common to the north line of the herein described tract, to a 60D nail found for the northeast corner of the herein described tract, common to the northwest corner of Lot 12-R-2, of said W. B. La Cava Subdivision recorded in Volume 388-189, Page 40, P.R.T.C.T.;

THENCE South 00° 07' 31" West - 158.38' (plat called 158.40') along the east line of the herein described tract, common to the west line of said Lot 12-R-2, to a 5/8" iron rod found for the southeast corner of the herein described tract, common to the southwest corner of said Lot 12-R-2, in the north line of Lot 14B, of W. B. La Cava Subdivision, recorded in Document No. D206282718, P.R.T.C.T.;

THENCE West - 127.20' along the south line of the herein described tract, common to the north line of said Lot 14B, to a 5/8" iron rod found for the southwest corner of the herein described tract, common to the southeast corner of said Lot 11-R;

THENCE North 00° 55' 16" East - 158.40' along the west line of the herein described tract, common to the east line of Lot 11-R, to the POINT OF BEGINNING and containing 0.4585 of an acre of land.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That Thanh Tien Nguyen & Ann H. Pham, the Owners, do hereby adopt this plat designating the herein before described property as Lot 1-4, Block A, Pecan Townhomes 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 \_\_\_\_\_, 2015.

Signature \_\_\_\_\_ Title \_\_\_\_\_

**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 \_\_\_\_\_,

known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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 \_\_\_\_\_, 2015, to approve this Plat.

BY: \_\_\_\_\_ Chairman

Attest: \_\_\_\_\_ Secretary

**Statement of Adoption by Council**

The City Council of Hurst, Texas on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, voted affirmatively to adopt this plat and approve it for filing of record.

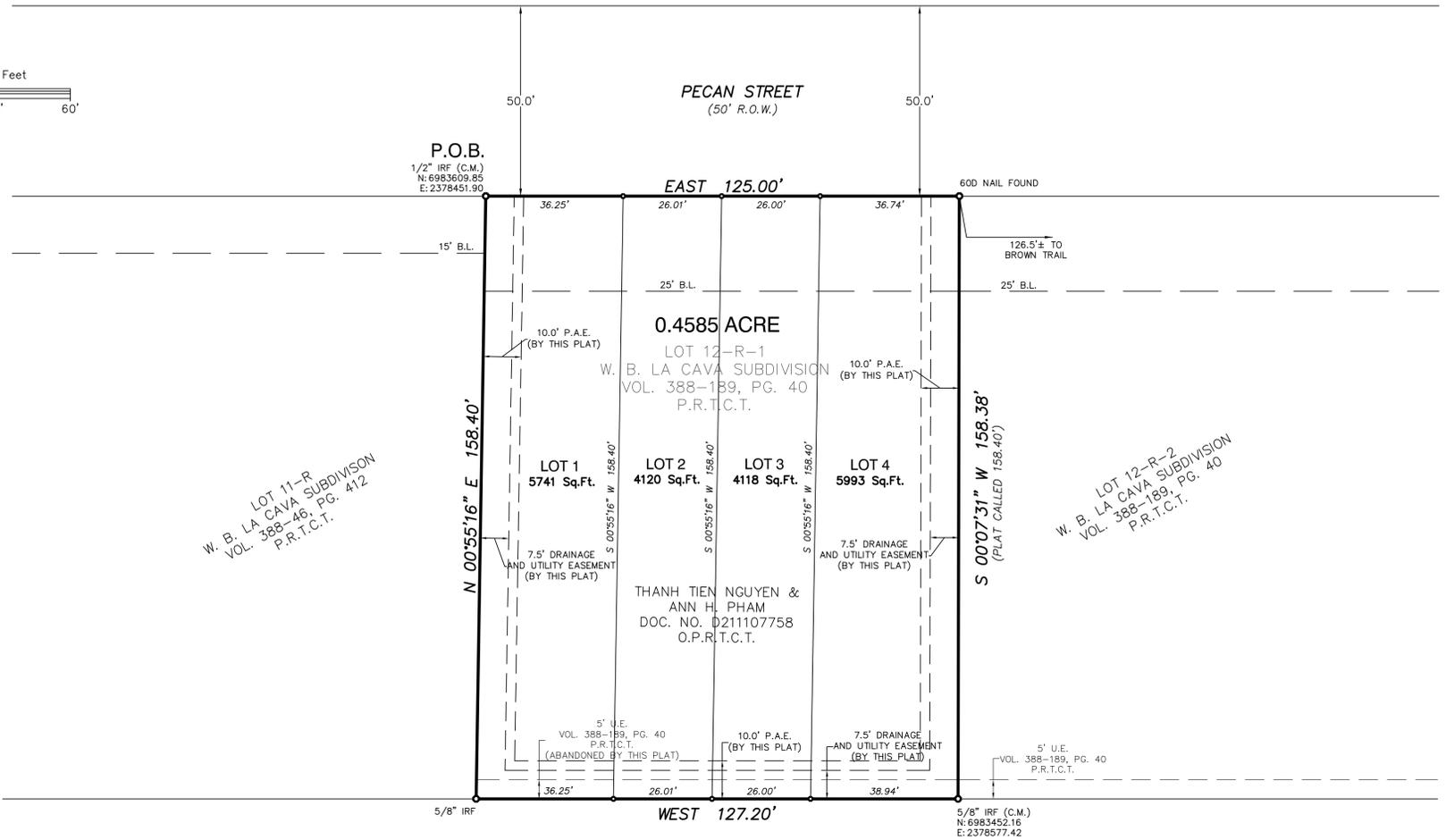
BY: \_\_\_\_\_ Mayor

Attest: \_\_\_\_\_ City Secretary

**A FINAL PLAT OF LOTS 1-4, BLOCK A PECAN TOWNHOMES ADDITION**

AN ADDITION TO THE CITY OF HURST, BEING A REPLAT OF LOT 12-R-1, W. B. LA CAVA SUBDIVISION, RECORDED IN VOLUME 388-189, PAGE 40, IN THE PLAT RECORDS OF TARRANT COUNTY, TEXAS, WHICH IS 0.4585 OF AN ACRE, IN THE G. WILSON SURVEY, A - 1627 CITY OF HURST, TARRANT COUNTY, TEXAS

LOT A-R  
W. B. LA CAVA SUBDIVISION  
VOL. 388-30, PG. 633  
P.R.T.C.T.  
GNH HURST PARTNERS, LTD.  
DOC. NO. D214039350  
O.P.R.T.C.T.



LOT 14B  
W. B. LA CAVA SUBDIVISION  
DOC. NO. D206282718 D.R.T.C.T.

OWNER: Tranh Tien Nguyen & Ann H. Pham  
ENGINEER: Hamilton Duffy, P.C.  
SURVEYOR: Spry Surveyors

Aug 27, 2015 3:52pm S:\JobFolders\034\_Hurston\034\_Plat\034-147 Pecan Street Townhomes-Plat.dwg

City Council Staff Report

SUBJECT: Consider authorizing the city manager to enter into a contract for the Calloway Branch Stream Bank Stabilization Improvements	
Supporting Documents:	
Bid Summary Consultant Recommendation Letter	Meeting Date: 9/8/2015 Department: Public Works / Engineering Reviewed by: Ron Haynes City Manager Review:
Background/Analysis:	
<p>This project includes the construction of stream bank stabilization improvements including gabion walls and mattresses, and rock rip rap along Calloway Branch from Melbourne Road upstream towards Arcadia Street. The project also includes two (2) added alternates. Added Alternate 1 includes the construction of a gabion wall downstream of Melbourne Road for stream bank stabilization. Added Alternate 2 includes the removal of sediment and vegetation along Calloway Branch downstream of Arcadia Street.</p> <p>Bids were received on August 19, 2015, at 2:00 p.m. at City Hall for the subject project. The engineer's cost estimate was \$1,499,000 for the base bid and the two alternates. Eight (8) bids were received with the low bid being submitted by Ark Contracting Services, LLC, in the total amount of \$1,406,685. The bids range from the low bid amount to a high bid of \$2,243,700. Halff Associates is recommending the bid award to the low bidder for the total bid amount of \$1,406,685. A bid summary and the engineering consultant's letter of recommendation are attached.</p>	
Funding and Sources:	
<p>Funds have been previously budgeted, in the amount of \$1,286,234, for this project. Sufficient additional funds are available in the Storm Drainage Utility Fund to cover the additional amount of \$120,451 plus 5% contingency funds of \$70,335. The total extra funds needed equals \$190,786.00. The total budget for the project with contingency funds will be \$1,477,020.00.</p>	

Recommendation:

Staff recommends that City Council authorize the city manager to enter into a contract with Ark Contracting Services, LLC, of Kennedale, Texas, for the Calloway Branch Stream Bank Stabilization Improvements Project, in the amount of \$1,406,685.00, with a 5% contingency of \$70,335.00, for a total amount of \$1,477,020.00 and a contract time of 260 calendar days.

	CITY OF HURST, TEXAS						
	<b>Calloway Branch Stream Bank Stabilization</b>						
	PROJECT NO.: 6304-302						
	BID DATE: 2:00 P.M., WEDNESDAY, August 19, 2015						
	<b>Bidders</b>	<b>Base Bid</b>	<b>Add Alt #1</b>	<b>Add Alt #2</b>	<b>Total</b>		
1.	ARK Contracting Services	\$1,194,880.00	\$170,905.00	\$40,900.00	1,406,685.00		
2.	Austin Filter systems	\$1,231,215.00	\$184,035.00	\$88,700.00	1,503,950.00		
3.	HQS	\$1,264,125.00	\$223,100.00	\$46,100.00	1,533,325.00		
4.	Environmental Safety Services	\$1,312,572.50	\$191,517.50	\$60,500.00	1,564,590.00		
5.	Humphrey Morton	\$1,376,662.00	\$221,119.50	\$35,832.00	1,633,613.50		
6.	Klutz Construction, LLC	\$1,479,225.00	\$239,695.00	\$25,180.00	1,744,100.00		
7.	DCI Contracting	\$1,791,150.00	\$378,150.00	\$74,400.00	2,243,700.00		
8.	The Fain Group, Inc.	\$1,868,323.00	\$258,724.00	\$35,000.00	2,162,047.00		



August 25, 2015  
AVO 30072

Mr. Greg Dickens, P.E.  
City Engineer  
City of Hurst  
1505 Precinct Line Rd  
Hurst, Texas 76054

Re: Calloway Branch Stream Bank Stabilization at Melbourne Road  
Project No. 6304-302

Dear Mr. Dickens,

Bids were opened on the above-referenced project on Wednesday, August 19, 2015, 2:00 pm at the City of Hurst. Eight (8) bids were received and they ranged from a low total bid of \$1,406,685 to a high bid of \$2,243,700. Ark Contracting Services, LLC submitted the low bid, and Austin Filter Systems, Inc. was second with a bid of \$1,503,950.00.

We contacted the following references to verify Ark Contracting qualifications to complete the required work: David Johnson, Construction Inspection Supervisor, City of Fort Worth and Richard Postma, Authority Construction Engineer, Trinity River Authority of Texas.

Each of the above references stated Ark Contracting has performed well on their projects. Neither of the references had any liquidated damages against or warranty issues with Ark Contracting.

Mr. Johnson has utilized Ark on several projects and has at least one project still open with them. He generally uses them for water utilities work and said they are always very responsive. Mr. Johnson had a positive impression of Ark Contracting given their work quality and responsiveness.

Mr. Postma has utilized Ark Contracting on numerous projects over an extended period. Ark is a preferred contractor for emergency repairs and performed well on recent projects in that capacity. Ark has experience with the construction of tieback gabion walls with TRA and those walls are still performing well to this day. Mr. Postma would recommend Ark Contracting for future stream bank stabilization projects.

A phone interview was conducted on August 25, 2015 with Mark North, Vice-President and Project Manager. The interview addressed several project coordination issues. Mr. North stated that the company has the resources available to begin construction starting in early October and expects no issues with the construction schedule. Mr. North is very familiar with the project area and the surrounding neighborhoods. Ark Contracting Services, LLC has significant experience with gabion channel projects throughout the metroplex.

In conclusion, we did not receive any report that leads us to believe Ark Contracting Services, LLC cannot successfully complete the project. Based on our research, it is the opinion of Halff Associates, Inc. that there is no apparent reason to disqualify the bid proposal of Ark Contracting, LLC for the Calloway Branch Stream Bank Stabilization Project.

Please feel free to call me at (817) 847-1422 if you have any questions or comments.

Sincerely,

**HALFF ASSOCIATES, INC.**



Benjamin B. Pylant, PE, CFM  
Project Manager

**TEEN COURT ADVISORY BOARD MINUTES  
MEETING OF JANUARY 15, 2015**

**DRAFT**

**STATE OF TEXAS           §**

**COUNTY OF TARRANT   §**

**CITY OF BEDFORD       §**

**The Teen Court Advisory Board of the cities of Hurst, Euless and Bedford, Texas met at 6:00 p.m. at Bedford City Hall on the 15th day of January 15, 2015, with the following members present:**

HURST: Phoebe Soward, Jennifer Tucker, Dawn Jordan Wells, Lorrie Dickerson

EULESS: Renu Sloan, Amy Powell

BEDFORD: Jeanne Owers, Kathleen Toms

TEEN REPRESENTATIVES: Dakota Ridgway, Trinity High School

Hurst Council Liaison – Anna Holzer

Bedford Council Liaison – Steve Farco

Euless Council Liaison – Eddie Price

HEB Teen Court Coordinator – Mindy Eichorst

HEB Teen Court Assistant Coordinator – Linda Stone

Also present:

Hurst City Secretary – Rita Frick

Euless Staff Liaison –

Bedford Court Manager – Doug Campbell

Hurst Court Manager –

HEB Teen Court Clerk-

Bedford Administrative Services Director-

**CALL TO ORDER**

Chairperson Phoebe Soward called the meeting to order at 6:03 p.m. with a quorum of eight Board Members present.

**APPROVAL OF MINUTES**

- 1. Consider approval of the following Teen Court Advisory Board minutes:  
a) November 6, 2014 regular meeting.**

Minutes of the November 6, 2014 Regular Board Meeting were reviewed. Lorrie Dickerson made a motion to accept the minutes and Dawn Jordan-Wells seconded the motion. The motion passed unanimously.

## **2. Introductions**

One new City of Euless Advisory Board Member was present and introduced: Amy Powell.

## **OFFICER ELECTIONS**

### **3. Hold election and vote for 2015 positions of Chairperson, Vice-Chairperson, and Secretary.**

Jeanne Owers nominated Phoebe Soward for Chairperson and Lorrie Dickerson seconded the motion. Phoebe Soward accepted the position and it was a unanimous vote. Dawn Jordan-Wells nominated Renu Sloan for Vice-Chairperson and Jennifer Tucker seconded the motion. Renu Sloan declined the offer but nominated Kathleen Toms as Vice-Chairperson. Dawn Jordan-Wells seconded the motion and Kathleen accepted the position and it was a unanimous vote. Kathleen Toms nominated Jeanne Owers as Secretary and Phoebe Soward seconded the motion. Jeanne Owers accepted the position and it was a unanimous vote.

## **OLD BUSINESS**

### **4. Discuss ideas for fundraisers.**

Chairperson Phoebe Soward handed out fliers for Krispy Kreme Donuts and how they offer a few fundraiser options. One of the options is to sell the donuts individually at the high school campuses. The discussion of where near campus would the donuts be able to be sold and would that be very sanitary. Another option was to sell Buy One Get One free fundraising cards or certificates individually. There could be a profit of anywhere from \$5 to \$7 per card. The closest Krispy Kreme is located in Grapevine.

Amy Powell mentioned a newly opened chain restaurant located in Bedford called Highway 55. Amy mentioned she is meeting with the General Manager soon and will speak with him about a possible grant they offer.

### **5. Discuss and possibly take action on items as they relate to the 2015 annual Teen Court Scholarship Banquet.**

Chairperson Phoebe Soward mentioned the banquet committee had just met before the advisory board meeting and wanted to go over a few of the items talked about. The colors of the banquet will be silver and black. The tables will seat eight instead of ten with black table cloths and the centerpieces will be a small balloon arrangement. There will be at least six tables, with black skirting, ready for the silent auction. Kathleen Toms mentioned that Davis Family Dental, located in Bedford, was willing to be a sponsor for \$500.00. Teen Court Coordinator Mindy Eichorst mentioned that Judge Murphy is in contact with our speaker, Justice Debra Lehrmann, with the details of banquet.

## **NEW BUSINESS**

### **6. Set the date for the Teen Court Scholarship Application Committee to meet and review applications.**

The next meeting will be on Thursday, February 5, 2015 at 5:00 p.m. at Bedford City Hall downstairs conference room, 2000 Forest Ridge Drive. Dawn Jordan-Wells motioned this and Amy Powell seconded the motion.

**7. Set a date for the next Teen Court Scholarship Banquet Committee to meet and discuss items as they relate to the annual Teen Court Scholarship Banquet.**

The next meeting will be on Thursday, February 12, 2015 at 6:00 p.m. at Bedford City Hall downstairs conference room, 2000 Forest Ridge Drive. Kathleen Toms motioned this and Jennifer seconded the motion.

**8. Set the date for the next Teen Court Advisory Board Meeting.**

The next HEB Teen Court Advisory Board meeting will be held on Thursday, March 5, 2015 at 6:00 p.m. at the Bedford City Hall upstairs conference room, 2000 Forest Ridge Drive.

**REPORTS**

Mindy Eichorst presented the Coordinator's Report and Financial Report for the months of November and December, 2014.

**ADJOURNMENT**

Kathleen Toms entered a motion for the meeting to be adjourned. Lorrie Dickerson seconded the motion and all voted in favor. The meeting was adjourned at 6:57 p.m.

---

**Phoebe Soward, Chairperson**

## Future Event Calendar

September 8, 2015

<u>DATE AND TIME</u>	<u>ACTIVITY</u>
Tuesday, September 8, 2015 6:30 p.m.	Regular City Council Meeting City Council Chambers
Tuesday, September 22, 2015 6:30 p.m.	Regular City Council Meeting - <b>Canceled</b> City Council Chambers
Tuesday, September 29, 2015 6:30 p.m.	Regular City Council Meeting City Council Chambers
Tuesday, October 6, 2015	National Night Out
Tuesday, October 13, 2015 6:30 p.m.	Regular City Council Meeting City Council Chambers
Saturday, October 17, 2015 7:00 a.m. – Noon	Good Neighbor Day Bellaire Shopping Center
Saturday, October 17, 2015 7:00 a.m. – Noon	Good Neighbor Day Bellaire Shopping Center
Tuesday, October 27, 2015 6:30 p.m.	Regular City Council Meeting City Council Chambers