

**WORK SESSION AGENDA OF THE CITY COUNCIL OF
HURST, TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
THIRD FLOOR CONFERENCE ROOM
TUESDAY, JUNE 9, 2020 – 5:45 P.M.**

In accordance with order of the Office of the Governor issued March 16, 2020, the City of Hurst City Council will conduct its meeting scheduled at 5:45 p.m. on Tuesday, June 9, 2020, at Hurst City Hall by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID19). There will be no public access to the location described above. The agenda packet and meeting information are posted online at <https://www.hursttx.gov/about-us/agendas-and-minutes/agendas-and-minutes-2020>. The public dial-in number to participate in the telephonic meeting is (877) 853-5247 (Toll Free) or (888)788-0099 (Toll Free) and entering Meeting ID 875-4043-5005 followed by # when prompted. If prompted, the meeting password is 643043. The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

I. Call to Order

II. Informational Items

- Update and Discussion of upcoming Calendar Items
- Update and Discussion of State and Local reopening plans due to COVID-19
- Review and Discussion for Furniture, Finishes and building materials for the Animal Services Facility

III. Discussion of Agenda Item(s) 2

Consider authorizing the city manager to execute a Contract for Switched Ethernet on Demand Services

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

ADJOURNMENT

Posted by: _____

This the 5th day of June 2020, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (817) 788-7041 or FAX (817) 788-7054, or call TDD 1-800-RELAY-TX (1-800-735-2989) for information or assistance.

**REGULAR MEETING AGENDA OF THE CITY COUNCIL OF HURST,
TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
TUESDAY, JUNE 9, 2020**

AGENDA:

5:45 p.m. - Work Session (City Hall, Third Floor Conference Room)

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

In accordance with order of the Office of the Governor issued March 16, 2020, the City of Hurst City Council will conduct its meeting scheduled at 6:30 p.m. on Tuesday, June 9, 2020, at Hurst City Hall by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID19). There will be no public access to the location described above. The agenda packet and meeting information are posted online at <https://www.hursttx.gov/about-us/agendas-and-minutes/agendas-and-minutes-2020>. The public dial-in number to participate in the telephonic meeting is (877) 853-5247 (Toll Free) or (888)788-0099 (Toll Free) and entering Meeting ID 875-4043-5005 followed by # when prompted. If prompted, the meeting password is 643043. The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

CALL TO ORDER

INVOCATION (Mayor Henry Wilson)

CONSENT AGENDA

1. Consider approval of the minutes for the May 26, 2020 City Council meetings

OTHER BUSINESS

2. Consider authorizing the city manager to execute a Contract for Switched Ethernet on Demand Services
3. Review of upcoming calendar items
4. City Council Reports - Items of Community Interest

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

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

5. Take any and all action ensuing from Executive Session

ADJOURNMENT

Posted by: _____

This 5th day of June 2020, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

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

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (817) 788-7041 or FAX (817) 788-7054, or call TDD 1-800-RELAY-TX (1-800-735-2989) for information or assistance.

Minutes
Hurst City Council
Work Session
Tuesday, May 26, 2020

On the 26th day of May 2020, at 6:00 p.m., the City Council of the City of Hurst, Texas, convened in Work Session at City Hall, 1505 Precinct Line Road, Hurst, Texas, by telephone conference to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19) with the following members present:

Henry Wilson	)	Mayor
Jon McKenzie	)	Mayor Pro Tem
David Booe	)	Councilmembers
Larry Kitchens)	
Cathy Thompson)	
Bill McLendon)	
Cindy Shepard)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	Assistant City Attorney
Clayton Fulton	)	Assistant City Manager
Rita Frick	)	City Secretary
Rob Duncan	)	Information Technology Manager

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

I. Call to Order – The meeting was called to order at 6:00 p.m.

II. Informational Items

- **Update and Discussion of upcoming Calendar Items** – City Secretary Rita Frick noted the upcoming Board, Commission and Committee interview process and stated staff will be sending letters of inquiry regarding members who would like to be considered for reappointment. City Manager Caruthers also noted staff was tentatively considering November 17, 18, or 19 for Councilmember McLendon’s retirement ceremony. Mayor Wilson also noted as a result of the current financial challenges, he recommends only in-state travel, which negates National League of City conferences. He stated this was a suggestion, not an edict if someone has committee obligations.

Mayor Wilson moved next to work session item 5 then returned to the following Information Items:

- **Update and Discussion of State and Local reopening plans due to COVID-19** – City Manager Caruthers noted Governor Abbott added additional updates to his order today and is now allowing adult recreation leagues and pools at 25% capacity. He reminded everyone the decision not to open the pools this season was made during the aquatic centers’ recruitment and hiring season, and the governor just announced opening at 25%

capacity. He stated he still believes remaining closed is the most prudent thing to do. He explained a 25% capacity restriction and the required safety measures is a costly endeavor and the operational cost is the primary reason to close, saving approximately \$400,000. He stated property taxes cover about 40% of the general fund budget and that police and fire, alone, exceed that amount. He stated the property taxes are not sufficient to cover public safety and reviewed the decline in sales tax, with May figures being 21% down and a greater decline is expected. Mr. Caruthers noted the July Fourth Stars and Stripes event is also canceled due to budgetary constraints and many area cities are making similar decisions. Mr. Caruthers noted discussions with the youth sports league representatives regarding safety guidelines and scheduling challenges as the governor continues to expand reopenings. He reviewed other City facility and program reopening plans noting the Tennis Center is reopening June 1st with use and fee changes and serving as a test case for the cost of service study being conducted. He stated that even with the fee changes, around \$2 per hour for regular play, staff will work with the Tennis Pro to restructure agreements and operate more like a business. He stated Council will have additional discussions at the budget workshops. Mr. Caruthers stated this is an opportunity to review the user fee structure, and the impact on the tax burden. Mr. Caruthers reviewed additional facility openings with City Hall and Municipal Court the first week of June but encouraging online transactions and appointments for in person meetings. He stated the library is open for curbside service and plans to open mid-June along with the Recreation Center. Mr. Caruthers reiterated the focus is on safety and occupancy guidelines and the first City Council meeting in June will be by telephone, while waiting for further direction from the Governor. He stated when an in person meeting is required, the layout will meet the 6' distancing and temperatures will be taken by a Fire Department paramedic. He stated the current plan is only to check temperatures when Council is presiding over a public meeting. Councilmember Kitchens expressed concern that any decision may need reconsideration in several weeks to check the reopening impact and that he had no problem with checking temperatures but some people can be asymptomatic.

- **Discussion of Regional Transportation Council (RTC) representation** – Mayor Wilson noted a letter of support from Euless Mayor Martin for Euless Councilmember Thompson to be the designated representative for the cities cluster group to the RTC. He stated he also suggests that when the Mayor of Trophy Club Nick Sanders term expires in November, they recommend Mayor Pro Tem Jon McKenzie as the alternate member.

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

III. Discussion of Agenda Item(s) 2

Consider authorizing the city manager to enter into an Interlocal Cooperation Agreement with Tarrant County for Municipal Direct Expense Funding

IV. Discussion of Agenda Item(s) 3

Consider ratifying emergency expenditure for COVID-19 testing

V. Discussion of Agenda Item(s) 4

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

City Attorney Matthew Boyle provided an update regarding the Dakota Place Apartments noting the owner has not met the Council's deadline, and provided a draft order for Council's consideration after the public hearing to be held in the regular meeting. In response to Councilmembers questions, Mr. Boyle provided an overview of current legal action filed by the owner noting no validity to the claim. Mayor Wilson noted the governor has lifted the prohibition on evictions, but that would be a last resort. Council discussed the importance of protecting the tenants. City Manager Caruthers noted the certificate of occupancy is for the property in general, but the City can limit which units can be occupied based upon safety, and there are a few units staff has disallowed occupancies. Mr. Boyle stated the liens would be processed the same as any other foreclosure process and that he will pursue the filed case as soon as the courts reopen. Mr. Boyle also noted the criminal activity in the complex and that staff has sent the owner notice of nuisance and put them on notice to rectify. He stated if the owner fails to comply he will amend the lawsuit to add scope of relief.

VI. Discussion of Agenda Item(s) 5

Consider authorizing the city manager to enter into an Engineering Services Contract with Thomas Hoover Engineering, LLC, for engineering services for 2020 Water Main Replacement Program

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

Mayor Wilson did not recess to Executive Session.

ADJOURNMENT – The meeting was adjourned at 6:30 p.m.

APPROVED this the 9th day of June 2020.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Henry Wilson, Mayor

City Council Minutes
Tuesday, May 26, 2020

On the 26th day of May 2020, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, by telephone conference to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19) with the following members present:

Henry Wilson	)	Mayor
Jon McKenzie	)	Mayor Pro Tem
David Booe	)	Councilmembers
Larry Kitchens)	
Cathy Thompson)	
Bill McLendon)	
Cindy Shepard)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	Assistant City Attorney
Clayton Fulton	)	Assistant City Manager
Rita Frick	)	City Secretary
Rob Duncan	)	Information Technology Manager

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

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

Councilmember Larry Kitchens gave the Invocation.

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

CONSENT AGENDA

1. Consider approval of the minutes for the May 12, 2020 City Council meetings
2. Consider authorizing the city manager to enter into an Interlocal Cooperation Agreement with Tarrant County for Municipal Direct Expense Funding
3. Consider ratifying emergency expenditure for COVID-19 testing

City Manager Clay Caruthers reviewed the proposed Interlocal Cooperation Agreement with Tarrant County noting the federal CARES Act passed and included funding for

cities with a population over 500,000 to receive direct funding, and cities under that population could receive funding from the County's portion. He stated the Tarrant County Commissioners Court designated a portion of its CARES Act funds to support COVID-19 related expenditures to the municipalities in Tarrant County. Mr. Caruthers also noted that the Lieutenant Governor made comments over the weekend that cities would be fine because they are receiving millions from the federal government. Mr. Caruthers stated his statement is accurate, but it must be understood the funding is for reimbursable expenditures with any funds left over returned and this funding is only for eligible expenses and the City may spend up to 2.1 million. Mr. Caruthers reiterated the City's biggest issue related to COVID-19 is revenue loss, no different than business owners experiencing lost revenue. He stated he appreciates the dollars coming the City's way, in that it can be used, for example, nursing home testing that was mandated by the state. He noted an anticipated revenue loss of five to seven million dollars and that none of these funds could be utilized to offset that.

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

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

No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

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

Mayor Wilson announced a public hearing to consider the issue of levying civil penalties, possible revocation of the Certificate of Occupancy and status of the repairs for the property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments) and recognized City Attorney Matthew Boyle who stated staff started the process, at the City Council level, seeking to ensure that the apartment complex was brought to full compliance, but that they have still failed to achieve. Mr. Boyle reviewed outstanding items including the roof for Building 2. He stated the owner attempted to pull a second permit for Building 2, but has not brought it into compliance. Also noted as not complete, is the boiler room wall repair and the presence of mold in the most recent inspection in May. He stated the owner came today with an application to reroof another building, which did not provide necessary detail and no plans or engineers seal, highlighting another building where the roof remains unrepaired. Mr. Boyle stated that for these reasons he asserts full compliance has not been met and asks the Council's consideration for the Order this evening establishing additional civil penalties.

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

Councilmember Thompson moved to adopt and approve a civil penalties order in the amount of \$1,000 per day for 28 days for a total of \$28,000 and call another public hearing on this matter for June 23, 2020 at 6:30 p.m. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

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

OTHER BUSINESS

5. Consider authorizing the city manager to enter into an Engineering Services Contract with Thomas Hoover Engineering, LLC, for engineering services for 2020 Water Main Replacement Program

City Manager Clay Caruthers reviewed the proposed Engineering Service Contract to replace old existing pipes with corrosive resistant plastic. Replacement includes portions of areas on Fairhaven Drive, Cannon Drive and Prestondale Drive. He stated that even though the City has delayed many capital projects due to the current situation, this project is for very crucial infrastructure and the City is still committed to maintaining the basic infrastructure. He stated he also wants to commend the water and sewer customers, that even during the economic situation, the City is fortunate to have loyal and responsible customers that continue to pay. He stated there are some late payments, but most customers are paying their bills. In response to Council questions, staff stated this is the engineering contract and that it should be completed within one year after engineering.

Councilmember Shepard moved to authorize the city manager to execute the Engineering Services Contract with Thomas Hoover Engineering, LLC, for 2020 Water Main Replacement Program, for a total fee not to exceed \$31,900.00. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

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

6. Review of upcoming calendar items – No items were discussed.
7. City Council Reports - Items of Community Interest

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

Mayor Wilson did not recess to Executive Session.

EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open

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

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

ADJOURNMENT – The meeting adjourned at 6:49 p.m.

APPROVED this the 9th day of June 2020.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Henry Wilson, Mayor

City Council Staff Report

SUBJECT: Consider authorizing the city manager to execute a Contract for Switched Ethernet on Demand Services

Supporting Documents:	
	<p>Meeting Date: 6/9/2020</p> <p>Department: Information Technology</p> <p>Reviewed by: Clayton Fulton</p> <p>City Manager Review:</p>

Background/Analysis:

The City of Hurst Police Department utilizes a point to point connection between City facilities and Tarrant County facilities for the computer aided dispatch system. In 2019, the City of Hurst was informed that AT&T was phasing out the current connection and would require the City to upgrade the existing connection. The City received 3 bids for provision and replacement of the current connection. Staff reviewed the bids and determined that AT&T will provide the best cost option for this connection. This would be a 3-year contract with an option to renew for an additional 3 years.

Funding Sources and Community Sustainability:

Funding for this item is available in the Information Technology budget and represents an increase of approximately \$9,600 annually. Maintaining our dispatch system’s connection with Tarrant County is critical for effective **Public Safety** services and aligns with **Council’s strategic plan and priorities.**

Recommendation:

Staff recommends City Council **authorize the city manager to enter into a 3-year Contract with AT&T to provide a Switched Ethernet on Demand connection to Tarrant County.**

Future Event Calendar

June 9, 2020

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

All City events are canceled until further notice. Please check the City website, www.hursttx.gov, for updated information.

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