

**WORK SESSION AGENDA OF THE CITY COUNCIL OF  
HURST, TEXAS  
CITY HALL, 1505 PRECINCT LINE ROAD  
FIRST FLOOR CONFERENCE ROOM  
TUESDAY, APRIL 11, 2023 – 5:45 P.M.**

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**I. Call to Order**

**II. Informational Items**

- **Update and discussion of upcoming Calendar Items**

**III. Update and discussion of Regular Agenda Items**

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

Consider authorizing the city manager to proceed with the Hurst Senior Activities Center Foundation Repair Project

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

Consider Ordinance 2535, first reading, amending Chapter 24 by adding a sentence to Section 24-127; prohibiting parking in a certain area on Redbud Drive near Brown Trail

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

Consider authorizing the city manager to enter into an amended agreement with the City of North Richland Hills regulating traffic signals operation/maintenance and Glenview Drive median maintenance

**VII. ADJOURNMENT**

Posted By: \_\_\_\_\_

This the 6<sup>th</sup> day of April 2023, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

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

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

**REGULAR MEETING AGENDA OF THE CITY COUNCIL OF HURST, TEXAS  
CITY HALL, 1505 PRECINCT LINE ROAD  
TUESDAY, APRIL 11, 2023**

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**AGENDA:**

**5:45 p.m. - 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 John Miller)**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION(S) AND PRESENTATION(S)**

1. Proclamation recognizing Volunteer Appreciation Week, and presentation to Volunteers-in-Action Blue Jacket recipients
2. Proclamation recognizing Child Abuse Prevention Month

**CONSENT AGENDA**

3. Consider approval of the minutes for the March 28, 31 and April 4, 2023 City Council meetings
4. Consider Ordinance 2534, second reading, to vacate and abandon a 5-foot wide strip of a 10-foot wide Utility Easement platted as part of Lot 18, Block 3, of the Lonesome Dove Estates, Phase 2, third filing
5. Consider authorizing the city manager to proceed with the Hurst Senior Activities Center Foundation Repair Project

**ORDINANCE(S)**

6. Consider Ordinance 2535, first reading, amending Chapter 24 by adding a sentence to Section 24-127; prohibiting parking in a certain area on Redbud Drive near Brown Trail

**OTHER BUSINESS**

- 7. Consider authorizing the city manager to enter into an amended agreement with the City of North Richland Hills regulating traffic signals operation/maintenance and Glenview Drive median maintenance
- 8. Review of upcoming calendar items
- 9. City Council Reports - Items of Community Interest

**PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED. CITIZEN COMMENTS ARE LIMITED TO A MAXIMUM OF 3 MINUTES PER SPEAKER**

**ADJOURNMENT**

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

This 6<sup>th</sup> day of April 2023, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

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City Council Staff Report

<b>SUBJECT:</b> 2023 VIA Blue Jacket Ceremony	
<b>Supporting Documents:</b>	
List of Recipients VIA Proclamation	<b>Meeting Date:</b> 4/11/2023 <b>Department:</b> Administration <b>Reviewed by:</b> Malaika Marion Farmer <b>City Manager Review:</b>
<b>Background/Analysis:</b>	
<p>The VIA (Volunteers in Action) Blue Jacket Ceremony is held every year in the spring in coordination with National Volunteer Appreciation Week. Volunteers who have reached the 200-hour mark are given a Blue Jacket with the VIA logo on it in recognition of their service. The Blue Jacket recipients are presented with the Blue Jacket by the City Council during a Council meeting. This year, eight volunteers will be honored at the 2023 Blue Jacket Ceremony.</p>	
<b>Funding Sources and Community Sustainability:</b>	
<p>There is no funding impact. The VIA program provides an avenue for the City to provide <b>increased customer service</b> and, at the same time, be <b>fiscally responsible</b>.</p>	
<b>Recommendation:</b>	
<p>There is no staff recommendation.</p>	

# 2023 BLUE JACKET RECIPIENTS

Yvonne Blackard

David Jones

Vicki Jones

Robert Coffee

John Moore

Jesus Quiroga Jr.

Donald Kraul

Peter Polk

Office of the Mayor

# Proclamation

## City of Hurst

- WHEREAS,** the City of Hurst's Volunteers In Action (VIA) program is recognized as the first organized municipal volunteer program in the State of Texas and has received both state and national acclamations as a model volunteer program; and
- WHEREAS,** through the VIA program, the citizens of Hurst and surrounding areas have committed their time and energy to volunteer for the City of Hurst; and
- WHEREAS,** through the VIA program, volunteers have now contributed nearly 665,000 volunteer hours totaling about \$10.3 million in services; and
- WHEREAS,** the overall success to the VIA program is not measured exclusively in terms of dollars, but also by the obvious commitment of each volunteer to maintaining the "Quality of Life" in Hurst.

**Now, Therefore, I, Henry Wilson,** Mayor of the City of Hurst, Texas, and on behalf of our City Council and citizens, hereby proclaim

**April 16–22**

**as**

**"Volunteers in Action Week"**

to coordinate with National Volunteer Week, and to express our sincere appreciation to our volunteer work force for dedicated service.



WITNESS MY HAND AND THE OFFICAL SEAL  
of the City of Hurst, Texas, on this the 11<sup>th</sup> day of  
April 2023.

*Henry Wilson*

Henry Wilson, Mayor

Office of the Mayor

# Proclamation

## City of Hurst

- WHEREAS,** children are our future and our greatest resource; and
- WHEREAS,** every child deserves a nurturing family and safe environment to grow into a healthy, productive member of the community; and
- WHEREAS,** child abuse is one of our nation's most serious public health problems and threatens the safety of our community; and
- WHEREAS,** in Tarrant County, 5,506 children were confirmed as victims of child abuse or neglect in 2022; and
- WHEREAS,** Alliance For Children provided trauma-informed services to 2,434 children in 2022;
- WHEREAS,** finding solutions to prevent child abuse is a community responsibility and depends on the involvement of all citizens; and
- WHEREAS,** effective child abuse prevention, investigation and treatment programs succeed because of the partnership between community organizations and citizens.

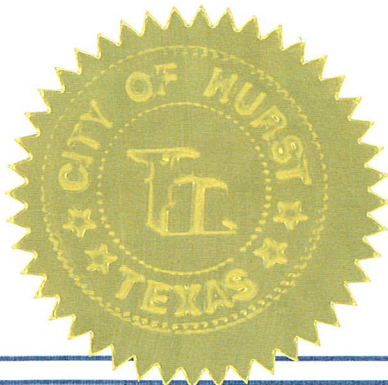
**Now, Therefore, I, Henry Wilson,** Mayor of the City of Hurst, Texas, and on behalf of our City Council and citizens, hereby proclaim

**April 2023**

**as**

**“Child Abuse Prevention Month”**

in the City of Hurst, Texas and urge all citizens to work together to significantly reduce child abuse and neglect significantly in the years to come.



WITNESS MY HAND AND THE OFFICAL SEAL of the City of Hurst, Texas, on this the 11<sup>th</sup> day of April 2023.

*Henry Wilson*

Henry Wilson, Mayor

**City Council Minutes**  
**Tuesday, March 28, 2023**

On the 28th day of March 2023, at 5:00 p.m., the City Council of the City of Hurst, Texas, convened in a regular meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Henry Wilson	)	Mayor
Cindy Shepard	)	Mayor Pro Tem
Jon McKenzie	)	Councilmembers
John Miller	)	
Cathy Brotherton	)	
Gary N. Waldron	)	
David Booe	)	
Clay Caruthers		City Manager
Matthew Boyle	)	City Attorney
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Executive Director of Planning
David Palla	)	Fire Chief
Steve Niekamp	)	Police Chief
Brent Craft	)	Assistant Fire 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 5:00 p.m. and the Pledge of Allegiance and Texas Pledge was given.

Councilmember McKenzie gave the Invocation.

**PRESENTATION(S)**

1. Presentation of the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2020-2021

Assistant City Manager Clayton Fulton presented the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting noting the City has received the award for the past 48 consecutive years and is one of only 11 Texas cities to receive the award. He recognized and thanked Managing Director of Finance Paul Brown and his staff for all their hard work to achieve this award.

2. Presentation and acceptance of the Annual Comprehensive Financial Report (ACFR) by FORVIS

Mayor Wilson noted the auditor's need to postpone this item and City Manager Caruthers indicated due to a family death and illness this item will be presented during a special



meeting at 5:00 p.m. on Friday, March 31, 2023. He also noted several factors new to the audit this year and that staff and Forvis are working diligently to finalize the audit before the March 31 deadline.

### **CONSENT AGENDA**

3. Consider approval of the minutes for the February 28, 2023 City Council meeting
4. Consider Ordinance 2532, second reading, (Z-2022-00004 G.O. Electrical) a zoning change from R1 to GB-PD with a site plan for Tract 2A Handler Jones Estates Addition, being 2.33 acres located at 7208 Precinct Line Road
5. Consider Ordinance 2533, second reading, (Site-2022-00014 Jamba Restaurant and Retail) a site plan for Lot 16, Block 1, Precinct Ridge Office Park Addition, being 1.56 acres located at 6100 Precinct Line Road
6. Consider Ordinance 2534, first reading, to vacate and abandon a 5-foot wide strip of a 10-foot wide Utility Easement platted as part of Lot 18, Block 3, of the Lonesome Dove Estates, Phase 2, third filing.
7. Consider authorizing the city manager to enter into a Second Amendment Contract for ambulance billing with Whittman EMS Billing Services

Mayor Pro Tem Shepard moved to approve the consent agenda. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

### **OTHER BUSINESS**

8. Consider Confirmation of Appointment for the City of Hurst Fire Chief

City Manager Clay Caruthers reviewed the Civil Service Confirmation of Appointment process and expressed his faith in the fire department staff by posting the Fire Chief position internally and with Assistant Fire Chief Brent Craft's experience and ability appointed him as Fire Chief.

Mayor Wilson and Council thanked Fire Chief David Palla for his time and service to the City of Hurst and wished he and his family well in retirement.

Councilmember Booe moved to confirm the City Manager's appointment of Brent Craft as the City of Hurst Fire Chief effective April 1, 2023. Motion seconded by Councilmember Brotherton. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

Assistant Fire Chief Brent Craft introduced his family and friends in attendance and thanked the Mayor, Council and City Manager for the opportunity to serve the City at a greater capacity. He also thanked Chief Palla and expressed his appreciation for all of Chief's support over the years.

- 9. Review of upcoming calendar items – City Manager Clay Caruthers reviewed items on the future event calendar.
  
- 10. City Council Reports - Items of Community Interest – No reports were given.

**PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED. CITIZEN COMMENTS ARE LIMITED TO A MAXIMUM OF 3 MINUTES PER SPEAKER**

Mayor Wilson recognized Youth-in-Government and TCC Government students and also recognized Ms. Martinez who requested resources to assist with recent storm damage.

**ADJOURNMENT** – The meeting adjourned at 5:24 p.m.

**APPROVED** this the 11<sup>th</sup> day of April 2023.

**ATTEST:**

**APPROVED:**

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

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

**City Council Minutes**  
**Tuesday, March 31, 2023**

On the 31<sup>st</sup> day of March 2023, at 5:00 p.m., the City Council of the City of Hurst, Texas, convened in a special meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Henry Wilson	)	Mayor
Cindy Shepard	)	Mayor Pro Tem
Jon McKenzie	)	Councilmembers
John Miller	)	
Cathy Brotherton	)	
Gary N. Waldron	)	
David Booe	)	
Clay Caruthers		City Manager
Malaika Marion Farmer	)	Assistant City Manager
Clayton Fulton	)	Assistant City Manager
Rita Frick	)	City Secretary
Paul Brown	)	Managing Director of Finance

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

The meeting was called to order at 5:00 p.m. and the Pledge of Allegiance and Texas Pledge was given.

Mayor Pro Tem Shepard gave the Invocation.

1. Presentation and acceptance of the Annual Comprehensive Financial Report (ACFR) by FORVIS

City Manager Clay Caruthers reviewed the audit process prescribed by Charter to provide an independent and objective review. He stated the City is in sound financial position and noted the General Fund has a 4.5% increase in overall expenditures, which fits the inflationary environment at the time. He stated the net position increased about 10% due primarily to COVID proceeds. Also noted the Conference Center is back at the break-even point and the activity levels continue to rise. Mr. Caruthers reviewed General Government costs being public safety, public works and capital outlay and debt infrastructure, which are 74% of the general government spend, with cultural and recreation at 18% for a total of 92%. This leaves 8% overhead including administrative items such as legal, finance and human resources. Assistant City Manager Clayton Fulton introduced the FORVIS auditing firm Director Rachel Ormsby and Senior Manager Josh Findlay noting the audit handout including the single audit. He stated FORVIS provided Council an overview in their last City Council Work Session and the numbers have not changed since that time. Ms. Ormsby stated she is pleased to present the final audit this evening and as anticipated in the last presentation, it is a clean and unmodified opinion. She stated the audit has been filed as required with the proper agencies and contains the required disclosures and the single audit will be filed next week. Ms. Ormsby reminded the Council to keep cyber security in the

forefront and thanked City staff for their support and team work. Mayor Wilson also noted the quality of the City’s finance department and thanked FORVIS for their work. Managing Director of Finance Paul Brown thanked FORVIS, City Manager Caruthers and Assistant City Manager Clayton Fulton for their support.

Councilmember Miller moved to accept the audit. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard  
No: None

- 2. Informational Items – Items of community interest and review of City Council calendar of meetings. City Manager Clay Caruthers reviewed upcoming events noting the Adaptive Egg Hunt this evening and Saturday’s Doggone Egg Hunt.

**PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED. CITIZEN COMMENTS ARE LIMITED TO A MAXIMUM OF 3 MINUTES PER SPEAKER** – No one Spoke.

**ADJOURNMENT** – The meeting adjourned at 5:14 p.m.

**APPROVED** this the 11<sup>th</sup> day of April 2023.

**ATTEST:**

**APPROVED:**

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

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

**Minutes  
Hurst City Council  
Work Session  
Tuesday, April 4, 2023**

On the 4<sup>th</sup> day of April 2023, at 7:30 a.m., the City Council of the City of Hurst, Texas, convened in Work Session at the Hurst Public Library, 901 Precinct Line Road, Texas, with the following members present:

Henry Wilson	)	Mayor
Cindy Shepard	)	Mayor Pro Tem
David Booe	)	Councilmembers
Cathy Brotherton	)	
John Miller	)	
Jon McKenzie	)	
Gary N. Waldron	)	
Clay Caruthers	)	City Manager
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Stephanie Jenkins	)	Executive Director of Human Resources
Greg Dickens	)	Executive Director of Public Works
Kyle Gordon	)	Executive Director of Community Services
Steve Bowden	)	Executive Director of Economic Development
Brent Craft	)	Fire Chief
Steve Niekamp	)	Police Chief
Shelly Klein	)	Assistant to the City Manager
Joe Gonzalez	)	The Management Connection, Inc.

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

1. Call to Order – The meeting was called to order at 7:42 a.m.
2. Discussion and review of City of Hurst Strategic Planning Document including but not limited to discussions pertaining to key elements, accomplishments and priorities (Facilitator – Joe Gonzalez, The Management Connection)

City Manager Clay Caruthers provided an overview of the agenda and his appreciation for Council, their hard work and support of staff. Mr. Caruthers also expressed appreciation for Councilmember Booe and his support of him over the years and thanked him for his service to the City. Mr. Caruthers provided a brief analysis of what he believes are Hurst’s current Strengths, Opportunities, Weaknesses and Threats. He noted the Council’s strength in leadership and professionalism, the positive organizational

culture and strong financial position of the City among a few. Also, expressed were challenges including the City being built out, relatively low tax base, employee turnover with the Great Resignation and retirements, financial and other challenges through inflation, rising wage pressures, health care costs and legislative challenges. Mr. Caruthers also noted opportunities that arise from some challenges including a refresh of ideas, collaboration through public/private partnerships and regionalism. He stated Executive Director of Human Resources Stephanie Jenkins, and Assistant City Manager's Clayton Fulton and Malaika Marion Farmer will provide additional information regarding some of these items.

Assistant City Manager Clayton Fulton reviewed results from this year's citizen survey noting, this year, staff partnered with a consultant to provide better visuals of the information. He noted that year-to-year, the results are fairly consistent, with public safety, and infrastructure being rated as highest priority. The survey also indicated citizens believe they can generally find what they are looking to buy in Hurst. He noted 89% of citizens feel satisfied or very satisfied with the quality of life in Hurst and 77% view Hurst taxation favorably. He provided details of each question and Council discussed survey responses and areas of focus. City Manager Caruthers stated staff will review any issues during their staff meeting and will take care of what they are able to address. He also noted the benefits of the data collected to help focus where there are needs. Staff noted debt capacity available for road improvements becoming available in the next few years and also discussed other opportunities for increased revenue to address aging infrastructure and recreational and facility needs. Assistant City Manager Fulton noted most survey respondents said they receive the majority of their news and information about the City through City email notifications, City website and Where We Live magazine. Staff also noted other communication efforts they may revisit due to cost benefit.

Mayor Wilson recessed the meeting at 9:00 a.m. and reconvened at 9:21 a.m.

Facilitator Joe Gonzalez led Council through a discussion regarding the Strategic Planning document including policy statements and strategies, which support the Strategic Plan foundation including the Vision and Mission Statement, and Community Values. He stressed the importance of strategic thinking necessary of a strategic leader and the consistent and professional manner in which Council conducts themselves in providing direction for staff to work on the day-to-day connection to long-term priorities. He noted the importance of patience during organizational transition and support for the new Councilmember joining the team to help him with the landscape and understand strategic thinking. Council discussed the benefits of thinking strategically as a body for the community. Mr. Gonzalez led a facilitated discussion on the Council's vision, mission and priorities. Council discussed combining the strategic priority of Redevelopment with the overall umbrella of Community and Economic Vitality due to the connection of one to the other and connecting staff actions to the respective priorities.

Mayor Wilson recessed the meeting at 10:44 a.m. and reconvened at 11:02 a.m.

Facilitator Joe Gonzalez reiterated the importance of strategic planning/thinking and then the management of the plan by staff with an end result of citizens being served in a very deliberate way. He thanked the Mayor and Council for allowing The Management Connection to be part of the process. Mayor Wilson emphasized the proven success of the strategic planning process and City Manager Caruthers also expressed the benefit of consistency of work as staff follows Council priorities.

3. Discussion of strategic planning initiatives relative to policy and legislative update, customer service initiatives, economic conditions, departmental and budget impacts

Staff provided various departmental updates and budget impacts. Executive Director of Human Resources Stephanie Jenkins provided a personnel overview including review of staff training, retention and leadership development. Assistant City Manager Malaika Marion Farmer reviewed leadership development and organizational culture utilizing the Code of Ideals as the foundation, Good to Great framework as the vehicle for organizational development and The Hurst Way as one of the principles that came from the Good to Great framework. Staff noted future focus will be on training new employees for the continuance of the Hurst culture. City Manager Caruthers reviewed several strategies being utilized to address personnel challenges including staffing, retention of knowledge, health and benefits.

Mayor Wilson recessed the meeting at 11:53 a.m. and reconvened at 12:11 p.m.

Staff continued department updates and Executive Director of Community Services Kyle Gordon provided an update on the upcoming aquatics season, staffing challenges and the goal to have both centers open at various times this season. Discussed were pros and cons to the rotation and the programming of each due to specific amenities. Mr. Gordon provided staff visioning in the area of Central Park to address recreation needs, aging infrastructure, and staffing restraints. Staff expressed their desire to provide a sense of place and a next in line facility to meet community needs. City Manager Caruthers stated these items will require discussions and planning during the budget work session. He stated depending upon Council's vision, items could be taken in phases or one large project, which would need voter approval for funding. Staff also discussed additional options noting the Hurst Sustainability Plan and need for additional residential property. City Manager Caruthers stated staff is only brain storming at this point and will wait for Council direction. Assistant City Manager Clayton Fulton provided a review of short-term capital projects including water and wastewater, street and drainage, building, fleet, and facility and parks and recreation projects. Councilmember McKenzie briefed Council on his TML legislative update meeting noting the impact some bills will have on the City and the importance of communication with local and state representatives. He also advised of additional updates provided by TML through zoom sessions. Staff also noted recent completed policy updates, ordinance amendments and those that will be considered by Council in the future. City Manager Caruthers thanked staff for their work on these items. Mayor Wilson also thanked staff and Council for going through this vital exercise.

4. Informational Items – Items of Community Interest and review of City Council calendar of meetings – No items were discussed.
5. Adjournment – the meeting adjourned at 1:14 p.m.

**APPROVED** this the 11<sup>th</sup> day of April 2023.

**ATTEST:**

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Rita Frick, City Secretary

**APPROVED:**

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Henry Wilson, Mayor



City Council Staff Report

<p><b>SUBJECT:</b> Consider approval of Ordinance 2534, second reading, to vacate and abandon a 5-foot wide strip of a 10-foot wide Utility Easement platted as part of Lot 18, Block 3, of the Lonesome Dove Estates, Phase 2, Third Filing.</p>	
<p><b>Supporting Documents:</b></p>	
<p>Ordinance 2534 Application with Exhibits</p>	<p><b>Meeting Date:</b> 4/11/2023 <b>Department:</b> Public Works <b>Reviewed by:</b> Greg Dickens <b>City Manager Review:</b></p>
<p><b>Background/Analysis:</b></p>	
<p>Ms. Colleen Train, owner of Lot 18, Block 3, Lonesome Dove Estates (769 Trails End Circle) desires to construct a swimming pool in the rear yard. The yard area available is limited and she has requested the interior 5’ of an existing 10’ wide utility easement located along the rear property line be abandoned to provide additional space for the pool and associated patio.</p> <p>Ms. Train has completed the “Application for the Vacation of the City of Hurst Utility and/or Drainage Easement” (Exhibit 1), and provided a boundary survey of the lot including a metes and bounds description with boundary survey of the lot depicting the subject 5’ utility easement requested for abandonment (Exhibit 2), and signed agreement by franchise utility companies Oncor, Charter Cable, AT&amp;T, and ATMOS, agreeing to abandonment of the easement (Exhibit 3).</p> <p>As the City of Hurst does not currently have any utilities located within the subject portion of this easement, and does not envision a future need to locate utilities within this portion of the easement, we have no objection to abandonment of the easement and release of our rights to the use of this portion of the original easement.</p>	
<p><b>Funding Sources and Community Sustainability:</b></p>	
<p>There is no fiscal impact. This action is consistent with Council’s strategic priority of <b>Customer Service</b> to the citizens of Hurst.</p>	

**Recommendation:**

It is recommended that the City Council **approve Ordinance 2534, second reading, to vacate and abandon a 5-foot wide strip of a 10-foot wide Utility Easement platted as part of Lot 18, Block 3, of the Lonesome Dove Estates subdivision.**

## ORDINANCE 2534

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HURST, TEXAS, ABANDONING AND VACATING A PORTION OF A 10-FOOT UTILITY EASEMENT IN THE CITY OF HURST, TEXAS, AS HEREIN AFTER DESCRIBED**

**WHEREAS,** the owner of the Lot 18, Block 3, Lonesome Dove Trail, Phase 2, Third Filing development as recorded in Cabinet A, Slide 6943 of the Plat Records of Tarrant County, Texas, that contains an existing ten (10') foot wide utility easement, has requested that the most southerly five (5ft) foot portion of the existing ten (10') foot wide utility easement, as more specifically described in Exhibit "2", attached hereto, and incorporated herein for all purposes, be abandoned and vacated; and

**WHEREAS,** the most southerly five (5ft) foot portion of the existing ten (10') foot utility easement is not needed for public use and will not be needed in the future for public use; and

**WHEREAS,** abandoning and vacating the most southerly five (5ft) foot portion of the existing ten (10') foot utility easement will relieve the City of Hurst, Texas from the potential cost and expense of maintaining the property.

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

Section 1: **THAT** all matters stated in the preamble of this ordinance are true and correct and are hereby incorporated into the body of this ordinance as if copied in their entirety.

Section 2: **THAT** the most southerly five (5ft) foot portion of the existing ten (10') foot utility easement located within the property as described in Exhibit "2", attached hereto, and incorporated herein for all purposes, is hereby abandoned and vacated for public use and the same is hereby vacated insofar as all public right, title, and interest in and to said most southerly five (5ft) foot portion of the existing ten (10') foot utility easement is concerned.

Section 3: **THAT** the terms and provisions of this ordinance shall be deemed to be severable, and if validity of any section, subsection, word, sentence, or phrase shall be held invalid, it shall not affect the remaining part of this ordinance.

Section 4: **THAT** the fact that the most southerly five (5ft) foot portion of the existing ten (10') foot utility easement is no longer needed by the public for public usage.

**AND IT IS SO ORDERED.**

Passed on the first reading on the 28<sup>th</sup> day of March 2023 by a vote of 6 to 0.

Passed on second reading on the 11<sup>th</sup> day of April 2023 by a vote of \_ to \_.

**ATTEST:**

**CITY OF HURST**

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

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

**Approved as to form and legality:**

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



APPLICATION FOR THE VACATION OF THE CITY OF HURST UTILITY AND/OR DRAINAGE EASEMENT IN THE Lonesome Dove Estates ADDITION TO THE CITY OF HURST, TARRANT COUNTY, TEXAS

Date: 2-17-2023

TO THE MAYOR & CITY COUNCIL OF THE CITY OF HURST:

The undersigned hereby makes application for the vacation and abandonment of that portion of the utility easement in the above named Addition, Lot(s) 18 of Block 3, and as particularly described in Exhibit No. 1, attached. In support of this application, the undersigned represent and warrant the following:

- 1. The undersigned will hold the City of Hurst harmless, and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such vacation and abandonment.
2. Attached, marked Exhibit No. 2, is a plat or sketch of that portion of the public easement sought to be vacated and the surrounding areas.
3. Attached, marked Exhibit No. 3, is the consent of public utilities to such vacation.
4. Such easement should be vacated because:

Homeowner wants to have a pool installed, but the existing easements take 10' of the back yard. Abandoning the easement will make the pool possible. Utilities are currently using front yard easement. Said easement is not in use.

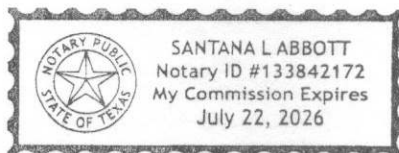
Name: Colleen Train
Address: 164 Trails End Circle
City, State Zip: Hurst, TX 76054

Handwritten signature of Colleen Train

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared the person whose name is sworn and subscribed to the above and foregoing instrument, and he acknowledged to me that he executes the same for the purposes and considerations therein expressed and as the act and deed of said owner.

WITNESS MY HAND AND SEAL OF OFFICE this the 17 day of Feb., 2023



Santana Abbott
Notary Public, Tarrant County, Texas
My Commission Expires 7-22-26

**EASEMENT ABANDONMENT  
PORTION OF  
10' DRAINAGE AND UTILITY EASEMENT  
LOT 18, BLOCK 3  
LONESOME DOVE ESTATES,  
PHASE 2, THIRD FILING  
TARRANT COUNTY, TEXAS**

**EXHIBIT 2**

Page 1 of 2

Being a portion of Lot 18, Block 3, of Lonesome Dove Estates, Phase 2, Third Filing, an addition to the City of Hurst, Tarrant County, Texas, according to the plat thereof recorded in Cabinet A, Slide 6943, of the Plat Records of Tarrant County, Texas, same being a portion of that 10 foot drainage and utility easement dedicated by said addition, same being a portion of that tract of land conveyed to Tom Train and Colleen Train by deed recorded in Instrument Number D222183332, Official Public Records, Tarrant County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at an "X" cut found at the Northwest corner of said Lot 18 and the Northeast corner of Lot 17 of said addition, same being along the South line of Reatta Place, an addition to Tarrant County, Texas according to the Map or Plat thereof recorded in Cabinet A, Slide 8272, Map or Plat Records, Tarrant County, Texas;

THENCE South 00 degrees 01 minute 35 seconds East, along the West line of said Lot 18, a distance of 5.00 feet to a point for corner, said corner being the POINT OF BEGINNING of herein described tract;

THENCE South 89 degrees 54 minutes 15 seconds East, over and across said Lot 18, a distance of 80.00 feet to a point for corner, said corner being in the West line of Lot 19 of said addition, from which a 1/2 inch iron rod found for witness bears North 00 degrees 01 minute 35 seconds West, a distance of 5.00 feet;

THENCE South 00 degrees 01 minute 35 seconds East, along the West line of said Lot 19, a distance of 5.00 feet to a point for corner;

THENCE North 89 degrees 54 minutes 15 seconds West, over and across said Lot 18, a distance of 80.00 feet to a point for corner, said corner being in the East line of said Lot 17;

THENCE North 00 degrees 01 minute 35 seconds West, along the East line of said Lot 17, a distance of 5.00 feet to the POINT OF BEGINNING and containing 400 square feet or 0.01 acres of land.



*Bryan Connally*  
BRYAN CONNALLY  
R.P.L.S. NO. 5513

**GENERAL NOTES:**

1) BEARINGS ARE BASED ON CAB. A, SL. 6943.



**CBG Surveying Texas, LLC.**

**PLANNING SURVEYING**  
1413 E-130 Suite 7 Garland, Texas 75043  
P 214.349.9485 F 214.349.2216  
Firm No. 10168800  
www.cbatxllc.com

SHEET 1 OF 2  
JOB NO. 2213557-01  
DRAWN BY: JCM  
DATE: 02/28/2023

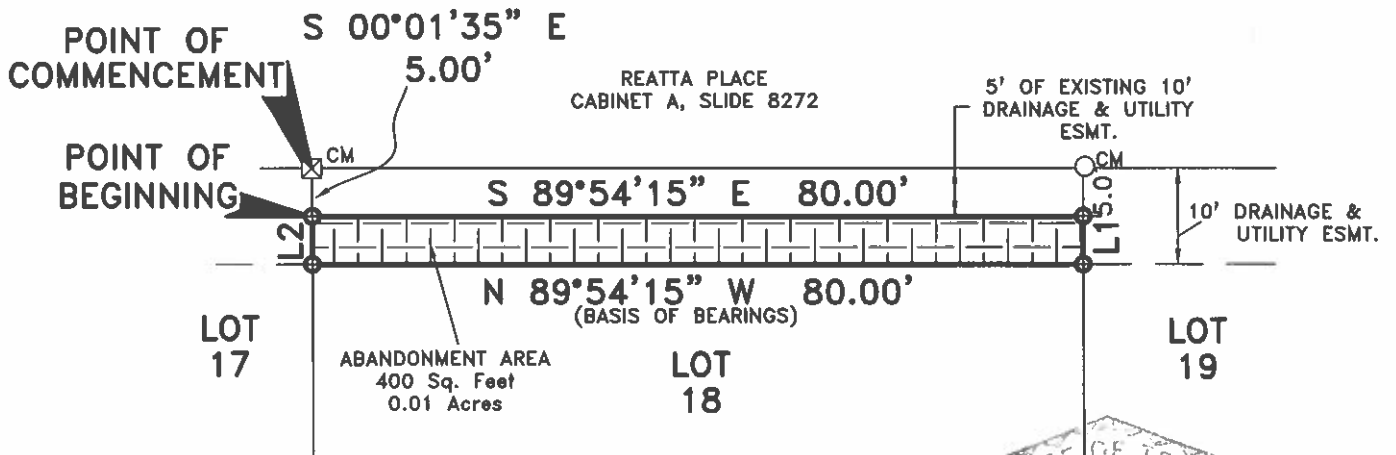
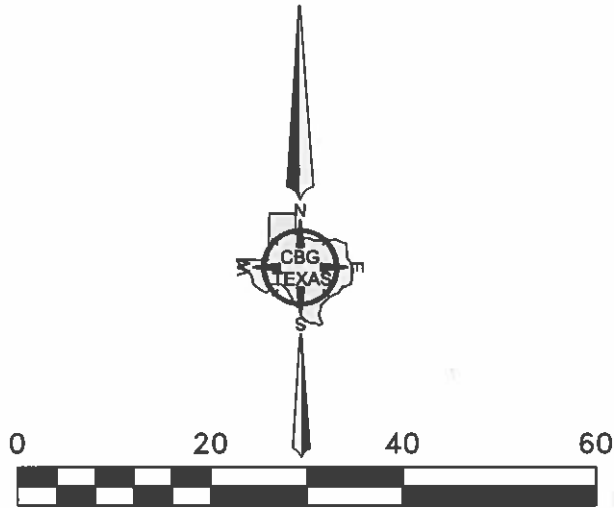
**EASEMENT ABANDONMENT  
PORTION OF  
10' DRAINAGE AND UTILITY EASEMENT  
LOT 18, BLOCK 3  
LONESOME DOVE ESTATES,  
PHASE 2, THIRD FILING  
TARRANT COUNTY, TEXAS**

**EXHIBIT 2**

Page 2 of 2

**LEGEND**

- 1/2" ROD FOUND
- ⊗ 1/2" ROD SET
- ⊠ "X" FOUND/SET
- ✦ POINT FOR CORNER
- CM CONTROLLING MONUMENT



LINE	BEARING	DISTANCE
L1	S 00°01'35" E	5.00'
L2	S 00°01'35" E	5.00'



*Bryan Connally*

BRYAN CONNALLY  
R.P.L.S. NO. 5513

**GENERAL NOTES:**

- 1) BEARINGS ARE BASED ON CAB. A, SL. 6943.



**CBG Surveying Texas, LLC.**

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1413 E. IH-30 Suite 7 Garland, Texas 75043  
P 214.349.9485 F 214.349.2216  
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SHEET 2 OF 2  
JOB NO. 2213557-01  
DRAWN BY: JCM  
DATE: 02/28/2023

**EXHIBIT NO. 3**

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of Hurst, that portion of the public utility easement sought to be vacated in the Application to Vacate Utility Easement, do hereby consent to in Lonesome Down Estates Addition, Lot(s) 1B, Block 3 to the City of Hurst, Tarrant County, Texas

**City of Hurst Utilities Division**

By \_\_\_\_\_

Title \_\_\_\_\_

Signature \_\_\_\_\_

**Franchise Utilities**

John R. Davila \_\_\_\_\_ 1/6/2022  
John Davila, john.davila@oncor.com  
ONCOR (Electric)

Toby Hamm \_\_\_\_\_ 1/17/2023  
Toby Hamm (817) 822-8244  
Spectrum/Charter Cable Co.

Ray A. Garcia \_\_\_\_\_ 1/24/2023  
Ray Garcia, 817-550-7576 ray.garcia@att.com  
AT&T

Betty Daugherty \_\_\_\_\_ 1/31/2023  
Betty Daugherty, 214-206-2789, Betty.Daugherty@atmosenergy.com  
ATMOS ENERGY CORPORATION (Natural Gas)



City Council Staff Report

<b>SUBJECT:</b> Consider approval of the Hurst Senior Activities Center Foundation Repair Project	
<b>Supporting Documents:</b>	
	<p><b>Meeting Date:</b> 4/11/2023</p> <p><b>Department:</b> Community Services</p> <p><b>Reviewed by:</b> Kyle Gordon</p> <p><b>City Manager Review:</b></p>
<b>Background/Analysis:</b>	
<p>Since 2009, the Hurst Senior Activities Center has hosted tens of thousands of visitors, programs, classes, and events. Currently, 1,200 members visit the center 6,000 times per month and enjoy ample opportunities to socialize and engage in any number of leisure pursuits.</p> <p>However, before 2009, the facility served as a retail business originally constructed in the 1970s, and to limit construction costs, the City repurposed the original foundation. Unfortunately, during the fall of 2022, staff recognized that the east portion of the building began to show signs of movement. The areas impacted include the multi-purpose room, café, commercial kitchen, and fitness center. After partnering with specialized engineers, staff determined that approximately 3,200 sq.ft. of the fifty-year-old foundation requires repair.</p> <p>To restore the slab to its original condition, the City partnered with Architectural Consulting Engineers, Inc., to develop a design solution. The engineering report recommends injecting approximately 2,300 lbs. of material into the void space below the slab to lift it back to the original condition. Staff and the engineers worked closely with Falkenberg Construction Company, Inc., to coordinate the repair program, provide pricing for the proposed foundation work, and repair cosmetic damage to cracked interior walls. As a result, staff received a quote in the amount of \$65,429 (including a 10% contingency) for the repairs. The City of Hurst is a Choice Partners purchasing consortium member, which provides substantial cost savings for construction services from Falkenberg Construction Company, Inc., and allows the City to utilize them directly.</p>	

**Funding and Sources:**

Funding in the amount of \$65,429 (including a 10% contingency) is available in the Special Projects Fund.

In an effort to remain a vibrant community, this project addresses the City Council's Strategic Priorities for **Infrastructure, Innovation, and Leadership** by providing an environment for all Senior Activities Center members to enjoy the pursuit of lifelong learning and engaging programming.

**Recommendation:**

It is recommended that the City Council **authorize the city manager to proceed with the Hurst Senior Activities Center Foundation Repair Project for an amount not to exceed \$65,429.**

City Council Staff Report

<p><b>SUBJECT:</b> Consider Ordinance 2535, first reading, amending Chapter 24 by adding to Section 24-127, prohibiting parking in certain areas</p>	
<p><b>Supporting Documents:</b></p>	
<p>Ordinance 2535</p>	<p><b>Meeting Date:</b> 4/11/2023  <b>Department:</b> Public Works  <b>Reviewed by:</b> Greg Dickens  <b>City Manager Review:</b></p>
<p><b>Background/Analysis:</b></p>	
<p>The City Council approved Ordinance 2260 on August 26, 2014 that established the areas along City streets where parking is prohibited. The proposed addition to that list of street areas is the first 135 feet west along the south side of Redbud Drive from the Brown Trail intersection. This will provide more room for buses and fire trucks to enter and exit this side of the intersection.</p>	
<p><b>Funding Sources and Community Sustainability:</b></p>	
<p>There is no financial impact.</p> <p>Designation of No Parking areas is directly representative of the Council’s goal of <b><i>Public Safety</i></b>.</p>	
<p><b>Recommendation:</b></p>	
<p>It is recommended that the City Council <b>approve Ordinance 2535, first reading, amending Chapter 24 by adding a sentence to Section 24-127; prohibiting parking in a certain area on Redbud Drive near Brown Trail.</b></p>	

## **ORDINANCE 2535**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HURST, TEXAS, AMENDING THE HURST CODE OF ORDINANCES CHAPTER 24 BY ADDING TO SECTION 24-127; PROHIBITING PARKING IN CERTAIN AREAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council (the "City Council") of the City of Hurst, Texas (the "City"), has appointed a Transportation Infrastructure and Safety Committee to act in an advisory capacity to the City Council in all matters pertaining to traffic safety; and

**WHEREAS**, the Transportation Infrastructure and Safety Committee has determined, after reasonable consideration, that parking should be prohibited on the streets provided herein; and

**WHEREAS**, the City of Hurst is a Home Rule municipality having full powers of self-government and may enact ordinances relative to its citizens' health, safety, and welfare that are not inconsistent with the Constitution and laws of the State; and

**WHEREAS**, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

**WHEREAS**, Section 545.302 of the Texas Transportation Code prohibits stopping, standing, or parking in certain areas, including areas where an official sign prohibits stopping, standing, or parking; and

**WHEREAS**, the City of Hurst has determined that it is a necessity to regulate activities as provided for herein to safeguard the public; and

**WHEREAS**, the City of Hurst is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this Ordinance; and

**WHEREAS**, all statutory and constitutional requirements for the passage of this Ordinance have been adhered to, including but not limited to the Open Meetings Act; and

**WHEREAS**, the purpose of this Ordinance is to promote the public health, safety, and general welfare 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 statements contained in the preamble to this Ordinance are hereby adopted as findings of fact and as a part of the operative provisions hereof.
- Section 2. **THAT** the City of Hurst Code of Ordinances Chapter 24 is hereby amended by adding the following sentence to Section 24-127:  
“Redbud Drive on the south side from Brown Trail to a point one hundred and thirty-five (135) feet west of Brown Trail.”
- Section 3. **THAT** all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect.
- Section 4. **THAT** any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be fined an amount not to exceed \$500.
- Section 5. **THAT** if any section, subsection, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.
- Section 6. **THAT** the fact that the present ordinances and regulations of the City of Hurst, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Hurst, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public, which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

**AND IT IS SO ORDERED.**

Passed on the first reading on the 11<sup>th</sup> day of April 2023 by a vote of \_ to \_.

Approved on the second reading on the 25<sup>th</sup> day of April 2023 by a vote of \_ to \_.

**ATTEST:**

**CITY OF HURST**

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

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

**Approved as to form and legality:**

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

City Council Staff Report

**SUBJECT:** Consider authorizing the city manager to enter into an Amended Interlocal Agreement with the City of North Richland Hills regulating traffic signals operation/maintenance and Glenview Drive median maintenance

**Supporting Documents:**

**Meeting Date:** 4/11/2023

**Department:** Public Works

**Reviewed by:** Greg Dickens

**City Manager Review:**

**Background/Analysis:**

The City Council approved an Interlocal Agreement with the City of North Richland Hills (NRH) January 8, 2002 providing median access and maintenance to NRH for sign placement and irrigation. The agreement also provided responsibility to the City of Hurst for traffic signal operation and maintenance at Precinct Line Road and Mid-Cities Boulevard and Precinct Line Road and Martin Drive. The City of North Richland Hills has requested installation of a license plate reader in the median at Glenview Drive and Loop 820, necessitating the need for amendment to the original agreement. As such, staff believes it beneficial for the traffic signal operation and maintenance at the stated intersections to be relinquished to the City of North Richland Hills, who has the majority of the intersections in their city limits and who responds to accidents in these intersections.

Staff will present the amended Interlocal Agreement to the City of North Richland Hills for their consideration if Council approves the proposed amendments.

**Funding Sources and Community Sustainability:**

By relinquishing the traffic signal operation and maintenance, the annual cost savings to the City of Hurst is estimated to be \$3,000 in materials and labor.

Amendment of the Interlocal is directly representative of the Council's goal of **Public Safety and Infrastructure**.

**Recommendation:**

It is recommended that the City Council **authorize the city manager to enter into an Amended Interlocal Agreement with the City of North Richland Hills regulating traffic signals operation and maintenance and Glenview Drive median maintenance.**



## Future Events Calendar

April 11, 2023

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

<u>DATE AND TIME</u>	<u>ACTIVITY</u>
Saturday, April 15, 2023 8:00 am – 11:00 am	Household Hazardous Waste Collection Event Hurst Service Center, 2001 Precinct Line Rd.
Saturday, April 29, 2023	Bulk Trash Collection, Residents NORTH of Hwy 121
Saturday, May 6, 2023	Bulk Trash Collection, Residents SOUTH of Hwy 121
Monday, May 29, 2023	City Hall Offices closed in observance of the Memorial Day Holiday