

**WORK SESSION AGENDA OF THE CITY COUNCIL OF
HURST, TEXAS
CITY HALL, 1505 PRECINCT LINE ROAD
FIRST FLOOR CONFERENCE ROOM
TUESDAY, JULY 25, 2023 – 5:30 P.M.**

I. Call to Order

II. Informational Items

- **Update and discussion of upcoming Calendar Items**
- **Update and discussion of city-wide logo graphics and branding for new elevated water tower on Mary Drive and City flag**

III. Update and discussion of Regular Agenda Items

IV. Discussion of Agenda Item(s) 2

Consider authorizing the city manager to proceed with the City Hall Furniture Replacement Project

V. Discussion of Agenda Item(s) 3

Consider authorizing the city manager to enter into an Inter-local Agreement with the City of Fort Worth authorizing their application for a dual Certificate of Convenience and Necessity (CCN) application submittal to the Public Utility Commission

VI. Discussion of Agenda Item(s) 4

Consider authorizing the city manager to enter into a First Amendment to Contract 2724 with the City of Fort Worth for the Household Hazardous Waste Program

EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, Authorized by Government Code, 551.072, deliberation of the purchase, exchange, lease, or value of real property (economic development/redevelopment) and to reconvene in Open Session at the Conclusion of the Executive Session to consider and take any necessary action

VII. ADJOURNMENT

Posted By: _____

This the 21st day of July 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, JULY 25, 2023**

AGENDA:

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

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

CALL TO ORDER

INVOCATION (Councilmember Cindy Shepard)

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. Consider approval of the minutes for the July 11, 2023 City Council meetings
2. Consider authorizing the city manager to proceed with the City Hall Furniture Replacement Project

OTHER BUSINESS

3. Consider authorizing the city manager to enter into an Inter-local Agreement with the City of Fort Worth authorizing their application for a dual Certificate of Convenience and Necessity (CCN) application submittal to the Public Utility Commission
4. Consider authorizing the city manager to enter into a First Amendment to Contract 2724 with the City of Fort Worth for the Household Hazardous Waste Program
5. Review of upcoming calendar items
6. 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

EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, Authorized by Government Code, 551.072, deliberation of the purchase, exchange, lease, or value of real property (economic development/redevelopment) and to reconvene in Open Session at the Conclusion

of the Executive Session to consider and take any necessary action

7. Take any and all action necessary ensuing from Executive Session

ADJOURNMENT

Posted by: _____

This 21st day of July 2023, by 5:00 p.m., in accordance with Chapter 551, Texas Government Code.

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**Minutes
Hurst City Council
Work Session
Tuesday, July 11, 2023**

On the 11th day of July 2023, 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, with the following members present:

Henry Wilson	)	Mayor
Gary N. Waldron	)	Mayor Pro Tem
Jon McKenzie	)	Councilmembers
Cathy Brotherton)	
Cindy Shepard)	
John Miller)	
Jimmy Meeks)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	City Attorney
Clayton Fulton	)	Assistant City Manger
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary

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 Manager Clay Caruthers reviewed the Future Event Calendar also noting the July 31, 2023 budget work session will start at approximately 11:30 a.m. at the Hurst Conference Center.

Mayor Pro Tem Waldron left the meeting at 6:02 p.m.

- **Update and discussion of 88th Legislature bills impacting the City** – Mayor Wilson and Councilmember McKenzie reviewed the Texas Municipal League Board meeting summary of action taken during the 88th Legislature, which impacts cities.

III. Update and discussion of Regular Agenda Items

IV. Discussion of Agenda Item(s) 3

Consider Ordinance 2542, second reading, SITE-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway

City Manager Clay Caruthers stated this is the second reading of the proposed ordinance and there are no changes from the first reading. He also noted a question from the owner of

Primrose School of the Mid Cities regarding legal restrictions and City Attorney Matthew Boyle reviewed the City's limitations regarding Texas Alcoholic Beverage Code restrictions.

V. ADJOURNMENT – Mayor Wilson adjourned the work session at 6:25 p.m.

APPROVED this the 25th day of July 2023.

ATTEST:

Rita Frick, City Secretary

APPROVED:

Henry Wilson, Mayor

City Council Minutes
Tuesday, July 11, 2023

On the 11th day of July 2023, at 6:30 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
Jon McKenzie	)	Councilmembers
Cathy Brotherton)	
Cindy Shepard)	
John Miller)	
Jimmy Meeks)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	City Attorney
Malaika Marion Farmer	)	Assistant City Manager
Clayton Fulton	)	Assistant City Manager
Rita Frick	)	City Secretary

With the following Councilmember absent: Gary Waldron, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m. and the Pledge of Allegiance and Texas Pledge was given.

Councilmember Jon McKenzie gave the Invocation.

1. Consider approval of the minutes for the June 27, 2023 City Council meetings
2. Consider Ordinance 2541, second reading, amending Chapter 24 by adding to Section 24-127, prohibiting parking in certain areas

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

Ayes: Councilmembers McKenzie, Brotherton, Shepard, Miller and Meeks
No: None

ORDINANCE(S)

3. Consider Ordinance 2542, second reading, SITE-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway

Mayor Wilson stated this item is not a public hearing and recognized City Manager Clay Caruthers who noted this is the second reading of the proposed ordinance and there have been no changes since presented at the June 27, 2023 Council meeting. Mr. Caruthers noted

the Planning and Zoning Commission and City Council previously voted in favor.

Councilmember Miller moved to approve Ordinance 2542, second reading, SITE-2023-00007 Hurst Liquor and Cigar, a Special Use Permit for Packaged Alcohol Sales on a portion of Lot 2, Block 3, Woodbridge Plaza Addition, being 2.81 acres located at 420 Grapevine Highway. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Brotherton, Shepard, Miller and Meeks

No: McKenzie

OTHER BUSINESS

4. Board, Commission and Committee Minutes – Council reviewed the following minutes:
 - Planning and Zoning Commission
5. Review of upcoming calendar items – City Manager Caruthers reviewed the Future Event Calendar.
6. City Council Reports - Items of Community Interest

Councilmember Miller expressed concern regarding human trafficking and the number of individuals enslaved globally. He noted a recently released movie, Sound of Freedom, seeks to shed light on this topic. Councilmember Brotherton noted the fabulous job by the City and Parks and Recreation Board on the Stars and Stripes event.

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 noted state law regarding public invited to be heard and recognized the following individuals:

Thomas Bingham, 737 Highland Crest Drive, Hurst, spoke regarding Ordinance 2542 and over the last weeks he met with community members to add signatures to a petition regarding this item and to request Council consider requiring liquor stores to have safety zones around schools and facilities focused on child care. Mr. Bingham also requested Council consider prohibiting liquor stores near preschools.

Stephanie Barfknecht, 700 Bear Creek Drive, Hurst, expressed concerns regarding information provided by the City Secretary regarding addressing agenda item 3 and not having the opportunity to speak earlier. She noted Councilmember Miller's comments regarding human trafficking and stated liquor stores contribute to this activity. Ms. Barfknecht also expressed concern and frustration of the action taken tonight, her belief she was misinformed, and opportunities to protect her children.

Mayor Wilson recognized Priscila Navarro, 608 Lewis Drive, Zac Simmons, 612 Lewis Drive, Don Seymour, 605 Lewis Drive and Patricia Seymour, 605 Lewis Drive and Edgar Valverde, 7848 Abbott, (who completed a speaker request but did not speak) who expressed concerns regarding an incident involving a Republic trash truck and damage to their homes and requested the City's assistance.

Mayor Wilson recognized Carol Lindsey, 8301 Boat Club Road Apt. 813, Fort Worth, who requested Council's assistance regarding her status for rehire as a former City employee.

ADJOURNMENT – The meeting adjourned at 7:05 p.m.

APPROVED this the 25th day of July 2023.

ATTEST:

APPROVED:

Rita Frick, City Secretary

Henry Wilson, Mayor

City Council Staff Report

SUBJECT: Consider authorizing the city manager to proceed with the City Hall Furniture Replacement Project	
Supporting Documents:	
	Meeting Date: 7/25/2023 Department: Community Services Reviewed by: Kyle Gordon City Manager Review:
Background/Analysis:	
<p>Throughout the years, the City has updated or modernized various meeting rooms, offices, and public spaces to ensure the public and staff can conduct business in a professional environment. The conference room chairs in the City Hall's first and third-floor conference rooms have been in use since the early 1990s. Unfortunately, over time some have become inoperable due to a lack of replacement parts, developed tears in the upholstery that cannot be fixed, and generally developed a dingy appearance from the many years of use. Due to the overall condition and age of the chairs, it is recommended they all be replaced.</p> <p>Staff worked closely with our preferred vendor WPS through the OMNIA Purchasing Contract to procure a quote to replace twenty-six conference chairs and fourteen guest chairs for the two rooms at pre-negotiated discounted rates. The total furniture cost is \$32,273 (including a 10% contingency.)</p>	
Funding and Sources:	
<p>Funding in the amount of \$32,273 is available in the Special Projects Fund.</p> <p>In an effort to remain a vibrant community, this project addresses the City Council's Strategic Priorities for Leadership and Innovation by providing a professional work environment.</p>	
Recommendation:	
<p>It is recommended City Council authorize the city manager to proceed with the City Hall Furniture Replacement Project, for an amount not to exceed \$32,273.</p>	

City Council Staff Report

SUBJECT: Consider authorizing the city manager to enter into an Interlocal Agreement with the City of Fort Worth authorizing a dual Certificate of Convenience and Necessity (CCN) application submittal to the Public Utility Commission (PUC)	
Supporting Documents:	
	Meeting Date: 7/25/2023 Department: Administration Reviewed by: Clay Caruthers City Manager Review:
Background/Analysis:	
<p>As part of the Trinity Lakes Rail Station, the City of Hurst has been requested to enter into an Interlocal Agreement by the City of Fort Worth agreeing to a submittal to the PUC for a dual water CCN Application. The Trinity Lakes Rail Station is located in the City of Fort Worth, but the rail station platform is located in the City of Hurst. To service the station, Fort Worth is requesting the agreement, which will allow them to provide water service in the City of Hurst’s jurisdiction for this station only. Staff is in negotiation with the City of Fort Worth and the North Central Texas Council of Government (NCTCOG) regarding regional support for the station and surrounding area. After conversations with NCTOG, staff believes the Interlocal Agreement for the dual certification is in-line with our well-established regional spirit of cooperation.</p>	
Funding Sources and Community Sustainability:	
<p>There is no fiscal impact. Approving the amendment supports the Council’s Strategic Priority of Economic Vitality and Financial Sustainability under the Hurst Way.</p>	
Recommendation:	
<p>Staff recommends City Council authorize the city manager to enter into an Interlocal Agreement with the City of Fort Worth for a dual Certificate of Convenience and Necessity Application with the Public Utility Commission.</p>	

City Council Staff Report

SUBJECT: Consider authorizing the city manager to enter into a First Amendment to Contract 2724 with the City of Fort Worth for the Household Hazardous Waste Program	
Supporting Documents:	
First Amendment	Meeting Date: 7/25/2023 Department: Public Works Reviewed by: Greg Dickens City Manager Review:
Background/Analysis:	
<p>The City of Fort Worth has a Household Hazardous Waste Program the City of Hurst has participated in since 1997. In this agreement, Hurst residents can take hazardous waste items such as paint, motor oil, etc. to the City of Fort Worth’s Environmental Collection Center (ECC) located at 6400 Bridge Street near Interstate 30 and Loop 820 at no cost to the resident. The current cost to the City of Hurst is \$50 per household per visit to the ECC or per participating household in a Mobile Collection Event. The First Amendment to City of Hurst Contract 2724 and City of Fort Worth Contract 49805 will increase the cost from \$50 to \$95 per vehicle visit to the ECC or participation in an event. Currently, the City of Hurst schedules four events per year. The maximum annual use of the Program so far has been 958 households, at the ECC and mobile events total. At \$50 per household the total annual cost is \$47,900, and at \$95 the total cost is \$91,010.</p> <p>The agreement is self-renewing infinitely or until terminated by either party. Most of the cities within Tarrant County (44 total) are utilizing this Program. This budgeted amount was established to cover the cost for 958 households using the Program.</p>	
Funding and Sources:	
Funds are available in the Storm Water Management Streets/Drainage Fund. Staff will not exceed the budgeted amount of \$ 92,000.00	
Recommendation:	
Staff recommends City Council authorize the city manager to enter into a First Amendment to Contract 2724 for the Hazardous Waste Program with the City of Fort Worth.	

**FIRST AMENDMENT TO
FORT WORTH CITY SECRETARY CONTRACT NO. 49805
AN INTERLOCAL AGREEMENT
BETWEEN CITY OF FORT WORTH AND HURST
FOR PARTICIPATION IN THE ENVIRONMENTAL COLLECTION CENTER
HOUSEHOLD HAZARDOUS WASTE PROGRAM**

This First Amendment to Fort Worth City Secretary Contract No. 49805 (“First Amendment”) is made between the City of Fort Worth (“Fort Worth”), a municipal corporation, and City of Hurst, (“Participating City”) and located in Tarrant County, Texas, acting herein by and through Clay Caruthers its duly authorized City Manager .

WHEREAS, Fort Worth and Participating City entered into an Interlocal Agreement identified as Fort Worth City Secretary Contract No. 49805 (the “Agreement”) for participation in the Environmental Collection Center Household Hazardous Waste Program; and

WHEREAS, due to rising costs of the program, Fort Worth must increase the cost that each participating City pays per visit to the Environmental Collection Center or per participating household in a Mobile Collection Event; and

WHEREAS, Fort Worth and Participating City agree to amend the Agreement to an increase in the cost per household visit to the ECC or per participating household in a Mobile Collection Event from \$50.00 to \$95.00; and

WHEREAS, Fort Worth and Participating City also agree to amend the Agreement to allow the cost per household to be adjusted so long as there is mutual agreement by Fort Worth and the Participating City.

NOW THEREFORE, known by all these present, Fort Worth and Participating City, acting herein by the through their duly authorized representatives, agree to the following terms, which amend the Agreement as follows.

I.

AMENDMENTS

1. Section 10 “Compensation”, Paragraph A of the Agreement is hereby deleted in its entirety and restated as follows:

Participating City agrees to pay Fort Worth the sum of **\$95.00** per household per visit to the ECC (or per participating household in a Mobile Collection Event) to dispose of household hazardous waste. If a Participating City resident presents waste that was collected from multiple households, Fort Worth reserves the right to charge the Participating City based on the total number of households from which the waste originated. Fort Worth may adjust the cost per household visit to the ECC (or per participating household in a Mobile Collection Event) by providing Participating City at

least ninety (90) days written notice and by mutual consent. If Participating City does not consent to the adjustment, then this Agreement may be terminated in accordance with the Agreement.

II.

ALL OTHER TERMS SHALL REMAIN THE SAME

All other provisions of the Agreement which are not expressly amended herein shall remain in full force and effect.

III.

ELECTRONIC SIGNATURE

This Amendment may be executed in multiple counterparts, each of which shall be an original and all of which shall constitute one and the same instrument. A facsimile copy or computer image, such as a PDF or tiff image, or a signature, shall be treated as and shall have the same effect as an original.

[Signature Page Follows]

SIGNATURE PAGE

**INTERLOCAL AGREEMENT FOR PARTICIPATION IN FORT WORTH'S
ENVIRONMENTAL COLLECTION CENTER
HOUSEHOLD HAZARDOUS WASTE PROGRAM**

Executed effective as of the date signed by the Assistant City Manager below.

FORT WORTH:

<p>City of Fort Worth</p> <p>By: _____ Name: Valerie Washington Title: Assistant City Manager</p> <p>Date: _____</p> <p>Approval Recommended:</p> <p>By: _____ Name: James Keezell Title: Assistant Director Code Compliance</p> <p>Attest:</p> <p>By: _____ Name: Jannette Goodall Title: City Secretary</p>	<p>Contract Compliance Manager: By signing I acknowledge that I am the person responsible for the monitoring and administration of this contract, including ensuring all performance and reporting requirements.</p> <p>By: _____ Name: Rex Johnson Title: Environmental Supervisor</p> <p>Approved as to Form and Legality:</p> <p>By: _____ Name: Christopher Austria Title: Assistant City Attorney</p> <p>Contract Authorization: M&C: 28276</p>
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PARTICIPATING CITY

<p>City of <u>HURST</u></p> <p>By: _____</p> <p>Name: <u>Clay Caruthers</u></p> <p>Title: <u>City Manager</u></p> <p>Date: _____</p> <p>Attest:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>Approved as to Form and Legality:</p> <p>By: _____</p> <p>Name: <u>Matthew Boyle</u></p> <p>Title: <u>City Attorney/Assistant City Attorney</u></p>
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Future Events Calendar

July 25, 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>
Monday, July 31, 2023 11:30 a.m.	City Council Special Session, Hurst Conference Center
Monday, September 4, 2023	City Hall Offices closed in observance of the Labor Day holiday