MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
CITY OF WHITE SETTLEMENT, TEXAS
6:30 PM – June 7, 2022

CALL TO ORDER

Mayor White called the meeting to order at 6:30 p.m. with a quorum of members present as follows: Council Member Paul Moore, Mayor Pro Tem Evelyn Spurlock, Council Member Amber Munoz, Council Member William Wright and Council Member Gregg Geesa.

Executive Staff present included City Manager Jeffrey J. James, City Secretary Amy Arnold and City Attorney Drew Larkin. Other staff present included Executive Administrative Assistant Ann Elias, Community Services Director Rich Tharp, Building Official Robert Nunley, Public Works Director Larry Hoover, Purchasing Agent Lonnie Yates, Chief of Police Christopher Cook, WSPD Lt. R. Yount, WSPD Lt. D. Callahan, , WSFD Capt. John Warren, Code Officer Steve Zapata, City Marshal Randy Rogers and Communications Manager Aaron Hall.

INVOCATION / PLEDGE OF ALLEGIANCE

Mayor White offered the invocation followed by the Pledge of Allegiance.

PUBLIC COMMENTS

There were none.

PRESENTATIONS

MAYOR / COUNCIL MEMBER PRESENTATIONS:

1. Presentation of appreciation to participants of the Memorial Day Ceremony.

Mayor White gave a brief history of the city's Memorial Day ceremony and thanked all who participated in and attended the event.

STAFF PRESENTATIONS:

2. City Manager presentation of items of community interest, including the upcoming budget meeting dates of June 28, June 29 and June 30, 2022.

City Manager Jeff James provided a recap of May 2022 community events including record breaking water park opening day. Mr. James provided information on recent and upcoming events including recreation center open gym hours and days, library summer reading program, Summer Celebration to be held on June 25th and upcoming budget meetings being June 28, 29, and 30, 2022. Mr. James introduced Dan Kessler of NCTCOG who provided information on the recent Interlocal Agreement for land banking for critical infrastructure property acquisition; providing details of next steps and projects.

CONSENT AGENDA

Council Member Geesa made a motion to approve the Consent Agenda. Mayor Pro Tem Spurlock seconded the motion which carried unanimously. Approval of consent agenda included the following:

3. Approval of City Council meeting minutes:

a. May 3, 2022

4. Approval of a resolution suspending the June 17, 2022 effective date of ONCOR electric delivery company's requested rate change to permit the city time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of Cities Served by ONCOR to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel for the steering committee.
5. Acknowledgment of the White Settlement Police Department participation in the Funded State and Local Task Force Agreement between the United States Department of Justice - Drug Enforcement Administration (DEA) and the White Settlement Department ORI#TX2202900 (White Settlement).
6. Acknowledgment of a Memorandum of Understanding for Non-Federal Agencies between the United States Marshals Service (USMS) and the White Settlement Police Department.

DELIBERATION AGENDA

PLANNING AND DEVELOPMENT:

7. Hold a PUBLIC HEARING and consider an ordinance approving a development plan and uses of manufacturing or assembly facility (light) and warehousing and storage establishment within the Mixed-Use Overlay District for WESTERN HILLS PARK ADDITION, Block 17, Lot 2R, more commonly known as 1650 South Cherry Lane, White Settlement, Texas 76108.

Building Official Robert Nunley presented the item explaining the application received to utilize the areas MUOD (Mixed Use Overlay District) approved uses "Manufacturing Assembly Facility – light" and "Warehousing and Storage Establishment" for a warehouse / distribution with outside storage. Mr. Nunley explained the location and approved zoning and MUOD uses permitted by ordinance 2359-09 and 2460-13. Mr. Nunley concluded by informing members the items was presented to Planning and Zoning Commission members on June 6, 2022, passing unanimously and staff's recommendation for approval.

Mayor White opened the Public Hearing at 6:59 pm. Hearing no speakers, Mayor White closed the public hearing at 7:00 pm.

Property owner and developer, David Castro, answered questions of the City Council including plans to redevelop the property by updating the building and leasing plans.

Council Member Paul Moore made a motion to approve the ordinance. Council Member Geesa seconded the motion which carried unanimously.

8. Discuss and consider a Community Facilities Agreement between The City of White Settlement and Quick Service REALCO for certain improvements to Western Hills Park Additions, Site 12A 2B, more commonly known as 2011 S. Las Vegas Trail.

Building Official Robert Nunley presented an application for a Community Facility Agreement (CFA) to install a new sewer line for development of the property. Mr. Nunley mentioned the current sewer line is undersized, explained the benefit of a new and informed members the line would be installed by boring under the roadway causing the least possible impact to traffic.

Mayor Pro Tem Spurlock made a motion to approve the CFA as presented. Council Member Moore seconded the motion which carried unanimously.

FINANCIAL:

9. Discuss and consider awarding RFP 2022.002 Employee Benefits Insurance Broker and Consulting Services.

Purchasing Agent Lonnie Yates presented information on the RFP opening, evaluation and review process stating the city's current broker, Higginbotham, was ranked first with a score of 9.70. Mr. Yates stated staff recommends awarding the contract to Higginbotham and authorizing the City Manager to enter into a contract with Higginbotham as the city's broker.

Mayor Pro Tem Spurlock made a motion to award RFP 2022-002 to Higginbotham and authorize the City Manager to execute the contract. Council Member Wright seconded the motion which carried unanimously.

PUBLIC WORKS:

10. Discuss and consider awarding the low bid for RFP 2022.004 - Tacoma and Colton Sewer Improvements.

Public Works Director Larry Hoover introduced the item reviewing September 7, 2021 council approval for the design, bid and engineering construction services for the above project. Mr. Hoover explained the design approval and bid process stating Horseshoe Construction Inc was one of five bids received for the project; $292,068.00 funded through the Water Sewer Capital Bond Fund. Mr. Hoover discussed utilizing pipe bursting technology in back yards of residential homes on Tacoma and Colton from Cherry Lane to Grants Lane as well as a small amount of open cut primarily on Ozona in the Right of Way which will have pavement repairs. Mr. Hoover mentioned extensive references and excellent reviews were received for Horseshoe Construction Inc. and noting staff recommendation for approval.

Council Member Geesa made a motion to approve award of RFP 2022-004 to Horseshoe Construction Inc. Council Member Wright seconded the motion which carried unanimously.

PUBLIC SAFETY:

11. Discuss and consider a resolution authorizing a grant application for the Motor Vehicle Crime Prevention Authority Grant Program.

City Manager Jeff James presented information on the item in the absence of Chief of Police Christopher Cook. Mr. James explained the resolution authorizes a grant application for additional equipment under the program. Mr. James explained the use of Flock Cameras and the request for additional cameras bringing the city's inventory to six total cameras.

Roger Yount addressed council member questions by explaining the camera's functions, how they program is utilized and benefits of the program.

Mayor Pro Tem Spurlock made a motion to approve the resolution as presented. Council Member Munoz seconded the motion which carried unanimously.

12. Discuss and consider an agreement between the City of White Settlement ("City") and Tarrant County Emergency Services District No. 1 ("ESD") for American Rescue Plan Act State and Local Recovery Funds.

City Manager Jeff James presented the item in the absence of acting Fire Chief, Christopher Cook. Mr. James explained details of the program and equipment the Fire Department is seeking to acquire.

Council Member Munoz made a motion to approve the agreement between the City of White Settlement ("City") and Tarrant County Emergency Services District No. 1 ("ESD") for American Rescue Plan Act State and Local Recovery Funds. Mayor Pro Tem Spurlock seconded the motion which carried unanimously.

ADMINISTRATIVE:

13. Discuss and consider fund amounts for General Fund (01) City Council (501) budget line items 10.101 "Office Supplies"; 10.113 "Uniforms"; 20.214 "Other Professional Services"; 20.229 "Dues, Subscriptions, Memberships"; 20.231 "Events and Awards", 20.232 "Marketing and Promotional", 20.233 "Travel and Training", 20.234 "In Sympathy, Memorials", and 20.237 "Plaques, Awards, Recognition" to be submitted for inclusion in the FY 22-23 proposed budget. This item is not for final approval of these line item fund amounts.

City Secretary Amy Arnold provided information to members on 01-501 line item funds including current amounts and suggested considerations in response to council member comments and current needs.

Members discussed, with a consensus reached, moving from paper business cards to digital business cards under 10-101; not returning to council member shirts under 10-113; adjusting 20-214 to include 2 appraisals and adding professional photography at the quoted rate; no memberships added or removed to 20-229; remove "Awards" from the title of 20-231 and move fireworks under the Summer Celebration event, no additional items added; remove 20-232; adjusting 20-233 to allow for additional training via webinars; removing "Employee Appreciation" from the title of 20-234 and replacing with its original title and current use of "In Sympathy/Memorials"; consider adjustment to 20-237 to include funds for volunteer appreciation.

14. Discuss and consider city council goals, objectives, performance measures and mission statement to include in the FY 22-23 annual budget.

City Secretary Amy Arnold provided information to members explaining budget book entry deadlines and option to amend prior to final budget approval and book publishing. Members reviewed information provided with no amendments suggested.

Mayor Pro Tem Spurlock made a motion to approve the items for inclusion in the budget book. Council Member Wright seconded the motion which carried unanimously.

15. Discuss and consider nomination for membership on the Western Region Solid Waste Capacity Policy advisory Group (PAG) in accordance with the by-laws of the PAG adopted March 30, 2022.

City Manager Jeff James provided information on the new program and informed members of his desire to nominate Community Services Director Rich Tharp to PAG due to his involvement and experience in the city's solid waste program.

Council Member Geesa made a motion to approve the nomination of Rich Tharp to the PAG. Council Member Wright seconded the motion which carried unanimously.

16. Discuss and consider a resolution approving the sale of EDC real property described as Lot 12 and a part of Lot "A", Block 20, McDonnell Addition, City of White Settlement, Tarrant County, Texas, more commonly known as 730 S. Cherry Lane, White Settlement, Texas.

City Manager Jeff James explained the item as previously discussed mentioning a lack of quorum at the June 7, 2022 EDC meeting resulting in the item not being approved by EDC at this time. Council Members were informed the item could be considered and voted prior to EDC taking action. Mr. James explained the EDC would convene at a later date to consider the item.

Council Member Moore made a motion to approve the resolution. Council Member Munoz seconded the motion which carried unanimously.

BOARD APPOINTMENTS:

17. Discuss and consider appointments to the following board positions:
    a. BAA Alternate Position 1 and Alternate Position 2; both vacant
    b. CCPD Place 1, vacant;
    c. EDC Place 2 and Place 6 (are both vacant); reappoint EDC Place 4 (Vicki Harpe);
    ~~d. Library Board Place 7, vacant;~~
    e. Parks and Recreation Place 3, vacant;
    f. Planning and Zoning Place 1 and Place 4, vacant;
    g. Pride Commission Place 2 and Place 5, vacant; and reappoint place 1 (Martha Cook), Place 6 (Tonia Torres).

City Secretary Amy Arnold noted library board place 7 is listed in error. Mrs. Arnold mentioned two applications received for CCPD, one for EDC and the option to appoint no more than three council members to EDC according to the EDC Bylaws. Mrs. Arnold discussed applications on file (for these boards) stating applicants were contacted noting no applicants responded to inquiries for consideration. Mrs. Arnold stated the applicants interested were Alan Price who recently resigned from all boards he had served and Joshua Lemons currently serving on Planning and Zoning.

At the request of members, Building Official Robert Nunley confirmed Mr. Lemons participation and punctuality as a member of P&Z.

Mayor Pro Tem Spurlock made a motion to reappoint Vicki Harpe to EDC Place 4, reappoint Pride Commission Members Martha Cook to Place 1 and Tonia Torres to Place 6. Council Member Wright seconded the motion which carried unanimously.

Mayor Pro Tem Spurlock made a motion to appoint Joshua Lemons to CCPD Place 1 to fill an unexpired term. Council Member Munoz seconded the item which carried with a vote of 4 to 1 with Council Member Geesa voting nay.

Mayor Pro Tem Spurlock made a motion to appoint Council Member Moore to EDC Place 2 and Council Member Gregg Geesa to EDC Place 6 to fill vacant positions. Council Member Munoz seconded the motion which carried unanimously.

EXECUTIVE SESSION

Mayor White announced members would convene in Executive Session at 8:20 pm after first reading the following: Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may convene into Executive Session to deliberate regarding the following matters:

18. Sec. 551.071 Consultation with Attorney: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the city attorney about any matters listed on the agenda and the following:
    a. Payment in Lieu of Taxes agreement between the City and S.P.M. Flow Control, Inc.
    b. Litigation regarding 800 Easley Street

19. Sec. 551.072 Deliberations about Real Property: The City Council may deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, including 8212 White Settlement Road.

RECONVENE IN OPEN SESSION

19. Take action, if any, on items discussed in Executive Session.

Mayor White announced members were reconvened from Executive Session at 8:53 pm to take action as a result of item discussed in executive session.

Mayor Pro Tem Spurlock made a motion authorizing the city attorney to file a lawsuit regarding code violations at 800 Easley Street, White Settlement, Texas 76108. Council Member Geesa seconded the motion which carried unanimously.

ADJOURNMENT

With there being no further discussion, Mayor White adjourned the meeting at 8:53 pm.

Approved this the 5th day of July, 2022.

Ronald A. White

Ronald A. White, Mayor

ATTEST:

Amy Arnold

Amy Arnold, TRMC, CMC
City Secretary