

**Dalworthington Gardens City Council  
Meeting Minutes  
February 20, 2020**

**WORK SESSION – 6:30 p.m.**

**1. CALL TO ORDER**

Mayor Bianco called the meeting to order at 6:30 p.m. with the following present:

**Members Present:**

Laura Bianco, Mayor  
Mark McGuire, Alderman, Place 1  
Cathy Stein, Alderman, Place 3  
Ed Motley, Mayor Pro Tem; Alderman, Place 4  
Joe Kohn, Alderman, Place 5

**Members Absent:**

Guy Snodgrass, Alderman, Place 2

**Staff Present:**

Lola Hazel, City Administrator  
Greg Petty, DPS Director  
Kay Day, Finance Director

**2. WORK SESSION: Regarding moving from a fixed-cost pricing structure to a strategic hedging pricing structure with the Texas Coalition for Affordable Power (TCAP).**

Discussed.

**3. REMAINING AGENDA ITEMS: If time permits, review remaining agenda items.**

The following items were discussed under this item.

9. b. Consider approval of Resolution No. 2020-03 to approve an increase to garbage and recycling rates from Republic Services.

9. c. Discussion and possible action regarding the implementation of a business reinvestment district.

*At this time, Council took a short recess at 6:55 p.m. until the 7:00 p.m. Regular Session.*

**REGULAR SESSION – 7:00 P.M.**

**1. CALL TO ORDER**

Mayor Bianco started the Regular Session at 7:00 p.m.

**2. INVOCATION AND PLEDGES OF ALLEGIANCE**

Mayor Bianco gave the invocation. Pledges were led by Claire Gruber.

**3. PRESENTATIONS AND PROCLAMATIONS**

- a. Presentation of certificates to the Salvation Army Mayoral Red Kettle Challenge participants.**

Mayor Bianco presented certificates to students and educators involved in ringing the bell and collecting donations for the Salvation Army Mayoral Red Kettle Challenge.

#### **4. ITEMS OF COMMUNITY INTEREST**

The following items were presented.

- **Business Over Breakfast – March 4, 2020, 8:00 a.m. – 9:00 a.m.**
- **Easter Egg Hunt – April 4, 2020**

#### **5. CITIZEN COMMENTS**

None.

#### **6. MAYOR AND COUNCIL COMMENTS**

Mayor Bianco: Thanked Cathy Stein for efforts on Great Backyard Bird Count.

Mark McGuire: Informed audience he did not re-file for a place on council. He further explained former mayor, Kimberly Fitzpatrick, was responsible for getting him to run a few years ago. Thanks to Kimberly for her efforts. It's been a fun four years.

Cathy Stein: None

Ed Motley: None

Joe Kohn: None

#### **7. DEPARTMENTAL REPORTS**

- DPS Report**
- Park Board Report**
- Financial Reports**
- City Administrator Report**

Departmental Reports presented.

#### **8. CONSENT AGENDA**

- Acceptance of the 2019 Racial Profiling Report.**
- Approval of Ordinance No. 2020-01 approving amendments to the FY 2019-2020 Budget.**
- Approval of Resolution No. 2020-02 authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.**
- Approval of Resolution No. 2020-04 authorizing continued participation with the Steering Committee of Cities Served by Oncor; and authorizing the payment of seven cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC.**

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to approve the Consent Agenda.

Motion carried by the following vote:  
Ayes: Members McGuire, Stein, Motley, and Kohn  
Nays: None

## 9. REGULAR AGENDA

### a. Discussion and possible action regarding moving from a fixed-cost pricing structure to a strategic hedging pricing structure with the Texas Coalition for Affordable Power (TCAP).

Background information on this item: In 2014, the city contracted with Gexa Energy for electricity. That contract expired March 4, 2018. Prior to expiration, the city reached out several providers to ensure we're receiving the best pricing. Information was request from Gexa Energy, the Texas Coalition for Affordable Power (TCAP), United Commercial Energy Partners, and True Energy. At the time, Gexa Energy was no longer contracting directly with customers, so it wasn't an option to renew with them directly. City Council approved to move forward with TCAP as an energy provider in March 2018.

TCAP is a non-profit coalition which negotiates the purchase of electricity on behalf of the city. The city currently has a fixed price contract with them. TCAP now has the option to move to a strategic hedging pricing model where when rates fluctuate, we would be able to take advantage of lower rates. Goal of strategic hedging is to average rates over a time frame (see page 4, top graph, for reference). For fixed rate contracts, the prices are always higher the first year and then there is a dip.

The way the process works is:

- Our contract is through December 2022 but we need to decide on strategic hedging before September 2020
  - Some cities have already voted to move to strategic hedging.
- We would still have a five year contract.
- January 2023 would be when we would roll in with everyone else for strategic hedging - takes advantage of market right now
- TCAP would buy two years in advance so we know rates.
- If we went with this and we don't like it, we can go back to fixed rate.
  - Every six months we could decide to switch back to fixed rate if we do not like strategic hedging.
- If markets change drastically, TCAP will make sure we are locked in at that point so we aren't paying higher rates.
  - The market rep will tell us in advance if we need to change to fix based on the market
  - They go out for proposals every single month to find best rates.
- They provide rates every year in March so we can plan for our budget.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Mark McGuire to approve moving from a fixed-cost pricing structure to a strategic hedging pricing structure with the Texas Coalition for Affordable Power (TCAP).

Motion carried by the following vote:  
Ayes: Members McGuire, Stein, Motley, and Kohn  
Nays: None

### b. Consider approval of Resolution No. 2020-03 to approve an increase to garbage and recycling rates from Republic Services.

Background information on this item: On September 20, 2018, Council approved an ordinance allowing for a Sanitation Rate Sheet to be held in the city secretary's office which prevents the need to approve a rate change ordinance every year.

Republic Services' contract allows them to adjust their rates annually based on the average percentage change in the Consumer Price Index. The 2019 period increased by an average of 3.84 percent.

This year, in addition to increasing garbage rates, Republic Services is requesting an adjustment to residential recycling rates due to the negative impact on the sale of commodities related to China Sword.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to approve Resolution No. 2020-03 to approve Republic's increased garbage and recycling rates, but not to pass along the higher rates to customers.

Motion carried by the following vote:

Ayes: Members McGuire, Stein, Motley, and Kohn

Nays: None

*At this time, item 9.c. was moved to the end of the agenda for closed session discussion and item 9.d. became item 9.c.*

**c. Approval of Ordinance No. 2020-02 to amend Chapter 14, Zoning, approving an Accessory Dwelling Ordinance.**

Background information on this item: The ordinance being presented includes compiled changes from the January 28 work session. Alderwoman Stein will have a few sections to discuss for clarification purposes. This discussion should not take long and then the ordinance will be ready for council to take action.

The following changes were suggested at the meeting shown in red text.

14.02.124(f)

- (f) All accessory structures situated ~~within~~ between ten (10) feet of the property line of adjacent residential property ~~and the required yard for a principal dwelling~~ shall not exceed 15 feet in height. All accessory structures situated ~~more than ten (10) feet from the property line of adjacent residential property~~ within the required yard for a principal structure shall not exceed the maximum allowed height of the principal structure.

14.02.123(d)(4)(A)

- (A) Provided that it is ~~not~~ situated within ~~ten (10 feet of the property line of adjacent residential property~~ the required yard of a principal structure and does not exceed a the maximum allowed height of a principal structure: accessory structures; breezeways and open, unroofed porches.

14.02.123(d)(4)(B)

- (B) Provided that it is situated ~~within~~ between ten (10) feet of the property line of the adjacent residential property ~~and the required yard of a principal structure~~ and does not exceed a height of fifteen (15) feet: accessory structures; breezeways and open, unroofed porches.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to approve Ordinance No. 2020-02 to amend Chapter 14, Zoning, approving an Accessory Dwelling Ordinance, and to incorporate the above changes to same.

Motion carried by the following vote:

Ayes: Members McGuire, Stein, Motley, and Kohn

Nays: None

**d. Discuss and possible action regarding amendments to the FY 2020 budget in amounts not to exceed \$10,000.00.**

Background information on this item: This is a standing agenda item that will appear on all future agendas. The idea is provide an item whereby staff can discuss needs that come up after the agenda posting deadline. These would only be items that, without council approval, would otherwise put operations on hold.

The item was not needed at this meeting. No action was taken.

**e. Discussion and possible action to approve a mobile service order system in an amount not to exceed \$1,840.00.**

Background information on this item: A few months back, staff began looking at ways to improve efficiency of operations. A large amount of time is spent by public works staff members coming back to the office to pick up service orders before being able to fulfill said service orders. Tyler Technologies, the software provider for the utility billing system the city uses, offers a mobile service order system. This mobile service order system can be used for all utility customer-related needs, and can also be used for general work order needs – potholes, park needs, etc. The program is relatively inexpensive considering the amount of time it will save staff and to be faster to respond to citizen needs. Staff already has iPads which are compatible with the service order app.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Mark McGuire to approve a mobile service order system in an amount not to exceed \$1,840.00.

Motion carried by the following vote:

Ayes: Members McGuire, Stein, Motley, and Kohn

Nays: None

**f. Discussion and possible action to approve an Interlocal Agreement with Tarrant County for reconstruction of Twin Lakes and Twin Springs.**

Background information on this item: Council's action on December 19, 2019 is as follows: Direct staff to have an engineer do an assessment on Twin Lakes and Twin Springs to see what we need to do and get a final estimate. Staff then consulted with engineer Dick Perkins about the scope of the project and whether drainage work would be needed. The following is the scope for both Twin Springs and Twin Lakes:

- Twin Springs Drive - Bowen Road west to its intersection with Twin Lakes Drive.
- Twin Lakes Drive - Twin Springs Drive south to the end of the cul-de-sac.
- The north leg of Twin Lakes Drive will NOT be reconstructed.
- There will be no need for any drainage work (driveway culverts) on this project.

Based on these details, Tarrant County submitted cost estimates for each street. In looking at cash flow for streets, the city will have \$163,480 on January 31, 2020. The total cost estimated from Tarrant County for both streets comes to \$211,814.59. That is just for Tarrant County's costs and doesn't take into account other potential needs.

At the January 16 meeting, Council voted to move forward with reconstruction of Twin Springs and Twin Lakes with a few changes. Council wanted the width of streets reduced to 24 ft. and to remove shoulders from the cost estimate. In addition to those changes, staff received some photos from a resident on Twin Springs concerned about some low areas on the existing street that are holding water. The photos were sent to both Mr. Perkins and Tarrant County for review. Tarrant County will pay close attention to those areas during their project and said that extra attention does not require a change in scope of work. They believe the low areas are holding water because the road has settled. They mentioned the road can be reshaped to eliminate those areas and that they do make minor adjustments at times to make sure it drains properly.

Council also requested that all costs be considered such as drive approaches, etc. Tarrant County has provided a contingency fee in both quotes which should cover the costs of such additional needs.

Tarrant County has provided new estimates totaling \$186,932.76 for both streets as well as agreements for the council to approve. There are two agreements to separate the work needed on Twin Springs from the work needed on Twin Lakes. At the end of March, the city will have enough funds to cover the total project.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Mark McGuire to approve two Interlocal Agreements with Tarrant County for reconstruction of Twin Lakes and Twin Springs, going with the 4" pavement instead of 6".

Motion carried by the following vote:

Ayes: Members McGuire, Stein, Motley, and Kohn

Nays: None

**g. Discussion and possible action to give staff direction regarding repair of pavement on Indian Trail, and direction to consult with the city engineer regarding drainage repair needs.**

Background information on this item: Mr. Khan who lives at 3502 Indian Trail has submitted concerns about a pothole in front of his house. Current staff members are familiar with a complaint he submitted in early 2018 when Indian Trail was still planned to be a future street project. At the time, the area of concern was patched since it was believed we would be repairing Indian Trail in the future. Mr. Khan has brought the pothole to the city's attention again, and staff is coming to council for guidance. Staff is providing a quote from Reliable Paving for possible solutions to the street repair. Below are the options they have suggested:

1. The area at the base at the driveway, about 650 SF is too small for the equipment to pulverize and stabilize with cement. If this is the only area you want to do at this time we would need to do a full depth repair
  - A. Excavate asphalt and dirt to a depth of 8". Compact subgrade and install 6" of Type B asphalt base and the overlay with 2" of type D asphalt surface for 650 SF a cost of \$8,870.00
  - B. Alternately a section about 250 LF full width of road, 5500 SF. Which covers most of the failed paving on Indian Trail and repairs a larger area. Mill Pulverize asphalt and base to a depth of 9", stabilize with 12 tons of cement, mix and compact to 95% and surface with 2" type D asphalt for a cost of \$23,110.00

In addition to the paving repair, the concern is drainage may be the underlying issue. Staff did not want to spend engineering funds or funds to repair this street until Council was consulted.

Staff provided pictures to show some of the history of the pothole from 2018-2020. Staff also provided information on having Tarrant County conduct repairs instead of Reliable Paving.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Mark McGuire to look at spot repair at this location on Indian Trail comprising of digging up the old pavement and putting down subgrade, and to see if Tarrant County can do it in conjunction with the Twin Lakes and Twin Springs project.

Motion carried by the following vote:

Ayes: Members McGuire, Stein, Motley, and Kohn

Nays: None

**h. Discussion and possible action regarding Esri ArcGIS annual license fees in the amount of \$1,648.28.**

Background information on this item: ESRI ArcGIS is the mapping software for the GIS system purchased in the last fiscal year. Annual maintenance is required for each license. The original purchase of the two (2)

Desktop licenses were included with the project cost and annual maintenance licenses were not accounted for in the FY 19/20 Budget. Current licenses on the desktop software expire on 3/12/20. There is also a need to add three (3) more field licenses: (1) Community Development and (2) Water Meter employees.

The breakdown of costs for this item is as follows:

- \$1,198.96 was budgeted
- \$344.57 spent already for one license
- Additional Needed: \$1,281.66 from Enterprise Fund and \$366.62 from General Fund
- Total cost needed is \$2,847.24

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to approve the purchase of Esri ArcGIS annual license fees in the amount of \$1,648.28.

Motion carried by the following vote:

Ayes: Members McGuire, Stein, Motley, and Kohn

Nays: None

**i. Discussion and possible action to approve the purchase of a new Trimble R2 GPS receiver in the amount of \$9,346.22.**

Background information on this item: With recent waterline breaks and similar public works issues, it has become more apparent that staff is in need of a tool to ensure valve and utility line locations are as accurate as possible. With each of the recent issues, staff has spent more time locating lines and valves than the time it takes to fix the problem. There were at least two instances where six staff members were out looking for valves which greatly affects productivity and timely resolution for citizens. As such, staff is requesting to purchase a new Trimble R2 GPS receiver that will help in assisting with a more accurate detailed map of the city's infrastructure. We have noticed a difference in 2-10 ft. discrepancy with our current GPS receivers making it difficult to rely on the data and outline current sewer and water lines.

The quoted package is on sale until the end of March 2020 and includes one (1) year of correction service. When this expires the renewal is \$2,000 for the first year, and \$500 every year after.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Mark McGuire to approve the purchase of a new Trimble R2 GPS receiver in the amount of \$9,346.22, and to split the cost between DPS and the Enterprise Fund.

Motion carried by the following vote:

Ayes: Members McGuire, Stein, Motley, and Kohn

Nays: None

**j. Discussion and possible action regarding utility line replacement for Roosevelt Drive.**

Background information on this item: Council approved \$225,000 in the FY 2019-2020 budget for upsizing the waterline on Roosevelt Drive from 8" to 10". Engineer Dick Perkins has agreed to design this project for the city. Tarrant County does not assist with utility line work, so the city would need to follow the legal bidding process for this project.

There is currently a 10" line from the elevated water storage tank east on Arkansas to Roosevelt, continuing south to California. There is also a section of 10" water line in Roosevelt from the ground storage tanks extending south to Key elementary and then continuing south through private property to Twin Springs Drive.

Therefore, the best use of the budget money would be to replace the 8" line from California south to the ground storage tanks. Mr. Perkins believes our current budgeted amount would allow us to complete the entirety of that section, but surveying is needed to determine what obstacles might be faced during the project. Plans could be

created by Mr. Perkins and used whether the entire project is completed this year or split up and completed next year.

At the January 16 meeting, Council continued action for this project to the February 20 meeting to allow staff to provide some additional information. Council asked for the location of line, whether this project would cause road repair needs, asked if impact fee funds could be used, and asked staff to run a pressure test on a hydrant near Harder Lane because of the pressure issues that street is having.

No action was taken.

**k. Discussion and possible action to approve the purchase two new Motorola APX8500 radios in an amount not to exceed \$14,050.**

Background information on this item: Council approved the purchase of two new Motorola radios for the FY19-20 to be funded by CCPD.

The quote included is for \$12,378.17 but does not include a 09 control head. At the time of this report the Motorola purchasing system is down and a new quote could not be generated.

DPS is requesting approval for up to \$14,050.00 to cover the cost of the listed items including the 09 control head.

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to approve the purchase two new Motorola APX8500 radios in an amount not to exceed \$14,050.

Motion carried by the following vote:

Ayes: Members McGuire, Stein, Motley, and Kohn

Nays: None

**l. Consider approval of Resolution No. 2020-05 to adopt the current 2020 Tarrant County Hazard Mitigation Action Plan (HazMAP).**

Background information on this item: In 2018 DWG requested to participate in the Tarrant County Hazard Mitigation Action Plan (HazMAP). Prior to this, DWG did not have a previous mitigation plan. The HazMAP allows the city to apply for certain grants.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to adopt Resolution No. 2020-05 to adopt the current 2020 Tarrant County Hazard Mitigation Action Plan (HazMAP).

Motion carried by the following vote:

Ayes: Members McGuire, Stein, Motley, and Kohn

Nays: None

**m. Discussion and possible action to set a work session date for the Comprehensive Plan.**

Background information on this item: The Planning and Zoning Commission (P&Z) reviewed the Comprehensive Plan on January 27 and has recommended approval to the City Council. Notice was published in accordance with state law for P&Z's meeting. As such, a public hearing was held before they considered approval.

The next step is for Council to hold work sessions on the Plan, then hold a town hall meeting for input prior to adoption of the Plan. Once the dates have been set for Council's approval, staff will publish notice for the date of approval only. No other publication requirements are required outside of agenda posting.

Council set March 24, 2020 at 6:00 p.m. as the meeting to begin reviewing the Comprehensive Plan.



No action was taken.

**n. Discussion and possible action regarding the implementation of a business reinvestment district.**

Council recessed into Executive Session at 8:20 p.m. in accordance with Government Code, Section 551.071, consultation with attorney, for this item.

Council reconvened into Regular Session at 8:41 p.m. for discussion and possible action.

No action was taken.

**10. FUTURE AGENDA ITEMS**

None

**11. ADJOURN**

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Joe Kohn to adjourn at 8:41 p.m.

Motion carried by the following vote:

Ayes: Members McGuire, Stein, Motley, and Kohn

Nays: None