

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, JUNE 8, 2020
CITY HALL, COUNCIL CHAMBER, 7105 WHITLEY ROAD
6:30 PM**

CALL TO ORDER

The Regular Meeting of the City Council was called to order at 6:30 p.m.

ROLL CALL

The City Council of the City of Watauga, Texas convened with the following members present:

Arthur Miner, Mayor
Mark Taylor, Mayor Pro Tem/ Council Member Place 6
Council Member Place 1, Danielle Tucker
Council Member Place 2, Tom Snyder
Council Member Place 3, Lovie Downey
Council Member Place 4, Andrew Neal
Council Member Place 5, Juanita King
Council Member Place 7, Kim Irving

and

Andrea Gardner, City Manager/ City Secretary
Raquel Guajardo, Deputy City Secretary
Sandra Gibson, Director of Finance
Paul Hackleman, Director of Public Works
Marcia Reyna, Director of Human Resources/ Civil Service
Lana Ewell, Library Director
Bradley Fraley, Chief Information Officer/ PIO
George Hyde, City Attorney

with

Abel Moreno, Waste Connections, Inc.
Norm Bulaich, Waste Connections, Inc.

INVOCATION

Pastor Stevens of Victory Tabernacle Holiness Church gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Miner led the pledge to the flags.

ANNOUNCEMENTS

Council Member Neal announced the Watauga Fire Department is distributing free life jackets for children Monday - Friday, 8 a.m. to 5:00 p.m., at the Fire Department. Also, the Juneteenth Proclamation will be presented on June 15, 2020, and the PTSD Awareness Proclamation will be presented on June 26, 2020.

Mayor Miner expressed his appreciation to citizens present at the meeting.

PRESENTATIONS

1. Presentation of Service Awards for City of Watauga Employees celebrating a milestone anniversary during the month of June 2020

Ms. Gardner recognized Ms. Alicia Johnson, Animal Control and Mr. Ty Cobb, Public Works, for 20 years of service. Mr. Alex Cobb, Public Works, was recognized for 5 years of service.

PUBLIC TESTIMONY

Mayor Miner called for public testimony. Request to Speak forms were not received.

CONSENT AGENDA

Mayor Miner read through the following consent agenda items and requested Council to present any changes. Council Member Downey requested consent agenda items #3, #6, #7, be moved to the Action Item portion of the agenda. Mayor Miner announced the following changes: Consent Agenda Item #3 moved to Action Item #1; Consent Agenda Item #6 moved to Action Item #2; Consent Agenda Item #7 moved to Action Item #3. The original action items will be identified numerically to accommodate the newly added items.

1. Consider action on a resolution by the City Council of the City of Watauga, Texas amending Policy 4.01 Performance Evaluations of the Personnel, Administration and Financial Policies and Procedures Manual regarding procedures for evaluating employees; providing for repeal; providing for severability; providing an effective date.
2. Consideration and action on the Monthly Financial Report for the period ending April 30, 2020
3. ~~Consider action on a Resolution of the City Council of the City of Watauga, Texas, authorizing the City Manager to negotiate and execute on behalf of the City an Interlocal Agreement for vehicle maintenance services by and between the City of Watauga, Texas and the Town of Trophy Club, Texas; providing for repeal; providing for severability; and providing for an effective date (Moved to Action Item #1)~~

4. Consider action on a Resolution of the City Council of the City of Watauga, Texas, approving an agreement for the development of property between 5613 Bowie LLC and the City of Watauga, Texas, and authorizing the City Manager of the City of Watauga to execute said agreement; providing for repeal; providing for severability; providing for an effective date.
5. Consider action on a resolution by the City Council of the City of Watauga, Texas amending Policy 8.01 Holidays of the Personnel, Administration and Financial Policies and Procedures Manual regarding procedures for administering employee holidays; providing for repeal; providing for severability; providing an effective date.
6. ~~Consider action on a Resolution of the City Council of the City of Watauga, Texas, authorizing the City Manager to negotiate and execute on behalf of the City an Interlocal Agreement for vehicle maintenance services by and between the City of Watauga, Texas, and the City of Westlake, Texas; providing for repeal; providing for severability; and providing for an effective date (Moved to Action Item #2)~~
7. ~~Consider action on a Resolution of the City Council of the City of Watauga, Texas, authorizing the City Manager to negotiate and execute on behalf of the City an Interlocal Agreement for vehicle maintenance services by and between the City of Watauga, Texas and the City of Blue Mound, Texas; providing for repeal; providing for severability; and providing for an effective date (Moved to Action Item #3)~~
8. Consider action on a Resolution of the City Council of the City of Watauga, Texas, eliminating the Watauga Commercial Improvement Program (WCIP); providing for repeal; providing for a severability clause; and providing for an effective date.
9. Discuss and consider action to approve the budget for CARES Act to Tarrant County as required by the Interlocal Cooperation Agreement with Tarrant County

Council Member Neal made a motion to accept the consent agenda items as amended. Motion seconded by Council Member Snyder. As there was no additional discussion, Mayor Miner called for the Council to vote. Motion passed 7-0-0-0.

AYES: 7
NAYS: 0
ABSENT: 0
ABSTAIN: 0

ACTION ITEMS

1. Consider action on a Resolution of the City Council of the City of Watauga, Texas, authorizing the City Manager to negotiate and execute on behalf of the City an Interlocal Agreement for vehicle maintenance services by and between the City of Watauga, Texas and the Town of Trophy Club, Texas; providing for repeal; providing for severability; and providing for an effective date (Formally Consent Item #3)

Mayor Miner called for public comments. Request to Speak forms were not received.

Council Member Downey asked Ms. Gardner to provide background on this item. Ms. Gardner responded that per Council's request, additional revenue streams were sought, and the agreement would generate revenue that could assist with the shortfall experienced due to COVID-19.

Council Member Andrew Neal made a motion to accept the item as presented. Motion seconded by Council Member King.

Mayor Miner called for discussion. Council Member Neal commended staff for securing agreements with three municipalities and speaks to the abilities of fleet management and the great work staff can accomplish. Mayor Pro Tem Taylor asked if there is a plan to approach other cities for a similar agreement. Ms. Gardner responded that the three (3) agreements is the limit for the City at this time, however, others could be considered as long as the revenue generated exceeds the costs necessary to provide said services to other communities. Future agreements will be handled on a case by case basis.

As there was no additional discussion, Mayor Miner called for the Council to vote. Motion passed 6-1-0-0. *By show of hands (Due to technical issues)*

AYES: Snyder, Downey, Neal, King, Taylor, Irving
NAYS: Tucker
ABSENT: 0
ABSTAIN: 0

2. Consider action on a Resolution of the City Council of the City of Watauga, Texas, authorizing the City Manager to negotiate and execute on behalf of the City an Interlocal Agreement for vehicle maintenance services by and between the City of Watauga, Texas, and the City of Westlake, Texas; providing for repeal; providing for severability; and providing for an effective date (Formally Consent Agenda Item #6)

Mayor Miner called for public comments. Request to Speak forms were not received.

As Ms. Gardner provided the background of this item previously, Mayor Miner called for discussion.

Council Member Andrew Neal made a motion to accept the item as presented. Motion seconded by Council Member King. As there was no additional discussion, Mayor Miner called for the Council to vote. Motion passed 6-1-0-0.

AYES: Snyder, Downey, Neal, King, Taylor, Irving
NAYS: Tucker
ABSENT: 0
ABSTAIN: 0

3. Consider action on a Resolution of the City Council of the City of Watauga, Texas, authorizing the City Manager to negotiate and execute on behalf of the City an Interlocal Agreement for vehicle maintenance services by and between the City of Watauga, Texas and the City of Blue Mound, Texas; providing for repeal; providing for severability; and providing for an effective date (*Formally Consent Agenda Item #7*)

As Ms. Gardner provided the background of this item previously, Mayor Miner called for discussion.

Mayor Pro Tem Taylor made a motion to accept the item as presented. Motion seconded by Council Member Tucker. As there was no additional discussion, Mayor Miner called for the Council to vote. Motion passed 7-0-0-0.

AYES: Tucker, Snyder, Downey, Neal, King, Taylor, Irving
NAYS: 0
ABSENT: 0
ABSTAIN: 0

4. Discuss and consider action on a Resolution of the City Council of the City of Watauga, Texas, directing its designated officer to calculate an 8 percent voter-approval tax rate pursuant to Section 26.05, Tax Code; providing for repeal; providing for a severability clause; and providing for an effective date

Mr. Hyde, City Attorney stated that the resolution was amended prior to the meeting to state the following:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS, DIRECTING ITS DESIGNATED OFFICER TO CALCULATE THE VOTER-APPROVAL TAX RATE IN THE MANNER PROVIDED FOR A SPECIAL TAXING UNIT AS PROVIDED IN TEXAS TAX CODE SECTION 26.04(C)(2); PROVIDING FOR REPEAL; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The last (3) Whereas statements were changed to the following:

WHEREAS, the City Council of the City of Watauga finds that by using this statutory ability to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing

unit as provided in Texas Tax Code 26.04(c)(2) allows for more flexibility to adopt an appropriate tax rate for the city under the circumstances and will benefit the City of Watauga and its residents in light of the economic downturn in response to COVID-19; and

WHEREAS, the City Council of the City of Watauga finds that the designated officer should be directed to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit because the city is located in an area declared a disaster area during the current tax year by the governor and by the president of the United States as provided by 26.04(c-1) of the Texas Tax Code; and,

WHEREAS, the City Council of the City of Watauga finds that directing the designated officer to calculate the voter-approval tax rate does not require the city to adopt any particular tax rate and may adopt a tax rate less than, equal to, or more than the voter-approval tax rate as provided by law.

Mayor Miner called for public comments.

Mr. Paul Hopkins, 7509 Meadowbrook Drive, commented that in response to an email received Saturday, June 6, 2020, he understands that the County appraises Watauga properties. Mr. Hopkins stated that the correct rate to use is the lowest rate possible, as he does not want citizens burdened with the higher tax rate. Mr. Hyde clarified that the corrected resolution only speaks to setting the voter election threshold.

Ms. Mary Stormer, 6545 Old Mill Circle, remarked that a neighbor lost his job and had to relocate. Ms. Stormer stated that residents on social security will not receive an increase and does not know what the City has done to help those that are unemployed. She also commented that if new homes are built it would cause additional revenue in generated taxes. Ms. Stormer asked that consent items be moved to action items to allow for public comment.

Council Member Tucker commented that citizens are concerned that they will be taxed out of their homes and are requesting assurance that it will not occur. Mayor Pro Tem Taylor stated that if the appraised value increases and the tax rate stays the same or decreases and increase to the total taxes can still occur.

Council Member Neal made a motion to accept the item as presented. Motion seconded by Council Member King. Council Member Neal made an amendment to the motion to accept the substituted resolution. Amended motion seconded by Council Member King.

As there was no additional discussion, Mayor Miner called for the Council to vote. Motion passed 7-0-0-0.

AYES: Tucker, Snyder, Downey, Neal, King, Taylor, Irving
NAYS: 0
ABSENT: 0
ABSTAIN: 0

5. Discuss and consider action on a Resolution of the City Council of the City of Watauga, Texas, approving Mayoral liaison appointments to City boards, commissions, and committees pursuant to Council Rules of Procedures Section 5.04; providing for repeal; providing for a severability clause; and providing for an effective date

Mayor Miner called for public comments.

Mary Stormer, 6545 Old Mill Circle, stated that she is impressed with the presented selections.

Mayor Miner announced a change to the Watauga Economic Development Corporation appointment, as Council Member Downey will serve as Primary Liaison and Council Juanita King will serve as Alternate Liaison. The appointments are as follows:

Board/Committee/Commission Name	Primary Liaison	Alternate Liaison
Board of Appeals	Neal	Miner
Charter Review Commission	Taylor	Irving
Library Board	Miner	King
Planning & Zoning Commission	Snyder	Taylor
Zoning Board of Adjustment	Neal	Miner
Animal Services Advisory	King	Miner
Civil Service Commission	Downey	Snyder
Watauga Economic Development Corporation	Downey	King
Parks Advisory Board	Taylor	Miner
Youth Advisory Council	Irving	Downey

Council Member Taylor made a motion to accept the amended item. Motion seconded by Council Member Tucker. As there was no additional discussion, Mayor Miner called for the Council to vote. Motion passed 7-0-0-0.

AYES: Tucker, Snyder, Downey, Neal, King, Taylor, Irving

NAYS: 0

ABSENT: 0

ABSTAIN: 0

6. Discuss and consider action to appoint members to the Youth Advisory Council for the City of Watauga

Mayor Miner called for public comments.

Ms. Mary Stormer, 6545 Old Mill Circle, withdrew her request to speak.

Ms. Gardner gave a brief summary regarding received applications for youth appointments and recommended Gavin Darin and Journey Wallace.

Council Member Downey made a motion to accept the item as presented. Motion seconded by Council Member Irving. As there was no additional discussion, Mayor Miner called for the Council to vote. Motion passed 7-0-0-0.

AYES: Tucker, Snyder, Downey, Neal, King, Taylor, Irving
NAYS: 0
ABSENT: 0
ABSTAIN: 0

7. Discuss and provide direction on the City of Watauga Council Rules of Procedure Manual

Mayor Miner called for public comments.

Ms. Mary Stormer, 6545 Old Mill Circle, stated that the manual language appears to be that of a dictatorship and feels that it is over-structured and designed to make up for past issues.

Mayor Miner proposed the addition that Council reimburse costs for events that they confirm for but do not attend. Mayor Miner asked Council to provide direction to staff to add the proposed language.

The consensus of the Council was to proceed with the addition of the language recommended by Mayor Miner. Ms. Gardner stated that the Strategic Planning Committee could be presented the item to review.

Council directed the item be referred to the Strategic Planning Committee for review and returned to Council for action at a future meeting.

8. Consider and take action to select a Mayor Pro Tem per the City of Watauga Home Rule Charter

Mayor Miner called for public comments.

Ms. Mary Stormer, 6545 Old Mill Circle, asked if there were special requirements for the Mayor Pro Tem Position. Mayor Miner responded that you have to be a current council member and receive the required votes.

Mayor Miner called for nominations. Mayor Pro Tem Taylor nominated Council Member Snyder.

Council Member Downey made a motion to accept the nomination. Motion seconded by Council Member Tucker. Motion passed 5-2-0-0.

AYES: Tucker, Snyder, Downey, Taylor, Irving
NAYS: Neal, King
ABSENT: 0
ABSTAIN: 0

9. Discuss and provide direction on conducting an RFP (Request for Proposals) for bulk collection services within the City of Watauga

Mayor Miner called for public comments. Request to Speak forms were not received.

Ms. Gardner presented a brief update of the item and did not recommend moving forward with a new RFP.

Mr. Abel Moreno, Waste Connection District Manager, stated that he is committed to serving the City of Watauga. Mr. Moreno provided information regarding DOT regulations for weight and hours worked by drivers and addressed Council concerns.

Mayor Miner asked Council to provide direction. The consensus of the Council was to not conduct an RFP at this time.

REPORTS

1. Report on HB 3834 Mandated Cyber Security Training

Brad Fraley provided an update and reported that as of June 5, 2020, out of 222 users all but (10) have completed training. The (10) included appointed positions and Council Member Place 1. Council Member Tucker stated that she will complete the training by June 9, 2020.

ITEMS FOR FUTURE CITY COUNCIL MEETINGS

Mayor Miner addressed the Council regarding future agenda items. No items were presented at this time.

Mayor Miner stated that all board members that had not completed the HB3834 Mandated Cyber Security Training would be removed from their positions.

EXECUTIVE SESSION / MEETING

Mayor Miner adjourned the Regular Council meeting at 8:22 p.m.

The City Council will convene in executive session pursuant to (Texas Open Meetings Act), Chapter 551 of the Texas Government Code, Section 551.071 consultation with City Attorney and 551.074 Deliberation regarding personnel matters, which allows the following:

1. to deliberate upon and seek the advice of the City Attorney regarding the duties of the Mayor, Mayor, Arthur L. Miner

RECONVENE

Mayor Miner reconvened the regular meeting at 8:46 p.m. No action was taken on the items discussed in Executive Session.

ADJOURNMENT

Mayor Miner adjourned the meeting at 8:46 p.m.

APPROVED:

this 13TH day of July, 2020

SIGNED:

this 14TH day of July, 2020

APPROVED:

Arthur L. Miner /s/
Arthur L. Miner, Mayor

ATTEST:

Andrea Gardner /s/
Andrea Gardner, City Secretary

