

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, APRIL 12, 2021
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 6:31 p.m.

ROLL CALL

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

Mayor, Arthur Miner
Mayor Pro Tem/Place 2, Tom Snyder
Council Place 1, Vacant
Council Place 3, Lovie Downey
Council Place 4, Andrew Neal
Council Place 5, Juanita King
Council Place 6, Mark Taylor
Council Place 7, Jan Hill

and

Andrea Gardner, City Manager/City Secretary
Raquel Guajardo, Deputy City Secretary
Samantha Ortega, Records Clerk
Sandra Gibson, Finance Director
Deby Woodard, Assistant Finance Director
Lana Ewell, Library Director
Marcia Reyna, Human Resources & Civil Service Director
George Hyde, City Attorney

INVOCATION

Dennis Serrat, Watauga Police Department, provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor Miner led the pledge to the flags.

ANNOUNCEMENTS

Council Member Neal announced that in person early voting begins Monday, April 19, 2021.

PRESENTATIONS

Mayor Miner read the following proclamations:

- 1. Presentation of proclamation recognizing April as National Financial Literacy Month**
- 2. Presentation of proclamation recognizing April as Fair Housing Month**

PUBLIC COMMENT

Mayor Miner called for Public Comment. Request to Speak forms were not received and there were no participants present requesting to speak.

PUBLIC TESTIMONY FOR ACTION ITEMS

Mayor Miner called for Public Comment. Request to Speak forms were not received and there were no participants present requesting to speak.

CONSENT AGENDA

Mayor Miner read the following consent agenda items:

- 1. Consider action to approve the Joint Election Agreement & Contract for Election Services and authorize the City Manager to execute said contract**
- 2. Consider action to approve the meeting minutes of the Steering Committee of Cities Served by Oncor videoconference held February 23, 2021; Council Workshop held March 22, 2021; Regular Council Meeting held March 22, 2021; and Economic Development Training held March 29, 2021.**
- 3. Consider action to approve the Monthly Financial Report for the period ending February 28, 2021**
- 4. Consider action to renew the final renewal option inclusive with change order # 1 for Grounds Maintenance Proposal # 19-006**
- 5. Consider action for the replacement of the expansion area of the Library roof**
- 6. Consider action on approving a license agreement between the City of Watauga and the Dallas-Fort Worth Skyhawks to provide the summer camp program for Watauga Parks and Community Services and authorize the City Manager to execute the agreement in a form approved by the City Attorney**

Mayor Pro Tem Snyder made a motion to approve the Consent Agenda Items as presented. Council Member Downey seconded the motion. As there was no discussion, Mayor Miner called for the Council to vote. Motion carried 6-0-0-0.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill
Nays: None
Abstain: None
Absent: None

ACTION ITEMS

Ms. Gardner presented the Action Items 1, 2, 3, and 4, as all have been amended to include the Watauga City Hall Lobby as a voting location. Ms. Gardner clarified that early voting will still take place at the Summerghlen Branch Library. Watauga City Hall Lobby was added as a voting location for election day only (May 1, 2021). Ms. Gardner also stated that Tarrant County has voting centers which allow residents to vote anywhere within the county.

Mr. Hyde suggested Action Items 1, 2, 3, and 4 be voted upon in one motion.

1. **Discuss and consider action on an ordinance of the City of Watauga, Texas, amending ordinance 2021-012, which amended ordinance 2021-004 providing for and ordering a general election to be held on May 1, 2021, for the purpose of electing a Mayor and City Council member Place 3, City Council member Place 4, and City Council member Place 5; providing for a joint election to be held with other entities; setting the date, place and time of said election; providing for election precincts and polling places; authorizing the execution of a joint election agreement with Tarrant County; providing for repeal; providing for severability; providing an effective date and containing other provisions related to the subject.**
2. **Discuss and consider action on an ordinance of the City of Watauga, Texas, amending ordinance 2021-013 which amended ordinance 2021-005 providing for and ordering a special election to be held on May 1, 2021, for the purpose of reauthorizing the Watauga Crime Control and Prevention District and collection of the one-half (1/2) of one (1) percent of sales and use tax; providing for a joint election to be held with other entities; setting the date, place and time of said election; providing for election precincts and polling places; authorizing the execution of a joint election agreement with Tarrant County; providing for repeal; providing for severability; providing an effective date and containing other provisions related to the subject.**
3. **Discuss and consider action to approve an ordinance by the City Council of the City of Watauga, Texas amending ordinance 2021-014, which amended ordinance 2021-006 calling for a special election to vote on the adoption of a local sales and use tax in the City of Watauga at the rate of 1.25%. , in accordance with Texas Tax Code Section 327.007; providing that all ordinances in conflict herewith are hereby repealed to the extent that they are in conflict; providing a savings clause, providing an effective date and containing other provisions related to the subject.**
4. **Discuss and consider action to approve an Ordinance by the City Council of the City of Watauga, Texas amending ordinance 2021-015, which amended ordinance 2021-011 calling for a Special Election to be held in said city on the 1st day of May 2021, for the election to fill a vacancy that exists in the unexpired term of City Council Member Place 1; providing for a joint election agreement with Tarrant County; setting the date, place and time of said election; and other provisions otherwise incidental to such ordinance in accordance with the Texas Election Laws and Articles III And IV of the City of Watauga Home Rule Charter; providing that all ordinances in conflict herewith are hereby repealed to the extent that they are in conflict; providing a savings clause, providing an effective date**

Council Member Neal made a motion to approve Action Items 1, 2, 3, and 4, as presented. Council Member Hill seconded the motion. Mayor Miner called for discussion.

Council Member Taylor requested clarification regarding Action Item 3 and asked that if the proposition fails, will the 1.25% be maintained. Mr. Hyde responded in the affirmative.

Hearing no further discussion, Mayor Miner called for the Council to vote. Motion carried 6-0-0-0.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill

Nays: None

Abstain: None

Absent: None

5. Discuss and consider action to ratify the Meet and Confer Agreement between the City of Watauga and the Watauga Firefighters' Association

Ms. Reyna presented an overview of the agreement changes to Council.

Council Member Downey made a motion to approve the items as presented. Mayor Pro Tem Snyder seconded the motion. Mayor Miner called for discussion.

Council Member Taylor asked Mr. Hyde if he is aware of other cities that allowed citizens to be involved in the hiring process. Mr. Hyde responded that FD/PPD can respectfully decline for the City to allow citizens to participate.

Chief Fannan stated he asked to be removed from the interview process as he felt the group would feel more invested in their selection.

Hearing no further discussion, Mayor Miner called for the Council to vote. Motion carried 6-0-0-0.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill

Nays: None

Abstain: None

Absent: None

6. Discuss and consider action on a resolution of the City Council of the City of Watauga, Texas, directing the Charter Commission to conduct meetings as necessary, to be facilitated by the City Attorney's Office, to conduct a review and make develop recommended changes to the City of Watauga's Home Rule Charter no later than July 31, 2021 for City Council consideration for placement on the November 2021 election ballot; providing that all resolutions in conflict herewith are hereby repealed to the extent that they are in conflict; providing a savings clause; providing an effective date.

Mr. Hyde presented the item to Council.

Council Member Downey made a motion to approve Resolution 2021-015 directing the Charter Commission to evaluate and recommend changes to the city's Home Rule Charter. Council Member Neal seconded the motion. Mayor Miner called for discussion.

Council Member Taylor asked if members of the Charter Review Commission would be contacted to confirm if they are still in active status and wish to continue to serve in their role.

Ms. Gardner responded that the CSO does not reach out to members of the different boards to confirm their plans to continue to serve. Instead, the City Secretary's Office receives resignations and/or at the time of reappointment, notifies members that they need to submit a new application if they wish to be considered. Once done, the Mayor will be notified and will work with staff to schedule interviews with the Interview Committee. Ms. Gardner also stated that unless Council directs otherwise, staff will not deviate from the usual process.

Hearing no further discussion, Mayor Miner called for the Council to vote. Motion carried 6-0-0-0.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill

Nays: None

Abstain: None

Absent: None

7. Discuss and consider action to approve a resolution authorizing a Deferred Compensation 457(b) and 401(a) Plan with National Public Pension Association for City of Watauga employees

Ms. Reyna presented the item to Council.

Council Member Neal asked if a survey had been taken to gauge interest in the plan. Ms. Reyna responded that the plan had not been introduced to employees yet, however, after Council approval, education sessions will be made available. She further stated that she is aware of interest in a deferred compensation plan.

Council Member Neal also asked if there will be additional administrative overhead. Ms. Reyna stated employee forms will be entered into the payroll system that will automatically facilitate the transaction. Ms. Reyna further stated that there is minimal impact and it is purely an employee contribution.

Council Member Taylor asked that if passed, will four (4) different providers will be available. Ms. Reyna responded that two (2) will be phasing out due to minimal membership. Council Member Taylor also asked if there is a reason why Nationwide will be retained in which Ms. Reyna responded that they are being retained as an option for employees to keep or move funds, as it cannot be forced. Council Member Taylor stated that he had the opportunity to speak with the representative and believes that this would be a tremendous benefit to employees.

Mr. Hyde stated due to technical difficulties, a legal review to compare the resolution against the form had not been done. Mayor Miner suggested that when the motion is made, it should include language stating that the resolution is pending approval by the city attorney.

Council Member Taylor made a motion to adopt the resolution authorizing the deferred compensation and 401(a) Plan with National Public Pension Association for City of Watauga employees. Council Member Hill seconded the motion.

Hearing no further discussion, Mayor Miner called for the Council to vote. Motion carried 6-0-0-0.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill

Nays: None

Abstain: None

Absent: None

8. **Discuss and consider action on an addendum to City Secretary Contract No. 47273, an interlocal agreement between the City of Watauga and the City of Fort Worth, to authorize the completion of the Polaris exit services, branch removal and data clean up as performed by Innovative Interfaces Inc. for the MetroPAC Library and further authorize the City of Watauga's proportionate fees associated with the work performed by Innovative Interfaces Inc. to be paid in accordance with the addendum**

Ms. Ewell presented the item to Council.

Council Member Taylor inquired if the fees include the cleanup of the city's records in which Ms. Ewell responded in the affirmative.

Council Member Neal asked for the timeframe needed to complete the work. Ms. Ewell stated that Fort Worth has requested six (6) months, but require the addendum before the process is started. And, as there are five (5) libraries leaving, each will be done individually.

Council Member Hill asked that if all of the cities that are participating do not sign, will costs increase. Ms. Ewell responded that theoretically the cost could increase, but does not believe that it would happen.

Council Member Neal made a motion to approve the item as presented. Mayor Pro Tem Snyder seconded the motion. Hearing no further discussion, Mayor Miner called for the Council to vote. Motion carried 6-0-0-0.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill

Nays: None

Abstain: None

Absent: None

ITEMS FOR FUTURE AGENDAS

None requested.

Mayor Miner thanked members of the audience for their attendance and encouraged all to participate at future council meetings.

EXECUTIVE SESSION

Mayor Miner recessed the Regular Meeting to convene in Executive Session at 7:24 p.m., to discuss the following items:

1. **Consult with City Attorney pursuant to Texas Government Code 551.071 regarding a settlement offer from Frontier Communications**
2. **Sections 551.071 and 551.087 Deliberate upon and consult with the City Attorney on economic development negotiations with Smiley Transportation**

RECONVENE

Mayor Miner reconvened the Regular Meeting in open session at 8:08 p.m.

ITEMS OF EXECUTIVE SESSION DELIBERATION

1. **Consult with City Attorney pursuant to Texas Government Code 551.071 regarding a settlement offer from Frontier Communications**

Mayor Miner announced that no action was taken on this item during Executive Session.

2. **Sections 551.071 and 551.087 Deliberate upon and consult with the City Attorney on economic development negotiations with Smiley Transportation**

Mayor Miner announced that no action was taken on this item during Executive Session.

Council Member Downey made a motion to recall Executive Session Item #1 for action. Mayor Pro Tem Snyder seconded the motion.

Council Member Downey made a motion to authorize the City Attorney to negotiate with Frontier Communications and authorize the City Manager to execute any settlement as directed by Council in executive session and approve as to form legality by the City Attorney. Council Member Hill seconded the motion. Mayor Miner called for discussion and hearing none, called for the Council to vote. Motion carried 6-0-0-0.

Ayes: Snyder, Downey, Neal, King, Taylor, Hill

Nays: None

Abstain: None

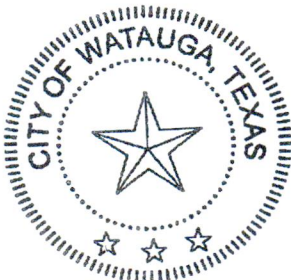
Absent: None

ADJOURNMENT

Mayor Miner adjourned the meeting at 8:11 p.m.

APPROVED:

SIGNED:



this 26TH day of APRIL, 2021

this 27TH day of APRIL, 2021

APPROVED:

Arthur L. Miner /s/

Arthur L. Miner, Mayor

ATTEST:

Andrea Gardner /s/

Andrea Gardner, City Secretary