

**MINUTES OF THE REGULAR MEETING OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, CITY COUNCIL HELD ON DECEMBER 16, 2021 AT 6:30 P.M. IN THE COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS.**

**WORK SESSION – 6:30 P.M.**

**1. CALL TO ORDER**

Mayor Bianco called the meeting to order at 6:34 p.m. with the following present:

**Members Present:**

Laura Bianco, Mayor  
John King, Alderman, Place 1  
Steve Lafferty, Alderman, Place 2  
Cathy Stein, Alderman, Place 3  
Ed Motley, Mayor Pro Tem; Alderman, Place 4  
Joe Kohn, Alderman, Place 5

**Staff Present:**

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

**2. WORK SESSION**

- a. Discussion on a scope of work from Freese and Nichols for Elkins Dam, and associated scope of work for tree and brush removal on the Elkins Dam site.**

This item was discussed in the work session.

- b. Other listed agenda items, if time permits.**

No other items were discussed.

**REGULAR SESSION – 7:00 P.M.**

**1. CALL TO ORDER**

Mayor Bianco called the meeting to order at 7:00 p.m. with the following present:

**Members Present:**

Laura Bianco, Mayor  
John King, Alderman, Place 1  
Steve Lafferty, Alderman, Place 2  
Cathy Stein, Alderman, Place 3  
Ed Motley, Mayor Pro Tem; Alderman, Place 4  
Joe Kohn, Alderman, Place 5

**Staff Present:**

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

**2. INVOCATION, AND PLEDGES OF ALLEGIANCE**

Mayor Bianco gave the invocation. Pledges were said.

### 3. PRESENTATIONS AND PROCLAMATIONS

#### a. **Presentation of the Tarrant County 2020 Coronavirus Pandemic historical book.**

Tarrant County Clerk, Mary Louise Nicholson, presented the Tarrant County 2020 Coronavirus Pandemic historical book.

#### b. **Presentation of the Volunteer of the Year Award from the Dalworthington Gardens Historical Committee.**

Citizen Iashia Bergamini was recognized as the 2021 DWG Volunteer of the Year.

#### c. **Presentation by Court Appointed Special Advocates (CASA).**

CASA Representative, Natalie Stalmach, provided a presentation on the CASA organization.

#### d. **Recognition of the recipient for the DWG DPS Chief Robert Sells Service Excellence Award.**

Building Official, Gary Harsley, was presented with the DWG DPS Chief Robert Sells Service Excellence Award.

### 4. ITEMS OF COMMUNITY INTEREST

The following item was presented.

#### a. **Santa Parade – December 23**

### 5. CITIZEN COMMENTS

None.

### 6. MAYOR AND COUNCIL COMMENTS

- **Mayor Bianco:** Thanked Larry the Door Guy for donating a peephole for the new City Hall building. Thanked everyone for coming to the new City Hall Grand Opening. Thanked Spence and Dwayne Lee for taking pictures at the City Hall Grand Opening. Thanked Representative Tony Tinderholt for the resolutions he provided to recognize the City's 85<sup>th</sup> birthday and also the new City Hall building. Thanked the CPSAAA for serving refreshments at the City Hall Grand Opening. Personally thanked everyone for ringing the bell and donating to the Salvation Army Mayoral Red Kettle Challenge. Stated the donations far exceeded last years' donations because of giving hearts in the community. Thanked Arlington Classics Academy students who rang the bell during the event. Wished everyone a Merry Christmas.
- **John King:** Wished everyone a Merry Christmas and a happy and prosperous New Year.
- **Steve Lafferty:** Echoed other comments, and congratulated Building Official Gary Harsley on his very deserving award.
- **Cathy Stein:** Echoed other comments. Commented on the Tarrant County Covid-19 case website where citizens can find information about cases, and asked citizens to keep an eye on the fluctuation in cases.
- **Ed Motley:** Expressed appreciation for Building Official Gary Harsley and everything he does for the city. Said Gary's award was well deserved. Stated he was glad to see people in the audience. Asked everyone to keep people in Kentucky, Tennessee, Arkansas, and Missouri in thoughts and prayers as they navigate the recent natural disaster they experienced. Wished everyone a Merry Christmas and Happy New Year.

- **Joe Kohn:** Congratulated Building Official Gary Harsley on the award he received. Wished the city staff and DPS a wonderful holiday season and thanked them for the devotion they give to city and the community.

## 7. DEPARTMENTAL REPORTS

- a. **DPS Report**
- b. **Financial Reports**
- c. **City Administrator Report**

Departmental Reports were presented.

## 8. CONSENT AGENDA

- a. **Approval of October 21, 2021 regular meeting minutes.**
- b. **Approval of Ordinance No. 2021-18 approving budget amendments for FY 2020-2021.**
- c. **Approval of Ordinance No. 2021-19 approving budget amendments for FY 2021-2022.**
- d. **Approval of Ordinance No. 2021-20 approving budget carryovers from the FY 2020-2021 Budget to the FY 2021-2022 Budget.**
- e. **Presentation and acknowledgment of budget adjustments.**
- f. **Approval of a quote for \$8,000 to install remaining remote meters in the City.**
- g. **Approval of an interlocal agreement between the Texas Comptroller of Public Accounts, State Energy Conservation Office (SECO), and the City of Dalworthington Gardens for an interior LED lighting retrofit grant program.**

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to approve the Consent Agenda except for item f which is pulled off for individual discussion.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

## 9. REGULAR AGENDA

- a. **Discussion and possible action regarding a scope of work from Freese and Nichols for Elkins Dam, and associated scope of work for tree and brush removal on the Elkins Dam site per TCEQ guidelines and regulations.**

Background information on this item: The Elkins Dam Committee met with Freese and Nichols (FNI) to discuss a scope of work for Elkins Dam.

In the original quotes presented for dam safety improvements, contingencies were high because new models and data are needed to obtain more accurate quotes. Currently, a surveyor needs to access the full site area and is unable because of the heavy brush. Thus, included with FNI's costs are quotes for clearing the area as described in the Professional Services Agreement. The area to be cleaned has been modified and guidelines for clearing changed from a previous scope, and that is why the language in the quotes differ from what you now see in the Agreement. Before any work begins, staff will ensure the chosen contractor has the new guidelines. FNI is willing to mark trees

that need removal prior to tree work (included in their quote). That way staff and the Elkins Dam Committee can ensure removal is desired.

Because it is costly to clear/clean the entire specified area at once, staff requested multiple quotes to include the following.

1. Quote 1 – Just the spillway area north of the pad site, east side only (west side is already cleared because XTO maintains it): \$15,000 total to include rock for erosion control
2. Quote 2 – Shredding the entire area on the west side of the pad site and moving south (excludes spillway area): \$10,000
3. Quote 3 – Entire area (encompasses quotes 1 and 2): \$40,000

Two things not accounted for are potential issues with removing trees on the steep slope where gypcrete exists (west side of pad site), and staff reducing costs for mowing the far south side of the marked area. The furthest area south was mowed in the past but just not maintained. Staff intends to mow what is possible with the equipment we have and where safe to do so which should reduce some costs

A motion was made by Council Member Steve Lafferty and seconded by Council Member John King to approve a scope of work proposed by Freese and Nichols in an amount not to exceed \$52,000, and also approve a cost not to exceed \$25,000 for vegetation shredding and tree removal within the following parameters.

- No tree removal or work on the area east of the pad site
- Shredding of all vegetation and trees up to 6" in diameter for the area immediately west of the dam pad site and moving south towards Elkins Drive
- Shredding and removal of all trees in the spillway which is the area north of the pad site, moving east up to the walking bridge

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

**b. Discussion and possible action regarding replacement of the SCADA system for monitoring the City water system.**

Background information on this item: At the November 18, 2021 Council Meeting, council directed staff to look into solutions to better processes for monitoring water quality.

Staff has had difficulty receiving timely responses from SCADA representatives but did finally receive a call back from RLC Controls, Inc. Their recommendation is to move the SCADA system from its current location.

The existing SCADA box is high up on the wall making it difficult for vendors to work on the system. It was what was best for the existing space at the time it was installed. Staff's recommendation would be to move the system into a space in the public works barn. The reason is to have all public works functions in one location making operations more efficient. Secondly, the system would be connected to a generator source and the barn is closer to the source making it cheaper to do this. The purpose of the generator source is to prevent failure of SCADA during a power outage, but more importantly, it will assist the City in compliance with the new TCEQ Emergency Preparedness Plan requirement which is due March 1, 2022 to be submitted to TCEQ.

Related to this purchase is also installation of a door on the north side of the barn, which faces the new City Hall building. This will allow better access to SCADA infrastructure. This cost comes to approximately \$5,200.

A brand new SCADA system plus enclosing the proposed space will come to approximately \$40,000. There is an amount of approximately \$67,000 already earmarked in the Enterprise Fund for capital improvements which could pay for moving the system plus weathering the location, and the new door installation.

RDO Controls is working on an official quote document to present but did not have it ready at the time of this report. Staff hopes to present it at the council meeting. Pictures are included in this report to show council where SCADA exists now and where it is proposed to be installed.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to table this item to the regular January council meeting.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

**c. Discussion and possible action regarding alternate uses for the Roosevelt water well location, to include discussion on alterations to structures on site.**

Background information on this item: There are multiple pieces to this topic and how staff arrived at the final request.

Staff has been working on cleaning up public works facilities and with that came the discussion of storage. The public works barn is being cleaned and there is a need to store items such as Christmas decorations. Staff learned Park Board members were storing items at their homes because of the lack of storage space in the barn. The City-owned water well site on Roosevelt Drive is being considered as a potential storage space as it's been out of commission for some time. When looking at using it for storage, staff began discussions about the condition of the two wells at the site and the need to cap them. Because the wells are not capped, staff is required to read the water meters on site and submit readings to the Water Conservation District. The meters are located in very deep holes creating a safety risk for staff members in the way they have to manually read the meters.

Staff is looking for direction on assessing the well site to cap the abandoned wells in accordance with TCEQ guidelines, and then consider structures on the site for storage of certain records and equipment. Because of the potential alterations to the DPS building, staff has been considering alternatives to store city records. Although the structures at the well site are not large, with some retrofitting, they could be used for records storage in the future. There are also historical items such as a bath tub that could be stored at the well site.

Lastly, there are holes and evidence of failing infrastructure on the well site as shown in the last photo. Staff can see a pipe near the hole and possible rebar underneath. Staff found plans from the 80s where it possibly showed a third tank on the site (could not ascertain if that was actually built or proposed) and wondered if some infrastructure was buried. Staff would like to assess this area as well for safety reasons.

Staff has provided information from TCEQ on how to plug abandoned wells, as well as photos of structures on the site.

No action was taken.

**d. Discussion and possible action to approve a quote from LaTour Tree Service in the amount of \$1,500 for removal of two trees on city property.**

Background information on this item: In cleaning up the new City Hall site and public works yard, staff found two trees that are in need of removal. One is near the site where staff is proposing a door on the public works barn. The second tree is at the north exit of the new City Hall building. Staff's intent was to potentially save the tree, but the contractor advises against it as he believes it contracted a pathogen from another infected tree. He believes it will spread if not removed.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member John King to approve a quote from LaTour Tree Service in the amount of \$1,500 for removal of the two identified trees on city property.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

- e. Discussion and possible action to set a work session date for the Zoning Comprehensive Plan, and gain clarification on the floodway area to show in land uses.**

Background information on this item: The purpose of this item is to set a date for the next Comp Plan work session date, and to also gain clarification on what flood area council intends to show in land uses.

Council set the meeting date as January 25, 2022 at 6:30 p.m.

- f. Discussion and possible action regarding Project #2021-02, the Tarrant County Community Development Block Grant program for Ambassador Row, to include but not limited to any change order approval.**

Background information on this item: Two bidders submitted for this project, and a bid tabulation is being provided. The project came in over budget by \$35,780.25. Approximately \$1,100 of that is for the addition of a handicapped accessible parking space as staff has received requests from the neighborhood for this item.

If council would like to modify the project to reduce costs, it can be done as a change order after a contract is initiated with the chosen contractor, McClendon Construction. The cost provided in the bid and resolution do not include any contingency. If council would like to include a contingency, the approved amount would need to be higher. Historically, change orders have been within a few thousand during CDBG projects.

Staff asked if other projects came in over budget and the answer was 'yes'. Staff also asked if the project could be re-bid, but there is potential for even higher bids to come in if that takes place.

A motion was made by Council Member Cathy Stein and seconded by Mayor Pro Tem Ed Motley to approve Resolution No. 2021-30 awarding the 47<sup>th</sup> Year CDBG project for Ambassador Row to McClendon Construction Co, Inc. in the amount of \$279,958.25, and to approve the City's portion of \$97,341.25 of which is the city's responsibility and \$182,617 coming from Tarrant County through the CDBG program, and also to instruct staff to take the street portion out of the bond fund instead of the street fund.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

- g. Discussion and possible action regarding amendments to the FY 2021-2022 budget in amounts not to exceed \$10,000.00.**

This item was not needed.

- h. Discussion and possible action regarding an agreement between the City of Dalworthington Gardens and SiFi Networks Dalworthington Gardens LLC for a fiber optic network development license agreement.**

This item was not addressed until after the closed session.

- i. Approval of a quote for \$8,000 to install remaining remote meters in the City.**

*This was item 8f from the Consent Agenda which was pulled off for individual discussion.*

Background information on this item: Staff previously received a quote of \$30,000 to install the remaining remote meters in the City. With recent personnel changes and the price being outside of the budgeted range, staff did not act on the project. Now, contractors are quoting \$8,000 to install a majority of the remaining meters in the City.

Staff budgeted \$10,000 for this project with goal to install some in-house which slowly has been accomplished over

time. There are 36 remaining meters in the City needing installation. The quotes received are verbal but they are from reputable contractors of which the City has worked with in the past.

No action was taken.

## 10. TABLED ITEMS

- a. Discussion and possible action regarding consideration of bond requirements for oil and gas drilling.

## 11. FUTURE AGENDA ITEMS

None.

## 12. EXECUTIVE SESSION

The City Council recessed into Executive Session at 8:32 p.m.

### a. Recess into Executive Session for the following items:

- i. Pursuant to Government Code Section 551.074, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; and pursuant to Government Code, Section 551.071, Consultation with Attorney; to wit: the Public Works Superintendent/Director
- ii. Pursuant to Government Code 551.071, Consultation with Attorney, to wit: Fiber optic network development license agreement with SiFi Networks Dalworthington Gardens LLC

### b. Reconvene into Regular Session for the following items:

The City Council reconvened into Regular Session at 10:28 p.m.

#### i. Discussion and possible action on the public works superintendent/director.

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to direct staff to take the direction provided in executive session.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

#### ii. Discussion and possible action on the fiber optic network license agreement with SiFi Networks Dalworthington Gardens LLC

A motion was made by Mayor Pro Tem Ed Motley and seconded by Council Member Cathy Stein to direct the city attorney to take the direction provided in executive session.

Motion carried by the following vote:

Ayes: Members King, Lafferty, Stein, Motley, and Kohn

Nays: None

## 13. ADJOURN

The meeting was adjourned at 10:29 p.m.

Laura Bianco  
Laura Bianco, Mayor

ATTEST:

Lola Hazel

Lola Hazel, City Administrator/City Secretary

