



September 10, 2024

7:00 PM

Council Chambers

ATTENDEES: Mayor L. Kelly Jones
Council Member Phillip Poole
Council Member Teddy Berdan
Council Member Immy Khan
Council Member Robert Fitzgerald
Council Member Halden Griffith
City Administrator/Sec Brandy Barrett
Police Chief Kevin Reaves
Deputy City Secretary Elisa Hickey
City Attorney Sarah Ross

ABSENT:

CALL TO ORDER by Mayor Jones at 7:00 PM

INVOCATION was given by Brian Libbey.

PLEDGE OF ALLEGIANCE was led by Mayor Jones.

REGULAR SESSION:

1. MOTION to approve the agenda.

- MADE BY: Phillip Poole. SECOND: Robert Fitzgerald.

MOTION to amend the motion to move items 7B and 7C after item 7S and move items 7T and 7U after 7A.

- MADE BY: Immy Khan. SECOND: Halden Griffith.
Amended motion passed by a vote of 3 Ayes and 2 Nays (Poole and Fitzgerald).

2. Approval of the Consent Agenda:

All matters listed as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

A. Approval of the Minutes:

- Council Meeting – August 13, 2024

B. Approval of the Financial Reports:

- TexPool Report
TexStar Report
A/P Disbursements

Table with 10 columns: BALANCES, GENERAL, WATER, CRIME CONTROL, CAPITAL PROJECTS, DEBT SERVICE, STREET, WRA, HCGC, GAS ROYALTIES. Rows include Revenue, Disbursement, Cash on Hand, TexPool, and TexStar with corresponding dollar amounts.

* Month end postings/JEs and bank reconciliation pending.

- C. **Resolution 2024-08 approving the negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp, Mid-Tex Division regarding the Company's 2024 Rate Review Mechanism Filing.** (This is an annual recommendation from legal team serving Steering Committee of Cities Served by Atmos (ACSC) of which we are a member.)

MOTION to approve the Consent Agenda.

- **MADE BY:** Phillip Poole. **SECOND:** Halden Griffith.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

3. **STAFF UPDATES:** *The Department Directors recapped their monthly reports.*
4. **MAYOR'S REPORT** *In the interest of time, Mayor Jones did not give a report.*
5. **COMMITTEE UPDATES:** *A brief recap of the meetings held in the prior 30 days was given.*
6. **PUBLIC INFORMATION/ANNOUNCEMENTS**

A. Announcements and Proclamations

B. Meetings

- Special Council meeting, September 17th at 6pm
- Planning and Zoning Commission, October 1st at 6pm
- Regular Council meeting, October 8th at 7pm

C. Citizen Comments

- The twelve citizens spoke and four citizens submitted letters that were read.

7. **Public Hearings, Briefings and Action Items:**

A. Councilman Griffith

Discuss and take action on Resolution 2024-09 replacing Michael Coleman and appointing Teddy Berdan, to represent the City of Westworth Village on the Regional Coordination Committee. (*Michael Coleman currently serves as the RCC Board Chairman in a term that expires in January.*)
DISCUSSION: Councilman Griffith stated that former Mayor Coleman had violated the Ethics Policy and should be removed from the position. One citizen submitted a statement opposing the action.

MOTION to approve Resolution 2024-09 replacing Michael Coleman and appointing Teddy Berdan, to represent the City of Westworth Village on the Regional Coordination Committee, effective immediately.

- **MADE BY:** Halden Griffith. **SECOND:** Phillip Poole.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

T. Public Hearing

Mayor Jones opened a Public Hearing at 8:18 PM to receive citizen comments and information on the Planning and Zoning Commissions recommendation to adopt the proposed updated Comprehensive Land Use Plan.

DISCUSSION: The City Attorney advised against action on this item.

- There were no speakers.

Mayor Jones closed the Public Hearing at 8:21 PM.

U. Mayor Jones

Discuss and take action on the Planning and Zoning Commissions recommendation to adopt the proposed updated Comprehensive Land Use Plan. (The Planning and Zoning Commission recommended the proposed plan at their September 3rd meeting.)

DISCUSSION: Two citizens spoke on this matter. The City Attorney advised against action on this item.

- **Council requested the item be reviewed by the city attorney and engineers. When those reviews are completed, it is to be published to the citizens and placed on the September 17th or October 8th meeting agenda. No action was taken on this item.**

D. Councilman Khan

Discuss and take action on police department compensation and benefits, to ensure a full staff can be hired and maintained.

DISCUSSION: Three citizens spoke on this matter.

- **No action was taken on this item.**

E. Councilman Khan

Discuss and consider possible action setting the salary range for the City Administrator position.

- **This item was postponed to the October meeting.**

F. Councilman Khan

Discuss and consider possible action setting the salary range for the City Secretary position.

- **This item was postponed to the October meeting.**

G. Councilman Khan

Review, discussion, and consideration of action regarding the supervisory authority over and/or duties of the city administrator.

DISCUSSION: The city attorney reviewed the state law regarding Type A General Law cities, stating that city staff reports to the mayor by law.

- **No action was taken on this item.**

H. Councilman Griffith

Discuss and consider possible action to remove the City Secretary/City Administrator from the City Secretary position in accordance with Tex. Loc. Gov't Code § 22.077.

DISCUSSION: The city attorney advised on the conditions necessary to remove someone from the position. One citizen spoke on this item.

- **No action was taken on this item.**

I. Councilman Khan

Review and discuss past, present and future requests for providing City Council member(s) with requests for and access to historical Sales Tax data for the purpose of economic forecasting.

DISCUSSION: The City Attorney discussed on how to obtain the report from the Texas Comptroller and the legal repercussions/liabilities if the information from the report were to be leaked.

EXECUTIVE SESSION:

Mayor Jones did not convene the council on this Executive Session item.

A. Deliberation of personnel matters pursuant to Texas Government Code Section 551.074

- Discuss personnel matters: board, committee, and commission appointments.

J. Mayor Jones

Discuss and take action to appoint Commission, Board and Committee Members. (Council appointed members in June to all Commissions, Boards and Committees, except the Crime Control and Prevention District (CCPD), who's terms expire this month. Members whose terms are expiring are Brian Libbey, Lance Rahn, Immy Khan, and members who terms do not expire until September 2025 are Teddy Berdan, Jo Ann Rowls, Chris Measley, and Justin Harnick.)

DISCUSSION: One citizen spoke on this item.

MOTION to appoint Brian Libbey, Lance Rahn, and Immy Khan to the CCPD for a term expiring in September 2026.

- **MADE BY:** Immy Khan. **SECOND:** Teddy Berdan
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

K. Councilman Khan

Discuss and take action on the appointment, reappointment and removal of members for all four of the committees and boards.

- **No action was taken on this item.**

L. Mayor Jones

Review and discuss the Emergency Medical Services Memorandum of Understanding Agreement, authorizing the City of Fort Worth to dissolve MedStar, aka "the Authority", become the sole provider of ambulance services in the region, assuming the City of Westworth Village's assets in the Authority and outlining the payment method to be used to calculate payment for EMS services to the City of Fort Worth. (*Action will be taken on this item at the September 17th Special Council meeting.*)

DISCUSSION: Mayor Jones provided a brief overview of items L, M and N. Mrs. Barrett recommended items L, M and N be postponed to the September 17th agenda.

- **This item was postponed to the September 17th meeting.**

M. Mayor Jones

Review and discuss the Interlocal Agreement with the City of Fort Worth to provide Emergency Medical Services (ambulance, formerly MedStar) to the citizens of Westworth Village. (*Action will be taken on this item at the September 17th Special Council meeting.*)

- **This item was postponed to the September 17th meeting.**

N. Mayor Jones

Review and discuss Ordinance 511 replacing Article 6.07 Emergency Medical Services, Uniform EMS, in accordance with the Emergency Medical Services Memorandum of Understanding Agreement, designating the City of Fort Worth as the EMS Provider of the EMS System within the corporate limits of City as provided by the terms of the EMS Interlocal Agreement between Fort Worth and the City. (*Action will be taken on this item at the September 17th Special Council meeting.*)

- **This item was postponed to the September 17th meeting.**

O. Mayor Jones

Discuss and take action to cast the ballot for the Texas Municipal League, Region 8 Director. (*This ballot is cast by majority vote of the council.*)

MOTION to cast the ballot for Jon McKenzie for the Texas Municipal League, Region 8 Director.

- **MADE BY:** Phillip Poole. **SECOND:** Immy Khan.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

P. Mayor Jones

Discuss and take action to cast the ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees. (*Elected Trustees will serve a 6-year term on the TMLIRP Risk Pool Board of Trustees over Workers' Compensation, Property and Liability. The ballot is be cast by majority vote of the council.*)

MOTION to cast the ballot for Randy Criswell for Place 11, Allison Heyward for Place 12, Harlan Jefferson for Place 13, and Mike Land for Place 14 for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees.

- **MADE BY:** Immy Khan. **SECOND:** Phillip Poole.
- **Motion passed** by a vote of 5 Ayes and 0 Nays.

Mayor Jones recessed the meeting at 10:11 PM and called it back into session at 10:18 PM.

Q. Mayor Jones

Discuss and take action on the bridge located at Roaring Springs Road over Farmer's Branch Creek, number 022200W00055001. (*The city had already closed this portion of Roaring Springs Road, and only use this bridge for Hawks Creek Golf Course cart and pedestrian traffic and occasional brush clearing with NASJRB. TXDOT has notified the city that it will no longer keep it on their annual monitor list as it has been deemed unsafe for vehicle traffic, unless the city submits an action plan.*)

- **Council opted not to submit take repair action, as the road is not used for vehicle traffic and directed staff to add it to the city's annual inspection list.**

R. Mayor Jones

Discuss and take action on the Golf and Parks Advisory Board recommendation to paint the T- 33 in the livery of its last active-duty station in Point Mugu and review options to finish the project. (*The current livery is accurate for its last active-duty station. No quotes have been submitted after multiple attempts.*)

- **This item was postponed to the October meeting.**

S. Councilman Griffith

Review, discuss and take action on audio & visual capability to support storage of audio & visual recordings for long-term citizen access.

- **Staff was directed to formalize a quote with Civic Plus.**

B. Public Hearing

Mayor Jones opened a Public Hearing at 10:42 PM to receive citizen comments and input on the proposed FY 2024-2025 budget and tax rate. (*The complete budget and tax rate must be approved by the council no later than September 30th following two public hearings. This is the first public hearing and the second on September 17th at 6:00pm. Citizens are encouraged to review and provide input to the proposed budgets and tax rates throughout the budget process. The proposed budget is based no change to the current tax rate of \$0.475/100 of valuation. This budget will raise more total property taxes than last year's budget by \$152,582 and of that amount \$61,933 is tax revenue raised from new property added to the tax roll this year. Your individual taxes may increase or decrease at a greater or lesser rate, depending on the change in the taxable value of your property and the tax rate that is adopted.*)

DISCUSSION: Five citizens spoke on this item and three submitted statements to be read. Following the Public Hearing discussion, the council proposed the following changes to the budget:

MOTION amend the proposed budget to increase the police base pay by \$8,000 instead of \$6,000.

- **MADE BY:** Teddy Berdan. **SECOND:** Halden Griffith.

DISCUSSION: Three citizens spoke on this motion.

- **Motion passed** by a vote of 3 Ayes and 2 Nays (Poole and Fitzgerald).

MOTION amend the proposed budget to remove the \$200,000 placeholder for the replacement of the roof on City Hall.

- **MADE BY:** Immy Khan. **SECOND:** Teddy Berdan.

DISCUSSION: Five citizens spoke on this motion.

- **Motion failed** by a vote of 0 Ayes and 5 Nays (Poole, Khan, Berdan, Fitzgerald, and Griffith).

Mayor Jones closed the Public Hearing at 12:31 AM.

C. Mayor Jones

Discuss and take action on the proposed property tax increase as reflected in the Fiscal Year 2024-2025 Budget. *(The proposed rate exceeds the no new revenue rate but not the voter approved rate, therefore a roll call vote on the proposed rate is required. Council will take final action to ratify the tax rate at the Special Council meeting on September 17th at 6:00pm.)*

MOTION to approve the tax rate at \$.475 as proposed property tax increase as reflected in the Fiscal Year 2024-2025 Budget.

- **MADE BY:** Phillip Poole. **SECOND:** Robert Fitzgerald.
- **Motion passed** by a roll call vote of 4 Ayes (Poole, Berdan, Fitzgerald, Griffith) and 1 Nay (Khan).

EXECUTIVE SESSION:

Mayor Jones convened in closed executive session at 12:33 AM to deliberate the following items:

A. Consultation with attorney pursuant to Texas Government Code Section 551.071.

- Receive legal advice and discuss status of the Blue Atlantic tax refund litigation.
- Receive legal advice and discuss status of the Burgess property condemnation.
- Receive legal advice and discuss status of the MedStar Interlocal Agreement, potential litigation, new Interlocal Agreements, and contracts, as a result of Fort Worth's actions to dissolve the existing interlocal agreement and the takeover of emergency medical (ambulance) services.

Mayor Jones re-convened in open session at 12:39 AM and no action was taken.

The meeting was adjourned at 12:39 AM by Mayor Jones.

MINUTES APPROVED BY:



L. Kelly Jones, Mayor

SIGNATURE ATTESTED BY:



Brandy G. Barrett, TRMC

City Administrator/City Secretary