

**MINUTES OF THE SPECIAL WORKSHOP  
OF THE CITY COUNCIL OF THE CITY OF LAKE WORTH, TEXAS  
HELD IN CITY HALL, MULTI-PURPOSE FACILITY, 7005 CHARBONNEAU ROAD  
FRIDAY, JANUARY 11, 2019**

**SPECIAL WORKSHOP: 8:30 AM**

**A. CALL TO ORDER.**

Mayor Walter Bowen called the Special Workshop to order at 8:30 a.m.

**A.1 ROLL CALL.**

Present:	Walter Bowen	Mayor
	Jim Smith	Council, Place 1
	Geoffrey White	Council, Place 2
	Sue Wenger	Council, Place 3
	Ronny Parsley	Council, Place 4
	Pat O. Hill	Council, Place 5
	Gary Stuard	Council, Place 6
Staff:	Stacey Almond	City Manager
	Debbie Whitley	Assistant City Manager/Finance Director
	Drew Larkin	City Attorney
	Monica Solko	City Secretary
	Mike Christenson	Fire Chief
	Corry Blount	Police Chief
	Barry Barber	Planning and Development Director
	Misty Christian	City Engineer
	Sean Densmore	Public Works Director
	James Sullivan	Public Works Superintendent
	Mike Shelley	Public Works Superintendent
	Natacha Valdez	Municipal Court Director
	Kelly McDonald	Purchasing Coordinator
Absent:	Clint Narmore	Mayor Pro Tem, Place 7

**B. DISCUSSION ITEMS**

**B.1 DISCUSS MUNICIPAL COURT OPERATIONS.**

Municipal Court Director Natacha Valdez introduced Municipal Court Judge Bill Lane. She presented a PowerPoint presentation with an overview of Municipal Court operations. Topics included the different levels of courts, number of cases, different pleas, fines collected, state fees, warrant procedures, collections and the new capability to video conference by the magistrate.

## **B.2 DISCUSS PARKS AND OPEN SPACE MASTER PLAN**

Katherine Utecht with Kimley Horn presented a PowerPoint presentation of the progress to date of the Parks Master Plan.

### Progress to date includes:

- City Park Master Plan – last updated 2003
- Project Kick-Off – December 4, 2017
- Preparation of Existing Parks and Serving Zones Map – January 30, 2018
- Prepare Concept Plans from feedback with City Staff and Public Input
- Final Concept Plans for Lake Worth Park, Rayl Park, Reynolds Park, and Telephone Park
- Public Meeting #2 – Present Final Concepts to Public – August 6, 2018
- Finalize Parks and Open Space Master Plan document
- City Council Workshop – January 11, 2019

The 2019 Master Plan focuses on existing conditions, inventory and community input. The goal is to update existing parks to an elevated level of functionality while upholding maintenance, incorporate open space for recreation utilization across the community in order to capitalize on the unique features the City of Lake Worth has to offer.

Ms. Utecht discussed opportunities for the existing parks, constraints, and gave an overview analysis of the parks and the level of service each provides. Kimley-Horn then took the community input, overview analysis and the levels of service from each park and made the following recommendations:

### Priorities and Budget

#### Existing Park Recommendations:

- 2018 – in concept design phase
- Additional funding to complete all designed master plan elements in park system
- Future improvements: additional parking, recreational sport fields, new shaded playgrounds, new restroom facilities, concession facilities, open spaces for targeting events within the community, lighting, areas of respite, pavilions
- Lake Worth Park: add sport fields; add parking; upgrade the playground structure; shade on the playground and pavilions

#### 1-5 Year Recommendations

- Develop two vacant city owned properties
- Telephone Park
- Lakeside Park

#### 5+ Year Park Recommendation

- Continue developing and improving existing park system – expand the park network and better serve the growing population

- Focus on providing multi-use sports fields; playgrounds; sport courts including tennis courts or pickle ball courts; targeted function activities; parking improvements and parking expansion

Ms. Uteckt presented the following concept options for Council to consider:

- |                             |              |
|-----------------------------|--------------|
| • Lake Worth Park Concept A | \$10,310,000 |
| • Lake Worth Park Concept B | \$4,050,000  |
| • Lake Worth Park Concept C | \$8,820,000  |
| • Rayl Family Park          | \$1,960,000  |
| • Reynolds Park             | \$2,100,000  |
| • Telephone Park            | \$2,370,000  |

During discussion Council favored Concept A but had concerns over funding and immediate needs at the current parks (restrooms, concession area and shade structures). Other concerns were seasonal uses by the school and organizations and construction timelines.

City Manager Stacey Almond stated that in order to supplement this type of project it would require bonds, private donations and grants but the city would need to hire a grant writer. She also stated that she had reached out to the University of Arlington (UTA) Capstone program to see if the program would consider our park system as a future Capstone project. The UTA professors have informed the city that the spring semester and fall semester students would be taking on the project. The project will be conducted in a two-phase approach, with the spring semester students gathering data through surveys, community input and city vision and objectives. The fall semester students will compile the information and present to Council. This information will be helpful when determining a park concept plan. Council asked if the students could also present a mid-year progress report allowing the spring students an opportunity to present their work.

The Council consensus was to move forward with the park plan. City Manager Stacey Almond stated that a resolution would be prepared for consideration by Council at the February City Council meeting. The resolution, if approved would only approve the park plan. A concept plan would be considered at a later date. This would allow the UTA Capstone students to gather information, make their presentation and staff time to explore supplemental funding.

### **RECESS AND BACK TO ORDER**

Mayor Bowen recessed the meeting at 10:04 a.m. and called the meeting back to order at 10:19 a.m. with all members present as recorded.

### **B.3 DISCUSS ENTERPRISE FLEET MANAGEMENT.**

City Manager Stacey Almond introduced Jennifer Bertram with Enterprise Fleet Management. Ms. Bertram discussed a partnership and solution with Council to better

manage aging fleet. Enterprise Fleet Management's proposal is to save city resources and budget dollars through a management vehicle program. This program will utilize an open-end lease as a funding mechanism, allowing the city to acquire additional vehicles while avoiding a large capital budget outlay. It will replace aged vehicles with newer models to increase fuel efficiency and reduce maintenance expense. Maintenance and repairs will be outsourced to local businesses to further stimulate economic growth and the integration for more fuel-efficient vehicles that will reduce the carbon footprint. This program will establish a proactive replacement plan that maximizes potential equity at time of resale, reduces operational expenses, and increases safety. By partnering with Enterprise Fleet Management, it is estimated that the city will reduce their fuel costs by 23%. The City will also reduce maintenance cost by approximately 28% in the first year. Leveraging an open-end lease maximizes cash flow and recognizes equity from vehicles sold. Furthermore, the City will leverage Enterprises Fleet Management's ability to sell vehicles at an average of 113.5% above Commercial Value Index. By shifting from a reactively replacing inoperable vehicles to planning vehicle purchases, the City of Lake Worth will be able to replace 14 of its oldest vehicles within a year, turning 37% of their vehicles into newer, safer, more efficient models. The City of Lake Worth will have a dedicated, local account team to proactively manage and develop the fleet while delivering the highest level of customer service to facilitate the day-to-day needs. Account management will meet with City of Lake Worth at minimum four (4) times a year with two (2) meetings consisting of financial planning and the others are annual client review and fleet analysis. The Account Manager will provide ongoing analysis, which can include best makes/models, cents per mile, total cost of ownership, and replacement analysis. The city will receive monthly management reports consisting of a single invoice with all charges.

During the discussion, Council expressed concerns with leasing versus purchasing, graphics on vehicles, brands that are currently in use, and the moving of police equipment. Ms. Bertram stated leasing would save the city money in the long run.

After market expenses, such as graphics and special equipment, would be paid by the city but estimated costs for them were included in Enterprises presentation of total costs. City Manager Stacey Almond commented the maintenance in the contract would eliminate the expenses of personnel and supplies in the Maintenance Department and mechanic positions could be eliminated.

The consensus of the Council members was to move forward with the proposal. Ms. Almond stated the item would be brought back to Council for consideration at the February City Council meeting.

#### **B.4 DISCUSS CHARTER REVIEW COMMISSION FINAL REPORT AND RECOMMENDATIONS.**

City Manager Stacey Almond presented the final report from the Charter Review Commission (CRC). The final report consists of sixteen (16) propositions that were the most important to bring up to date in the City Charter.

**PROPOSITION NO. 1**

Shall Section 1.05 of the Charter relating to platting rules and regulations be deleted in its entirety.

Charter language if approved:

**Section 1.05 Deleted**

**PROPOSITION NO. 2**

Shall Section 2.01 of the Charter be amended to clarify the powers of the Charter, powers of local-self-government, and all powers enumerated in Chapter 13, Title 28, Article 1175 of the Revised Civil Statutes of the State of Texas of 1925.

Charter language if approved:

**Section 2.01 General.** The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive, but, in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such powers, it is intended that the City shall have, and may exercise, all powers of local self-government, and all powers enumerated in Chapter 13, Title 28, Article 1175 of the Revised Civil Statutes of the State of Texas of 1925, and any amendments thereof, or any other powers which, under the Constitution and laws of the State of Texas, it would be competent for this Charter specifically to enumerate. All powers of the City, whether expressed or implied, shall be exercised in the manner prescribed herein, or when not prescribed herein, then in the manner provided by the laws of Texas relating to cities and towns. The City shall have the power to cooperate with the Federal Government and its agencies and with the State Government and its agencies, and with any political subdivision, or agency thereof.

**PROPOSITION NO. 3**

Shall Section 2.02 of the Charter relating to enumeration of powers deemed to be exclusive be deleted in its entirety. These enumerated powers are provided for in Section 2.01.

Charter language if approved:

**Section 2.02 Deleted**

**PROPOSITION NO. 4**

Shall Section 2.03 of the Charter relating to Powers of the City Council be deleted from Section 2.03 and moved to Section 3.03 to provide for the Powers of the City Council under the Section specifically related to City Council.

Charter language if approved:

**Section 2.03 Deleted**

### **PROPOSITION NO. 5**

Shall Section 3.03 of the Charter relating to eligibility of the Mayor, and any Council member, be deleted in its entirety and amended to provide for the Powers of the City Council.

Charter language if approved:

**Section 3.03 Powers of the City Council.** All powers of the City and the determination of all matters of policy shall be vested in the City Council. Except where in conflict with and otherwise expressly provided by this Charter, the City Council shall have all powers authorized to be exercised by the City Council by state law; provided, however, that the City Council shall have no authority to exercise those powers which are expressly conferred upon other City officers by this Charter. Without limitation of the foregoing and among the other powers that may be exercised by the Council, the following are hereby enumerated for greater certainty:

- 1). Appoint and remove the City Manager;
- 2). Appoint and remove the Municipal Judge(s) of the Municipal Court;
- 3). Appoint and remove the City Attorney;
- 4). Establish administrative departments;
- 5). Adopt the budget of the City;
- 6). Collectively inquire into the conduct of any office, department or agency of the City and make investigations as to municipal affairs;
- 7). Adopt and modify the official map of the City;
- 8). Provide for a Planning and Zoning Commission and a Board of Adjustment and other boards as deemed necessary and appoint members of all such boards and commissions. Such boards and commissions retain all powers possessed before the adoption of this Charter and those conferred and created by the Charter, by City ordinance or by other law.
- 9). Fix and regulate rates and charges for all utilities and public services; and
- 10). Authorize the issuance of all bonds by ordinance.

### **PROPOSITION NO. 6**

Shall Section 3.04 of the Charter relating to the Council judge of election be deleted as qualifications is already stated in Section 3.02.

Charter language if approved:

### **Section 3.04 Deleted**

### **PROPOSITION NO. 7**

Shall Section 3.04 of the Charter be amended to provide that the City Council may require bonds of municipal employees who receive or pay out any monies.

Charter language if approved:

**Section 3.04 Bond.** The City Council may require bonds of all municipal officers and employees who receive or pay out any monies of the City. The amount of the bonds may be determined by the City Council and the cost must be borne by the City.

### **PROPOSITION NO 8.**

Shall Section 3.06 of the Charter be amended to provide for a vote of all remaining members to appoint a qualified person to fill a vacancy.

Charter language if approved:

**Section 3.06 Vacancies.** In the event there is one vacancy on the council or in the office of Mayor, the council may call a special election to be held in accordance with state law or by the majority vote of all remaining members, appoint a qualified person to fill the vacancy. In the event there is more than one vacancy, the council shall call a special election to be held in accordance with state law, unless appointment is required to achieve a quorum.

### **PROPOSITION NO. 9**

Shall Section 3.09 of the Charter be amended to provide that the Mayor Pro Tem shall be chosen on a rotational basis based on place number, beginning with Place 1 and continuing through Place 7. Additionally, the Mayor Pro Tem shall act as Mayor during the disability or absence of the Mayor.

Charter language if approved:

**Section 3.09 Mayor Pro Tem.** The Mayor Pro-Tem shall be a Council Member elected by the City Council at the first regular meeting after every General election date regardless of whether or not the city holds an election on that particular year or at the first regular meeting after any applicable run-off election, whichever is later. The Council Member selected to serve as Mayor Pro-Tem shall be chosen on a rotational basis based on Place number, beginning with Place 1 and continuing through Place 7. If any Council Member declines his or her term as it arises in rotation, that member shall remain in the same place in the rotation cycle as if he or she had served. The Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor, and in this capacity, shall have the rights conferred upon the Mayor.

### **PROPOSITION NO. 10**

Shall Section 3.10 of the Charter be amended to provide for more detailed duties of the Mayor to include the Mayor may participate in discussion on all matters before the Council. The Mayor shall not be entitled to a vote, except in case of a tie, the Mayor casts the deciding vote, and the Mayor shall be recognized as the head of the city government for ceremonial purposes but shall have no regular administrative duties.

Charter language if approved:

**Section 3.10 The Mayor.** The Mayor shall preside at meetings of the City Council. The Mayor may participate in the discussion of all matters coming before the City Council. The Mayor shall not be entitled to vote as a member thereof, on Legislative or other matters, except in case of a tie, when the Mayor shall have the right to cast the deciding vote. The Mayor may also represent the City in intergovernmental relationships and perform other duties specified by the City Council or imposed by this Charter and by

ordinances and resolutions passed in pursuance thereof. The Mayor shall be recognized as the head of the city government for all ceremonial purposes but shall have no regular administrative duties.

**PROPOSITION NO. 11**

Shall Section 3.12 of the Charter be added to provide for prohibitions of the City Council. Specifically, the Mayor and City Council may not hold any other city office or city employment, that no former Mayor of City Council member may hold employment until one (1) year after the expiration of the term they were elected or appointed to hold.

Charter language if approved:

**Section 3.12 Prohibitions.**

- a). Except where authorized by law or by this Charter, no Mayor or Council Member may hold any other City office or City employment during his or her term as Mayor or Council Member. No former Mayor or Council Member may hold any City employment until one year after the expiration of the term for which they were elected or appointed to the City Council.
- b). Members of the City Council may not in any way order the appointment or removal of the City administrative officers or employees whom the City Manager or any of the City Manager’s subordinates are empowered to appoint.

**PROPOSITION NO. 12**

Shall Section 4.03 of the Charter relating to the official ballot be amended to provide for two or more candidates have the same surname, their residence addresses must be printed with their names on the official ballot.

Charter language if approved:

**Section 4.03 The Official Ballot.** The name of all candidates.....time and place of the drawing.

- a. If two or more candidates have the same surname, their residence addresses, or any other designation or title permitted by state law, must be printed with their names on the official ballot.

**PROPOSITION NO. 13**

Shall Section 4.05 of the Charter relating to conducting and canvassing the elections by selection of the election judge to conduct such election be amended to provide for official results of the election in accordance with Texas Election Code and provide for requirements for canvassing and officially declaring the results as provided by State Law.

Charter language if approved:

**Section 4.05 Official Results.**

- 1. The returns of every municipal election must be handled in accordance with State Law.

2. The City Council shall meet in an open meeting to canvass and officially declare the results of the election as to candidates, and issues certificates of election to candidates elected as provided by State Law.

#### **PROPOSITION NO. 14**

Shall Section 6.06 of the Charter be amended to provide for twenty-one (21) days after the date of certifying the petition as sufficiently completed.

[Charter language if approved:](#)

**Section 6.06 Presentation of Petition to City Council.** Within twenty-one (21) days after the date of certifying the petition as sufficient, the person performing the duties of the City Secretary shall present such petition to the City Council of the City of Lake Worth at a regular meeting or special meeting called for that purpose.

#### **PROPOSITION NO. 15**

Shall Section 7.03 of the Charter be amended to require full text of the ordinance be posted on the bulletin board and publication of the caption in the official city newspaper.

[Charter language if approved:](#)

**Section 7.03 Franchise: Power of City Council.** The City Council shall have power to grant, amend, renew or extend by ordinance all franchises of all public utilities of every character operating within the City of Lake Worth, and for such purposes is granted full power. All ordinances granting, amending, renewing, or extending franchises for public utilities shall be voted on at two separate regular meetings of the City council and shall not be finally passed until at least fifteen (15) days after the first reading; and no such ordinance shall take effect until thirty (30) days after its final passage; and pending such time, the full text of such ordinance shall be posted on the bulletin board at the City Hall of the City of Lake Worth, and publication of the caption in the official newspaper of the City shall be borne by the proponent of the franchise. No public utility franchise shall be transferable except to persons, firms or corporations taking all or substantially all of the holder's business in the City of Lake Worth and except upon approval of an ordinance by the Council in accordance with this Section.

#### **PROPOSITION NO. 16**

Shall Section 8.06 of the Charter be amended to establish and maintain a Municipal Court, having all powers and duties prescribed by State Law, providing for the appointment of the Municipal Court Judge, requirements, and removal process. Additionally, providing for the clerk and deputy clerk of the Municipal Court and associated responsibilities.

[Charter language if approved:](#)

#### **Section 8.06 Judge of the Municipal Court.**

1. The City Council must establish and cause to be maintained a Municipal Court. The Court has all the power and duties as are now, or as may be, prescribed by state law.
2. The judge of the municipal court shall be appointed by the City Council for a term of two years. The judge shall be a resident of this state, a citizen of the United States,

and an attorney in good standing licensed to practice in the State of Texas, with two or more years' experience in the practice of law in this State. The Council shall fix the compensation for the judge in accordance with State law and such compensation shall never be based on the fines assessed or collected. Removal of the judge shall be at the discretion of the Council by a majority vote of the City Council.

3. The Clerk and all deputy clerks of the Municipal Court have the power to administer oaths, certify affidavits, make certificates, affix the seal of the Court, and perform all usual and necessary clerical acts in conducting the business of the Court including but not limited to, the keeping of records and accounts of the Municipal Court.

During the discussion, Council member Smith expressed concerns with the language in Section 3.06, Proposition No. 8 to fill a vacancy. He requested that the old language requiring a super-majority to vote for an appointment be kept in the charter. The recommendation from the CRC was to remove super-majority and replace with a vote of all remaining members to appoint a qualified person to fill a vacancy.

The final consensus was to move forward with all sixteen (16) recommendations made by the Charter Review Commission. Council member White requested that staff take the appropriate steps necessary to educate and inform the public on the importance of the upcoming Charter Election.

City Manager Stacey Almond stated an item would be prepared and brought back to Council for consideration at the February City Council meeting.

**B. ADJOURNMENT**

Mayor Walter Bowen adjourned the meeting at 11:31 a.m.

**APPROVED**

By: \_\_\_\_\_  
Walter Bowen, Mayor

**ATTEST:**

\_\_\_\_\_  
Monica Solko, City Secretary