

**EVERMAN  
CITY COUNCIL  
WORK SESSION  
AGENDA  
Tuesday, October 6, 2020  
6:30 P.M.**

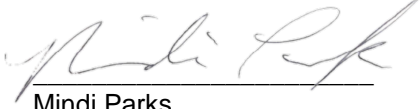
There will be a Work Session held by the Everman City Council on Tuesday, October 6, 2020 at 6:30 p.m. via remote access with Zoom with the following agenda:

SOME MEMBERS OF THE CITY COUNCIL MAY PARTICIPATE VIA TELEPHONE OR VIDEO CONFERENCE. A QUORUM MAY OR MAY NOT BE PHYSICALLY PRESENT IN THE CITY COUNCIL CHAMBERS (Tex.Gov't § Code 551.127 (a-2)). CITIZENS WISHING TO MAKE COMMENTS SHOULD EMAIL: [mparks@evermantx.net](mailto:mparks@evermantx.net) CITIZENS COMMENTS RECEIVED PRIOR TO THE MEETING ADJOURNED WILL BE READ TO THE COUNCIL.

To view this meeting on live stream due to the Cov-19 please refer to [evermantx.us/citycouncillivestream](http://evermantx.us/citycouncillivestream), and to make any comments for citizens comments or the Public Hearing please call 817-203-3239 or send them via email at [mparks@evermantx.net](mailto:mparks@evermantx.net) during the meeting.

1. **Meeting called to order.**
2. **Discussion Items:**
  1. 2020 Halloween Festival (21005)
  2. Amending Zoning Ordinance #679 (21008)
  3. Design-Build RFQ/RFP Selection (21007)
  4. Flooding and Master Drainage Study (21009)
  5. Resolution #20201001- Atmos Energy Rate Review Mechanism Tariff Filing (21001)
  6. Tri-Stem Utility Cost Recovery & Savings (21006)
3. **Executive Session**-Pursuant to Section 551.071, Chapter 551 of the Texas Government Code, Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting, to receive advice from its attorney on any posted agenda item, as permitted by law. Additionally, Council may convene into Executive Session to discuss the following:
  - A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney pursuant to Section 551.071.
  - B. Discussion regarding possible Purchase, Sale, Exchange, Lease, or Value of Real Property, Pursuant to Section 551.072.
    1. Discuss the potential purchase, sale or lease or real property, in which discussion in open session may be determined to negotiations with a third party. (21002)
  - C. Personnel Matters pursuant to Section 551.074.
    1. Discuss the potential of authorizing a new position within the City. (21003)
    2. Complaint and Investigation against a City Official. (21004)
4. **Mayors Report** – Mayor Ray Richardson
5. **City Manager’s Report**- Craig Spencer
6. **Citizens comments:**
7. **Adjourn.**

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday October 2, 2020.

A handwritten signature in cursive script, appearing to read "Mindi Parks", written over a horizontal line.

Mindi Parks  
City Secretary

*City Hall is wheelchair accessible. Parking spaces for disabled citizens are available. Requests for sign interpretative services must be made 48 hours prior to the meeting. To make arrangements, call 817.293.0525 or TDD 1.800.RELAY TX, 1.800.735.2989.*

Monday, September 21, 2020



## Everman City Council Agenda Request

**Agenda Tracking Number** 21005

**TYPE:** Discussion

**SUBJECT:** 2020 Halloween Festival

**What date would you like to have this item added:** Tuesday, October 6, 2020

### RECOMMENDATION:

No recommendation on this item.

### DISCUSSION:

Everman Events Board would like to discuss the upcoming Halloween Festival that is being planned at Pittman Park. During the most recent Everman Events Board Meeting, I made the recommendation that the event could occur, as long as we followed and implemented the CDC Guidelines and restrictions set forth by Tarrant County. Events Board is planning to host the event outdoors to allow for proper social distancing and masks will be required (unless order is rescinded by Tarrant County). Everman Events Board wishes to request financial assist with the event from City Council.

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**Submitted for City Manager's Office by:** Stephanie Richardson - Events Board Chair

**Originating Department:** Everman Events Board

**Originating Department Head:** Jeff Reed



Friday, October 2, 2020

## Everman City Council Agenda Request

**Agenda Tracking Number** 21008

**TYPE:** Discussion

**SUBJECT:** Amending Zoning Ordinance #679

**What date would you like to have this item added:** Tuesday, October 6, 2020

### RECOMMENDATION:

It is recommended that the Everman City Council pass an ordinance amending our Zoning Ordinance (#679); changing the number of required members of the Zoning Commission from seven (7) to five (5).

### DISCUSSION:

Our current Zoning Ordinance requires that the Planning and Zoning Commission be comprised by at least seven (7) registered voters of the City of Everman. We are proposing and recommending that this be changed to five (5) registered voters of the City of Everman.

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**Submitted for City Manager's Office by:** Donna Wilkerson

**Originating Department:** Code Enforcement

**Originating Department Head:** C. W. Spencer



## Everman City Council Agenda Request

**Agenda Tracking Number** 21007

**TYPE:** Discussion

**SUBJECT:** Design-Build RFQ/RFP Selection

**What date would you like to have this item added:** Tuesday, October 6, 2020

### RECOMMENDATION:

It is recommended that the Everman City Council authorize the City Manager to negotiate a contract, on behalf of the City of Everman, for design-build services with Grossman Design & Build.

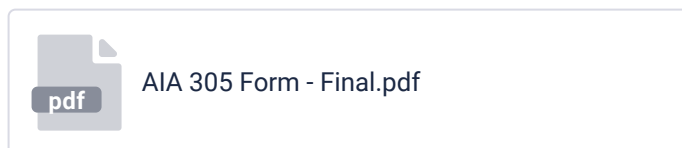
### DISCUSSION:

Everman City Council approved the 2020 Bond Package, which included an allocation towards city facility improvements; specifically a remodel of the current Everman Fire Station and a new Everman City Hall Annex. Following the approval and receipt of the bond funds, a Design-Build RFQ/RFP (Request for Qualification and Request for Proposals) was advertised in accordance with Local Government Code and under the advice of legal counsel.

We received a total of 6 submissions in response to the advertised RFQ/RFP. One of those submissions was disqualified due to a conflict of interest that arose. The remaining five submissions were reviewed in detail, each of them given due consideration in accordance to the RFQ/RFP document. It was determined that interviews were required for 3 of the firms. Those interviews included Grossman Design-Build, Speed Fab-Crete and MSB Constructors. Following the interviews, all submissions were then scored. The rankings and scores are attached.

Grossman Design-Build is a well established firm with tremendous experience, particularly in dealing with municipalities and building municipal buildings. It was determined in this process that Grossman Design-Build is the most qualified firm that will also keep budgetary concerns are the forefront of design. This will assure that the City of Everman will obtain exactly what is desired, without unnecessary budget overages.

### ATTACHMENTS:





City of Everman RFQ 9.23.20 Final.pdf



RFQ-RFP Ranking.pdf

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**Submitted for City Manager's Office by:** C. W. Spencer

**Originating Department:** Administration

**Originating Department Head:** C. W. Spencer



Friday, October 2, 2020

## Everman City Council Agenda Request

**Agenda Tracking Number** 21009

**TYPE:** Discussion

**SUBJECT:** Flooding and Master Drainage Study

**What date would you like to have this item added:** Tuesday, October 6, 2020

### RECOMMENDATION:

Discussion item only - no recommendation at this time

### DISCUSSION:

Tarrant County in a joint effort with the City of Everman applied for a Hazard Mitigation Grant through the Texas Division of Emergency Management for the funding of a Regional Flooding and Master Drainage Study. This grant application was in response to the major flooding event that occurred in September of 2018. Following the flooding event, the City of Everman completed and submitted a thorough Hazard Mitigation Action Plan (HazMAP) in conjunction with City Council. In late 2019, FEMA reviewed and provided final approval of the HazMAP.

After this approval, we were eligible for funding assistance through State and Federal programs. The grant that we applied for in conjunction with Tarrant County was selected as an alternative program only. This means that this project will likely not be funded from State and Federal Assistance.

A Flooding and Master Drainage Study is required to qualify for further mitigation funding assistance through state and federal resources. The study will cost approximately \$105,000.00 to perform.

### ATTACHMENTS:



4416-0030 Tarrant County Alternate Selectio...



Final Proposal from Dunaway.pdf



Scope of Work for the Tarrant County Flood ...

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**Submitted for City Manager's Office by:** C. W. Spencer

**Originating Department:** Administration

**Originating Department Head:** C. W. Spencer





## Everman City Council Agenda Request

**Agenda Tracking Number** 21001

**TYPE:**

Consideration and Possible Action

**SUBJECT:** Resolution #20201001 - Atmos Energy Rate Review Mechanism Tariff Filing

**What date would you like to have this item added:** Tuesday, October 6, 2020

**RECOMMENDATION:**

Atmos Energy has provided their annual RRM Tariff Filing and is requesting approval and adoption of the following Resolution

#20201001 - APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

**DISCUSSION:**

The purpose of this report is to provide information regarding Atmos Energy Corporation's MidTex-Division 2020 Rate Review Mechanism (RRM) tariff filing of March 31, 2020. Atmos' MidTex Division, the former Lone Star Gas and TXU Gas acquired in 2004, serves much of the north central Texas region including the City of Everman.

In the 2020 Mid-Tex filing, Atmos claims a need for an increase of \$141.2 million in revenues, representing a 9% increase over total revenues and a 15.3% increase over non-gas revenues. Eliminating revenue-related taxes such as Texas gross receipt taxes, municipal franchise fees, and Railroad Commission fees, reduces the request to \$131.7 million. A further adjustment to comply with restrictions in the RRM tariff adopted by the ACSC reduces the system-wide request to \$127.2 million. The portion of that system-wide amount applicable to ACSC members is \$92.1 million.

Atmos claims that 95% of the increase is for recovery of expenses related to pipe replacement, damage prevention, and leak surveying activities. Atmos states that in 2019 it replaced 188 miles of steel pipe, 77 miles of cast iron pipe, and over 24,000 steel service lines. Atmos also reports that in 2019 it performed more than one million line-locates, and found that excavators struck its lines more than 3,500 times. Additionally, Atmos surveyed approximately 13,500 miles of pipe.

Rates approved through the RRM process normally become effective on September 1. However, Atmos recently agreed to postpone the implementation of the pending Gas Reliability Infrastructure Program (GRIP) increase filed in non-ACSC cities until October 1 in recognition of the current COVID 19 pandemic, which has resulted in significant unemployment claims.

**ATTACHMENTS:**

-  2020 Atmos Mid-Tex RRM Model Staff Repo...
-  2020 Atmos Mid-Tex RRM Model Staff Repo...
-  2020 Atmos Mid-Tex RRM Settlement Resol...
-  Resolution 20201001.pdf

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**Submitted for City Manager's Office by:**

Elvia Espino - Atmos Energy Corp.

**Originating Department:**

City Manager's Office

**Originating Department Head:**

C. W. Spencer



Wednesday, September 23, 2020

## Everman City Council Agenda Request

**Agenda Tracking Number** 21006

**TYPE:**

Consideration and Possible Action

**SUBJECT:** Tri-Stem Utility Cost Recovery & Savings

**What date would you like to have this item added:** Tuesday, October 6, 2020

**RECOMMENDATION:**

It is recommended that the Everman City Council authorize the City Manager to enter into an agreement with Tri-Stem Utility Cost Recovery & Savings Experts for the purpose of performing utility rate audits on the City's behalf.

**DISCUSSION:**

Tri-Stem Utility Cost Recovery & Savings Experts is a firm that performs utility audits and advocating on behalf of government entities to ensure proper fees are being paid and/or collected. Tri-Stem will be entitled to an agreed upon specified percentage (%) of collected fees or refunds.

**ATTACHMENTS:**



Audit Timelines.pdf



City Results.pdf



Summary of Services (combined).pdf



TriStem Brochure 2020.pdf



TriStem Consulting Agreement - 30.pdf

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**Submitted for City Manager's Office by:** C. W. Spencer

**Originating Department:** City Manager's Office

**Originating Department Head:** C. W. Spencer

Monday, September 21, 2020



## Everman City Council Agenda Request

**Agenda Tracking Number** 21002

**TYPE:** Executive Session

**SUBJECT:** Deliberation Regarding Real Property

**What date would you like to have this item added:** Tuesday, October 6, 2020

**RECOMMENDATION:**

Executive Session

**DISCUSSION:**

Executive Session to discuss the potential purchase, sale or lease or real property, in which discussion in open session may be detrimental to negotiations with a third party.

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**Submitted for City Manager's Office by:** C. W. Spencer

**Originating Department:** City Manager's Office

**Originating Department Head:** C. W. Spencer

Monday, September 21, 2020



## Everman City Council Agenda Request

**Agenda Tracking Number** 21004

**TYPE:** Executive Session

**SUBJECT:** Personnel Issues

**What date would you like to have this item added:** Tuesday, October 6, 2020

**RECOMMENDATION:**

Executive Session

**DISCUSSION:**

Complaint and Investigation against a City Official

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**Submitted for City Manager's Office by:** C. W. Spencer

**Originating Department:** City Manager's Office

**Originating Department Head:** C. W. Spencer

Monday, September 21, 2020



## Everman City Council Agenda Request

**Agenda Tracking Number** 21003

**TYPE:** Executive Session

**SUBJECT:** Personnel Issues

**What date would you like to have this item added:** Tuesday, October 6, 2020

**RECOMMENDATION:**

Executive Session

**DISCUSSION:**

Discuss the potential of authorizing a new position within the City.

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**Submitted for City Manager's Office by:** C. W. Spencer

**Originating Department:** City Manager's Office

**Originating Department Head:** C. W. Spencer