



WACO CITY COUNCIL MEETING MINUTES
APRIL 7, 2020
3:01 PM TO 6:25 PM
WACO CONVENTION CENTER BOSQUE THEATER
100 WASHINGTON AVENUE, WACO, TX 76701

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Kyle Deaver	Mayor	Present	
Andrea Barefield	Council Member, District I	Present	
Hector Sabido	Council Member, District II	Present	
John Kinnaird	Council Member, District III	Present	
Dillon Meek	Council Member, District IV	Present	
Jim Holmes	Council Member, District V	Present	

Mayor Deaver was present in the Bosque Theater and called the meeting to order at 3:01 pm. All council members were present and joined the meeting remotely, via Cisco WebEx, in order to comply with social distancing requirements, as allowed by the Texas Governor through virtual meetings as a result of the COVID-19 pandemic.

WORK SESSION

WS-2020-221

Report of the City Manager: a. Changes in the Council Agenda; b. Organizational Updates and Recognition of Employee(s); c. Recent and Upcoming Community Events; d. Swearing in of New Fire Chief Gregory Summers; e. Cobbs Citizens Convenience Center Re-Opened; f. Animal Enrichment at Cameron Park Zoo; g. New Communication efforts including COVIDWACO.com and E-Newsletter; h. Annual Report now available; i. April 1, 2020 - Census Day; and j. Review of Business Session Agenda.

Wiley Stem III, City Manager, reviewed the City Manager's Report.

Dr. Bill Falco was recognized for his service to the City of Waco. Dr. Falco retired in 2012, having worked for the City for 39 years. Dr. Falco returned to the City several years ago as a temporary employee working on special projects for the City Manager's Office and will once again be retiring from the City.

Galen Price, Director of Housing and Code Enforcement, along with the Code Enforcement Department, David Shaw, Assistant City Attorney and Deidra Emerson, Assistant City Managers were recognized for their continued service enforcing the Mayor's Directives to shelter in place and the closure of non-essential businesses.

Larry Holze, Municipal Information Director, provided a review of recent and upcoming events. The presentation is on file in the City Secretary's Office.

Council thanked City Staff for the following:

- Their professionalism and dedication during the current COVID-19 pandemic.
- City Secretary Esmeralda Hudson and her staff for their efforts in leading the Census Complete Count Committee to get out information regarding the 2020 Census and also reminded citizens, especially college students, to complete the Census form either online, by phone or mail in.

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The following items were highlighted during the Business Session Agenda review:

- RES 2020-225- Amendment to the Development Agreement with Catalyst Urban Development for the Riverfront development project and 226 – Purchase of tract from City Center Bridge, LLC

Bradley Ford, Assistant City Manager, gave a brief overview of the amendment which included the extension of the start date and the deletion of Phase 4. Discussion included the economic benefit from this project.
- RES 2020-226 – Purchase of tract from City Center Bridge, LLC

Bradley Ford, Assistant City Manager, gave a background on the purchase of this property. Discussion included the property being used for the Bridge Street Plaza and the usefulness of the property for the Elm Street revitalization project.
- RES 2020-228 – Renovation for Waco Texas Anti-Gang (TAG) Center and RES 2020-238 – Interlocal Agreement for the administration of the TAG Center

Ryan Holt, Assistant City Manager, gave a brief overview of the TAG Center and thanked the Purchasing Department and Police Department for their partnership in getting the agreement finalized. Discussion included anchor agencies which would be housed at the Center as well as the Executive Board.
- RES 2020-237 – Land Use Assumption Plan

Bradley Ford, Assistant City Manager and Clint Peters, Planning Director, provided a timeline, including a work session presentation at an upcoming meeting and a tentative action item at the August meeting.

Discussion included ways to amend fees once adopted, public input opportunities and stakeholder meetings scheduled for future dates.
- 2020-242 – J.H. Hines Elementary Sidewalk Project

Discussion included efforts to establish safe routes to schools and the efforts of community members who petitioned for these sidewalks.
- RES 2020- 225 –Amendment to the development agreement with Catalyst Urban Development, LLC was pulled from the consent agenda and was be voted on separately.

RESULT:	DISCUSSED
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WS-2020-222

Discussion of activities and updates from the COVID-19 community work teams.

Mayor Deaver provided the following background information:

- The COVID-19 Community Work Teams was established to give leadership and leverage community resources.
- Council Member Dillon Meek was selected to work and assist Mayor Deaver in this process.

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	<ul style="list-style-type: none"> • The remaining Council members were appointed to co-chair working teams related to Business, Communication, Health, and Social Services/Education. • A member of the community was appointed to co-chair each team as well as a City Staff assigned as a liaison. <p>Council Member Dillon Meek introduced the Work Session by identifying each working team and provided the following information about the working teams:</p> <ul style="list-style-type: none"> • Team Members were chosen due to their expertise in each area. • Teams are to provide a method to facilitate communication about issues and opportunities that are related to COVID-19; and • To help engage community partners to address issues and to provide opportunities to provide better leadership and communication to these issues. <p>The following working teams were introduced and each provided a presentation, on file in the City Secretary's Office.</p> <ul style="list-style-type: none"> • Business/Individual Financial Recovery, chaired by Jim Holmes and Sarah Roberts, who went over the team members, key issues, goals of the team and next steps. Discussion included: <ul style="list-style-type: none"> • Lending strategies and leveraging community partners • Working with all three Chambers of Commerce to facilitate industry calls to share public policy, resources and relief programs • Outreach concerning the CARE Act for financial recovery • Next steps include increased problem solving strategies, ways to drive online business, local, state and federal advocacy and continued communication with the business community. <p>Council asked staff to provide links on the City's website, to resources such as employment opportunities and Start Up Waco's virtual programs for businesses.</p> <ul style="list-style-type: none"> • Strategic Communication, chaired by Hector Sabido and Natalie Kelinski, provided information for better communication development among key partners and distribution of material in both English and Spanish as goals. Discussion included: <ul style="list-style-type: none"> • Key partners being surrounding cities, emergency management, health district, schools, chambers and McLennan County. • Key message areas are relief efforts, health response, education and social services, community stabilization and the shelter in place ordinance. • Strategy components are virtual meetings held twice weekly, public information distribution outlets, e-newsletter and coordinated workflow to distribute communication. • Health Response and Coordination, chaired by John Kinnaird and Dr. Jackson Griggs provided an oral presentation only. No PowerPoint

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presentation will be on file. Key points included:

- Numbers of COVID cases across the world, county, state and McLennan County.
- Five nodes of communication of health partnerships, including daily huddles, leadership response team, emergency operations centers, Heart of Texas Regional Advisory Council and the Waco Medical Society, including physicians and hospitals/clinics.
- Public Education and education support as well as media and data, including covidwaco.com website for information and resources.

Discussion included testing administration, tracking and documenting testing for people of color and gathering more information to release in order to minimize health disparities.

4. Social Services and Education Assistance, chaired by Andrea Barefield and Suzii Paynter March, process focuses on problems, players, process and solution. Key issues facing this team are the following:

- Childcare for essential workers;
- Elder care;
- Homeless medical care and shelter capacity;
- School meals;
- Immigrant population and
- Faith community

Council asked staff to coordinate all working teams by having the liaison send a one page brief, weekly, to Council Member Meek to report back to the Mayor and City staff.

RESULT:	POSTPONED
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WS-2020-223 Discussion of Coronavirus disease 2019 (COVID-19) and its impact on City operations.

RESULT:	NONE
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WS-2020-224 Council requests for scheduling of future agenda items.
There were no requests for future agenda items.

RESULT:	DISCUSSED
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EXECUTIVE SESSION – DECORDOVA ROOM

Mayor Deaver recessed the meeting to go into executive session at 4:07 p.m. and notice was given that the City Council would go into Executive Session in accordance with the following provisions:

ITEM NO.	DESCRIPTION
1.	Real Property (Texas Open Meetings Act Sec. 551.072); and
2.	Economic Development (Texas Open Meetings Act Sec. 551.087).

The City Council may go into Executive Session on any item listed on the Agenda in accordance with Chapter 551 of the Government Code.

Mayor Deaver reconvened the following Business Session at 6:05 p.m.

BUSINESS SESSION – BOSQUE THEATER

PLEDGE OF ALLEGIANCE

MINUTES

City Council – Retreat Special Meeting – February 11, 2020

RESULT: APPROVED AS SUBMITTED

City Council – Regular Meeting – March 17, 2020

RESULT: APPROVED AS SUBMITTED

City Council – Special Meeting – March 24, 2020

RESULT: APPROVED AS SUBMITTED

City Council – Special Meeting – March 31, 2020

RESULT: APPROVED AS SUBMITTED

PROCLAMATIONS/PRESENTATIONS/SPECIAL RECOGNITION

PUBLIC HEARINGS

RES RESULT: NONE

RESOLUTIONS

RES-2020-225

Consider a resolution approving a second amendment to the Development Agreement with Catalyst Urban Development, LLC, ("Developer") for the Brazos Riverfront Development a.k.a. Brazos Promenade Project ("Project") to extend the Phase I Commencement Deadline of the Project from March 20, 2020 to noon on April 9, 2020, delete Phase IV from the Project, and make other changes, and authorizing the City Manager to execute any documents in connection therewith, including an estoppel certificate and any documents that need to be amended to conform to the first and second amendments to the Development Agreement.

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Esmeralda Hudson, City Secretary, read the following citizen comments into record:

- Paris Rutherford, applicant, 7001 Preston Road, Suite 500, Dallas, Texas, spoke in support of the project.
- Joshua King, 728 Clarence Drive, Woodway, Texas, submitted comments in support of the resolution and urged the use of alternate energy and the installation of elective charging stations.
- Allen Northcutt, 619 Stone Manor Drive, McGregor, Texas, submitted comments about climate change and clean renewable energy needs to be considered in all phases of the construction project.

Discussion included adjusted bond terms from Catalyst, moving the commencement date to April 15, 2020, and giving the City Manager the discretion to move forward on this project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jim Holmes, Council Member, District V, made a motion to approve the resolution with the commencement deadline extended to noon on April 15, 2020 with said approval being conditioned on the City Manager becoming comfortable with the level of risk posed by the newly added bond language and mitigation of that risk, and giving the City Manager the discretion not to execute the second amendment should said risk not be able to be mitigated adequately.
SECONDER:	Dillon Meek, Council Member, District IV
AYES:	Deaver, Barefield, Sabido, Kinnaird, Meek, Holmes

CONSENT AGENDA

The consent agenda included Agenda Numbers RES-2020-226 through 2020-243 with the exception of RES 2020-225.

- RES-2020-226** Consider a resolution authorizing the purchase of: (1) Lot 1, Block 1 of the R.L. Smith Addition to the City of Waco, McLennan County, Texas, being 0.400 acres; and (2) all of that called 0.417 acre tract of land described as Tract Three and all of that called 0.173 acre tract of land described as Tract One, in a Deed to City Center Bridge, LLC, as recorded in McLennan County Clerk's Document (M.C.C.D.) 2019016660 of the Official Public Records of McLennan County, Texas, from City Center Bridge, LLC, for an amount not to exceed the total cost of \$200,000.00, including closing costs and other expenses associated with the purchase, and authorizing the City Manager to execute any documents in connection therewith.
- RES-2020-227** Consider a resolution approving an Interlocal Cooperation Agreement and a Memorandum of Understanding between the City of Waco and the Texas Parks & Wildlife Department for the purpose of allowing the Texas Parks & Wildlife Department to become a City of Waco radio system subscriber, and authorizing the City Manager to execute any documents in connection therewith.
- RES-2020-228** Consider a resolution awarding a contract for renovation of a leased property to be used

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RES-2020-229	<p>as the Waco Texas Anti-Gang (TAG) Center to CWA Construction, Inc., the responsible offeror with the most advantageous proposal, in an amount not to exceed \$655,796.00 and establishing a construction contingency in the amount of \$66,000.00 for a total authorization amount not to exceed \$721,796.00, and authorizing the City Manager to execute any documents in connection therewith.</p>
RES-2020-230	<p>Consider a resolution approving the second of four one-year renewal contract options with Incident Management of Texas, L.L.C., d/b/a Tow King of Waco for towing services, and authorizing the City Manager to execute any documents in connection therewith.</p>
RES-2020-231	<p>Consider a resolution approving a State R Services grant contract from the Texas Department of State Health Services administered through the Brazos Valley Council of Governments for the HIV Case Management program provided by the Waco-McLennan County Public Health District in an amount not to exceed \$140,000.00 for the period of April 1, 2020 through March 31, 2021, and authorizing the City Manager, or his designee, to execute any documents in connection therewith and/or furnish additional information or documentation as deemed necessary for implementation of said program and related matters.</p>
RES-2020-232	<p>Consider a resolution approving a Ryan White Part B Services grant contract from the Texas Department of State Health Services administered through the Brazos Valley Council of Governments for the HIV Case Management program provided by the Waco-McLennan County Public Health District in an amount not to exceed \$318,577.00, for the period of April 1, 2020 through March 31, 2021, and authorizing the City Manager, or his designee, to execute any documents in connection therewith and/or furnish additional information or documentation as deemed necessary for implementation of said program and related matters.</p>
RES-2020-233	<p>Consider a resolution approving Amendment No. 2 to the grant contract with the Texas Department of State Health Services for the Immunization Program (Contract No. HHS000119700015) to renew the contract for an additional one-year period, beginning on September 1, 2020 and ending on August 31, 2021, and to provide additional grant funds in an amount not to exceed \$325,635.00, so that the total amount of the grant funds under the contract does not exceed \$976,905.00, and authorizing the City Manager, or his designee, to execute any documents in connection therewith and/or furnish additional information or documentation as deemed necessary for implementation of said program and related matters.</p>
RES-2020-233	<p>Consider a resolution approving Amendment No. 1 to the grant contract with the Texas Department of State Health Services for the Texas Healthy Communities Program (Contract No. HHS000438400008) to extend the term of the contract for an additional four year period ending on August 31, 2024, and to provide additional grant funds in an amount not to exceed \$100,000.00 for the period of September 1, 2020 through August 31, 2021, so that the total amount of grant funds under the contract does not exceed</p>

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	\$200,000.00, and authorizing the City Manager, or his designee, to execute any documents in connection therewith and/or furnish additional information or documentation as deemed necessary for implementation of said program and related matters.
RES-2020-234	Consider a resolution approving Amendment No. 3 to the grant contract with the Texas Department of State Health Services for the Waco-McLennan County Public Health District's Healthy Texas Mothers and Babies program (Contract No. 537-18-0364-00001) to provide additional grant funds in an amount not to exceed \$117,500.00 for the period of September 1, 2020 through August 31, 2021, so that the total amount of grant funds under the contract does not exceed \$395,000.00, and authorizing the City Manager, or his designee, to execute any documents in connection therewith and/or furnish additional information or documentation as deemed necessary for implementation of said program and related matters.
RES-2020-235	Consider a resolution accepting the Continuum of Care Renewal Grant from the U.S. Department of Housing and Urban Development (HUD) in an amount not to exceed \$62,653.00 (which will require a City match of \$15,700.00, resulting in a total grant commitment of up to \$78,353.00), and authorizing the City Manager to execute any documents in connection therewith for acceptance and administration of the grant, including any budget allotment adjustments and increases to the grant.
RES-2020-236	Consider a resolution awarding a contract to ConvergeOne for maintenance of the City's Avaya phone system, through a cooperative purchasing agreement with the State of Texas Department of Information Resources (DIR), for a three year term, in an amount not to exceed \$336,617.28; authorizing expenditures in an amount not to exceed \$112,205.76 in Fiscal Year 2019-20; and authorizing the City Manager to execute any documents in connection therewith.
RES-2020-237	Consider a resolution approving the Land Use Assumptions and Capital Improvements Plan for the City's proposed Water, Wastewater and Roadway Impact Fees, and authorizing the City Manager to execute any documents in connection therewith.
RES-2020-238	Consider a resolution approving an Interlocal Cooperation Agreement between the City of Waco, McLennan County, and the Texas Department of Public Safety for the administration of the Texas Anti-Gang Center, and authorizing the City Manager to execute any documents in connection therewith.
RES-2020-239	Consider a resolution approving an amendment to the contract with CP&Y, Inc., for design, surveying, geotechnical engineering, and construction support services in connection with the Webster Avenue Corridor Sidewalk Improvements from 8th to 11th Street project to add additional professional services, and to increase the contract amount by \$20,356.00 so that the total contract amount does not exceed \$63,756.00, and

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authorizing the City Manager to execute any documents in connection therewith.

RES-2020-240 Consider a resolution approving a professional services contract with Kimley-Horn and Associates, Inc., for preliminary engineering for the design of traffic signal and pedestrian improvements along Waco Drive from the intersection of Centerpoint to Clifton Street, including continuous sidewalks, audible pedestrian crossings, and traffic signal equipment improvements on or along Waco Drive from the intersection of Centerpoint to Clifton Street and pedestrian bridges on Waco Drive between Towne Oaks Drive and Villa Drive, in the amount of \$457,970.00, and authorizing the City Manager to execute any documents in connection therewith.

RES-2020-241 Consider a resolution approving Change Order No. 2 to the contract with Barsh Company for the Elm Avenue (Hood St. to Clifton St.) Infrastructure Improvements project, for additional construction services in an amount not to exceed \$450,707.50, so that the revised total contract amount does not exceed \$2,336,517.08, and authorizing the City Manager to execute any documents in connection therewith.

RES-2020-242 Consider a resolution approving a contract for engineering, design, survey, and construction administration support services with MRB Group, Engineering, Architecture & Surveying, D.P.C., for the J.H. Hines Elementary Sidewalks Project, which project includes adding sidewalks along Clifton Street from Chestnut Street to Elm Avenue, Elm Avenue from Clifton Street to Forrest Street, and Garrison Street/Forrest Street from J.H. Hines Elementary School to Taylor Street, and pedestrian signal and crossing improvements, in the amount not to exceed \$186,300.00, and authorizing the City Manager to execute any documents in connection therewith.

RES-2020-243 Consider a resolution ratifying a change order to the contract with J. Michael Design & Construction, LLC, for construction services for the Chapel Road/Spring Valley Water Line Improvements Phase 2 Project in an amount not to exceed \$97,635.00 (for a new contract total amount not to exceed \$1,551,124.00), and authorizing the City Manager to execute any documents in connection therewith.

RESULT:	APPROVED CONSENT [UNANIMOUS]
MOVER:	John Kinnaird, Council Member, District III, made a motion to approve consent agenda.
SECONDER:	Hector Sabido, Council Member, District II
AYES:	Deaver, Barefield, Sabido, Kinnaird, Meek, Holmes

ORDINANCES

ORD-2020-244 Consider an ordinance rezoning from M-2 to C-4 on the property described as Lot 6, Block 3, Barnard-Kate Ross Walton Subdivision, known as 910 Webster Avenue. (Case Z-20-20 Matt Fatheree) **SECOND READING**

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RESULT: APPROVED ON SECOND READING [UNANIMOUS]
MOVER: Hector Sabido, Council Member, District II, made a motion to approve on second reading.
SECONDER: Dillon Meek, Council Member, District IV
AYES: Deaver, Barefield, Sabido, Kinnaird, Meek, Holmes

ORD-2020-245 Consider an ordinance rezoning from M-2 to C-4 on the property described as Lots 1 and 2, Block 60, Campbell Addition, known as 401 S. 11th Street. (Case Z-20-21 Jordan Ogden) SECOND READING

RESULT: APPROVED ON SECOND READING [UNANIMOUS]
MOVER: Hector Sabido, Council Member, District II, made a motion to approve on second reading.
SECONDER: John Kinnaird, Council Member, District III
AYES: Deaver, Barefield, Sabido, Kinnaird, Meek, Holmes

ORD-2020-246 Consider an ordinance rezoning from M-2 and C-5 to C-4 on the property described as Lots 1 through 12 and Lot A, Block A, Farm Lot 11 Addition, known as 301 and 325 S. 6th Street. (Case Z-20-22 Jerry Crenshaw) SECOND READING

RESULT: APPROVED ON SECOND READING [UNANIMOUS]
MOVER: Hector Sabido, Council Member, District II, made motion to approve on second reading.
SECONDER: Andrea Barefield, Council Member, District I
AYES: Deaver, Barefield, Sabido, Kinnaird, Meek, Holmes

HEARING OF ANY VISITOR CONCERNING CITY BUSINESS

The following comments received were read into record by City Secretary Esmeralda Hudson:

- Teresa Porter, 1125 Taylor Street, Waco, Texas, comments on electric vehicle (EV) charging stations.
- Allan Northcutt, 619 Stone Manor, Dr., McGregor, Texas, comments on state rebate applications are still be accepted for electric vehicles and encouraged the City to purchase electric vehicles.

COUNCIL REPORTS

• Council Member Reports on Committees and Boards and Commissions Liaison Visits

- Council Member Barefield, expressed her condolences for the loss of Phillip Perry, Waco ISD Principal, to COVID-19.

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- Council Member Sabido reminded everyone to complete their 2020 Census form.
- Mayor Kyle Deaver reported the following:
 - Thanked City staff for their work during the COVID-19 pandemic response.
 - Encouraged the community to watch the work session presentation from the COVID-19 Working Teams on the City’s website to learn more about the efforts across the City to combat COVID-19.
 - Announced a Joint press conference with McLennan County and Dr Jackson Griggs on Wednesday, April 8, 2020.
 - Thanked the public for their action to keep everyone safe by complying with the stay at home order and the efforts to defeat the spread of COVID-19.
 - Mayor Deaver also expressed his gratitude for all the messages of prayer he and the Council have received and asked the community to continue to pray for all government leaders and health care workers.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 6:25 PM.

ATTEST:

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Esmeralda Hudson
City Secretary



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Kyle Deaver, Mayor
City of Waco, Texas

APPROVED BY COUNCIL: APRIL 21, 2020