

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS
HELD IN THE CITY HALL 4301 CITY POINT DRIVE
FEBRUARY 26, 2024**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 26th day of February at 6:00 p.m. in the Council Workroom prior to the 7:00 p.m. regular City Council meeting.

Present:	Oscar Trevino	Mayor
	Tito Rodriguez	Place 1
	Rita Wright Oujesky	Place 2
	Suzy Compton	Place 3
	Mason Orr	Place 4
	Blake Vaughn	Associate Mayor Pro Tem, Place 5
	Scott Turnage	Deputy Mayor Pro Tem, Place 6
	Kelvin Deupree	Mayor Pro Tem, Place 7
Staff Members:	Mark Hindman	City Manager
	Paulette Hartman	Deputy City Manager
	Karen Manila	Assistant City Manager
	Trudy Lewis	Assistant City Manager
	Caroline Waggoner	Assistant City Manager
	Alicia Richardson	City Secretary/Chief Governance Officer
	Cara White	Interim City Attorney
Staff Absent:	Karen Manila	Assistant City Manager

CALL TO ORDER

Mayor Trevino called the meeting to order at 6:00 p.m.

1. DISCUSS ITEMS FROM REGULAR CITY COUNCIL MEETING.

Mayor Trevino stated that staff recommends City Council remove item B.2 from the consent agenda and take no action on them item.

2. DISCUSS THE TRAFFIC CALMING POLICY.

Assistant City Manager Caroline Waggoner provided an overview of the city's traffic calming policy. In 1994, the City Council approved an ordinance for "road humps", which

was subsequently amended in 2001. The ordinance addressed road humps in low density areas with the cost being the responsibility of the residents. In 2003, the ordinance was repealed and the city adopted an internal traffic calming policy managed by staff. She shared that the cost of road humps installed after 2003 were split 50/50 between the city and residents. Ms. Waggoner reviewed the eligibility requirements and evaluation criteria used by staff to determine the street's suitability for traffic calming measures. The traffic calming policy has a tiered approach to traffic calming measures: Tier 1 - improved speed limit signage, police enforcement measures, and driver feedback signs and Tier 2 - rumble strips and speed humps. Ms. Waggoner provided an illustration for residential traffic studies conducted and the number of streets eligible for road humps from 2000-2023. She shared that the city conducted 71 studies (33% approved) between 2001-2023 compared to 97 studies between 1993-2000.

Eligibility for traffic calming measures -

- Functionally classified as local, as specified in the City of North Richland Hills' *Transportation Plan*
- No more than two travel lanes, one in each direction
- Traffic volumes must be less than four thousand (4,000) vehicles per day (vpd). Priority shall be given to streets that have traffic volumes that exceed two thousand (2,000) vpd on an average day.
- Posted or *prima facie* speed limit of 30 mph or less in accordance with the state law.

Evaluation criteria for traffic calming measures -

- Traffic Volumes (average weekday)
- Traffic Speed (average weekday)
- Posted Speed Limit
- Physical Data (width, drainage, horizontal and vertical alignment)
- Accident Data
- Sidewalks
- Mid-Block Crosswalks
- Location of schools and community facilities
- Routes of emergency vehicles

City Council and staff discussed the philosophy of the 85% percentile; educating vs. discouraging the public regarding traffic calming measures; city's concern with deploying speed humps near schools; how the city determines traffic volume; opportunity for the public to appeal staff's decision; the necessary number of people (3) to start the process and 80% of the neighbors on the street in agreement for the neighborhood's participation for road humps; and how speed cushions are installed.

FUTURE AGENDA ITEM(S)

There were no requests from City Council for future agenda items.

EXECUTIVE SESSION

1. SECTION 551.071: CONSULTATION WITH THE CITY ATTORNEY TO SEEK ADVICE ABOUT PENDING OR CONTEMPLATED LITIGATION - DEMAND LETTER RECEIVED FROM JOE HALE.

Mayor Trevino announced at 6:26 p.m. that the City Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, specifically Section 551.071: Consultation with the City Attorney to seek advice about pending or contemplated litigation - Demand letter received from Joe Hale. Executive Session began at 6:28 p.m. and concluded at 6:38 p.m.

Mayor Trevino announced at 6:38 p.m. that City Council would convene to the regular City Council meeting.

REGULAR MEETING

A. CALL TO ORDER

Mayor Trevino called the meeting to order at 7:00 p.m.

Present:	Oscar Trevino	Mayor
	Tito Rodriguez	Place 1
	Rita Wright Oujesky	Place 2
	Suzy Compton	Place 3
	Mason Orr	Place 4
	Blake Vaughn	Associate Mayor Pro Tem, Place 5
	Scott Turnage	Deputy Mayor Pro Tem, Place 6
	Kelvin Deupree	Mayor Pro Tem, Place 7
Staff Members:	Mark Hindman	City Manager
	Alicia Richardson	City Secretary/Chief Governance Officer
	Cara White	Interim City Attorney

A.1 INVOCATION

Deputy Mayor Pro Tem Turnage gave the invocation.

A.2 PLEDGE

Deputy Mayor Pro Tem Turnage led the Pledge of Allegiance to the United States and Texas flags.

A.3 SPECIAL PRESENTATION(S) AND RECOGNITION(S)

There were no items for this category.

A.4 CITIZENS PRESENTATION

Mr. Russ Mitchell, 3917 Diamond Loch West, shared that he discussed his concerns for Fossil Creek with the Parks and Recreation Board. He expressed his gratitude to city employee Tanner Arwine and Adrien Pekurney for the work performed at Fossil Creek Park. He asked City Council to contact the Army Corps of Engineers for their assistance at Fossil Creek Park.

A.5 PUBLIC COMMENTS

There were no requests to speak from the public.

A.6 REMOVAL OF ITEM(S) FROM CONSENT AGENDA

Council member Orr removed item B.2 from the consent agenda.

B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS

APPROVED

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY MAYOR PRO TEM DEUPREE TO APPROVE THE CONSENT AGENDA, WITH THE EXCEPTION OF B.2

MOTION TO APPROVE CARRIED 7-0.

B.1 APPROVE THE MINUTES OF THE FEBRUARY 12, 2024 CITY COUNCIL MEETING.

B.2 Item removed from the consent agenda.

B.3 AWARD RFB NO. 24-007 TO THE PAYSAGE GROUP LLC DBA SMITH LAWN AND TREE IN THE AMOUNT OF \$825,347 FOR PARKS, FACILITIES AND RIGHTS-OF-WAY MOWING AND LANDSCAPING SERVICES.

B.4 CONSIDER RESOLUTION NO. 2024-014, AUTHORIZING SUBMISSION OF THE APPLICATION AND ACCEPTANCE OF ALLOCATED FUNDS IF AWARDED FOR THE TEXAS PARKS AND WILDLIFE DEPARTMENT RECREATIONAL TRAILS GRANT FOR CITY POINT TRAIL, GRANT #REC-2024-CITY OF NRH-00050.

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B.5 CONSIDER RESOLUTION NO. 2024-015, AUTHORIZING THE SUBMISSION OF THE APPLICATION AND ACCEPTANCE OF ALLOCATED FUNDS IF AWARDED FOR THE TEXAS A&M FOREST SERVICE COMMUNITY TREE PLANTING GRANT FOR IRON HORSE BOULEVARD.

C. PUBLIC HEARINGS

C.1 ZC24-0093, ORDINANCE NO. 3841, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM KIMLEY-HORN & ASSOCIATES FOR A REVISION TO PLANNED DEVELOPMENT 36 AT 9101 NORTH TARRANT PARKWAY, BEING 24.65 ACRES DESCRIBED AS LOT 1A1, BLOCK 1, WAL-MART ADDITION.

APPROVED

Mayor Trevino opened the public hearing for items C.1 and C.2 and called on Director of Planning Clayton Comstock to introduce the items. Mayor Trevino announced that items C.1 and C.2 would be presented together and that City Council would take separate action on each item.

Mr. Comstock informed City Council the applicant is requesting a revision to Planned Development 36 to allow a drone "heliport/landing pad" in the Walmart Supercenter parking lot at 9101 North Tarrant Parkway. The companion item, C.2, is a request for a special use permit for a drone "heliport/landing pad" in the Walmart Supercenter parking lot at 6401 Northeast Loop 820. Mr. Comstock presented site photos of the property.

Mr. Ivan Jaime, Director of Government and Public Affairs, Walmart, 16503 Road, San Antonio, Texas, presented the request. In attendance with Mr. Jaime were North Richland Hills Walmart store managers Jeff Flood and Andrew Richard.

Applicant representative Bernice Espinoza with Kimley Horn & Associates in the San Antonio office, presented the site plans for the drone delivery locations. She shared that both site plans show the "heliport/landing pad" will be located in the existing parking lot and will use 28 parking spots.

Mr. Bailey Edwards with Wing Aviation, 3400 Hillview Avenue, Suite 4, Palo Alto, California, provided an overview of their company that started in 2012 and became a stand-alone company in 2018. In response to the demand for commercial delivery, their company has completed 350,000 commercial deliveries across three continents. Their drones weigh 11.4 pounds, fly at 65 miles per hours at 150 feet in the air and have a delivery range of six miles. The maximum weight a drone can carry is 2.6 pounds. Mr. Edwards shared that they are regulated by FAA for airspace safety and flying routes.

City Council and Mr. Edwards discussed routes of the drone, distance range from the stores, deliveries to adjacent cities within the six mile range, privacy for citizens (camera on drone), eligibility for delivery may not be available for properties with a lot of trees, options for front or back yard delivery, safety of drones, delivery hours, unique routing for drones, weather restrictions, delivery to apartments, customer service and cost for delivery service.

Mr. Comstock presented staff's report. The Planning and Zoning Commission, at their February 15, 2024 meeting, recommended approval with a vote of 5-0 for both requests. This is a one-year pilot program and staff plans to receive comments from the public during the pilot program. Staff received one complaint and a copy was provided to City Council tonight.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing. There being no forms submitted, Mayor Trevino asked if there was anyone in the audience wishing to speak for or against the item to come forward.

Ms. Tracy Bennett, 3825 Scruggs Drive, asked what data the city would like to see from the pilot program, how long the drone video is maintained, and which municipality receives sales tax if deliveries are to adjacent cities.

Mayor Trevino asked staff to respond to the sales tax question.

Mr. Hindman clarified that North Richland Hills would receive the sales tax if merchandise is ordered from stores in our city.

There being no one else wishing to speak, Mayor Trevino closed the public hearing.

A MOTION WAS MADE BY DEPUTY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER WRIGHT OJESKY TO APPROVE ORDINANCE NO. 3841.

MOTION TO APPROVE CARRIED 7-0.

C.2 ZC24-0094, ORDINANCE NO. 3842, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM KIMLEY-HORN & ASSOCIATES FOR A SPECIAL USE PERMIT FOR A HELIPORT/LANDING FIELD AT 6401 NE LOOP 820, BEING 25.09 ACRES DESCRIBED AS LOT 1R, BLOCK 6, TAPP ADDITION.

APPROVED

This item was presented in conjunction with item C.1.

A MOTION WAS MADE BY COUNCIL MEMBER ORR, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE ORDINANCE NO. 3842.

MOTION TO APPROVE CARRIED 7-0.

C.3 CONSIDER ORDINANCE NO. 3843, PUBLIC HEARING TO CONSIDER TEXT REVISIONS AND AMENDMENTS TO CHAPTER 118 - ZONING, ARTICLE V, DIVISION 5, AS WELL AS CHAPTER 10 - AMUSEMENTS AND ENTERTAINMENT OF THE NORTH RICHLAND HILLS CODE OF ORDINANCES REGARDING PROPOSED AMENDMENTS TO COMBINE PROVISIONS ADDRESSING COMMUNITY AND SPECIAL EVENTS, INCLUDING GARAGE/ESTATE SALES.

APPROVED

Mayor Trevino opened the public hearing and called on Director of Neighborhood Services Stefanie Martinez to introduce the item.

Ms. Martinez provided an overview of the proposed amendments that clarify and address community and special events, to include garage/estate sales. The ordinance provides flexibility for property owners, estate sale organizers, private businesses and non-profit organizations.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing. There being no forms submitted, Mayor Trevino asked if there was anyone in the audience wishing to speak on the item to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER COMPTON TO APPROVE ORDINANCE NO. 3843.

MOTION TO APPROVE CARRIED 7-0.

D. PLANNING AND DEVELOPMENT

There were no items for this category.

E. PUBLIC WORKS

There were no items for this category.

F. GENERAL ITEMS

F.1 AUTHORIZATION TO REJECT BID RECEIVED FOR BID NO. 24-008 FOR THE NRH20 GREEN EXTREME REPLACEMENT CONSTRUCTION PROJECT.

APPROVED

Director of Parks and Recreation Adrien Pekurney advised the item for City Council's consideration is to reject the bids for the NRH20 Green Extreme replacement construction project. The bid exceeded the available funding and timeline. Staff is developing an alternate approach for the construction and timeline, revising the construction specifications and will re-bid the project.

A MOTION WAS MADE BY COUNCIL MEMBER ORR, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO REJECT ALL BIDS RECEIVED FOR BID NO. 24-008 FOR THE NRH20 GREEN EXTREME REPLACEMENT CONSTRUCTION PROJECT.

MOTION TO APPROVE CARRIED 7-0.

F.2 CONSIDER RESOLUTION NO. 2024-016, AUTHORIZING SUBMISSION OF A REGIONAL GRANT APPLICATION AND ACCEPTANCE OF ALLOCATED FUNDS IF AWARDED FOR THE FY 2023 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM - VEHICLE ACQUISITION IN THE AMOUNT OF UP TO \$1,000,000 WITH THE MATCH BEING UP TO \$100,000 AND AUTHORIZE THE EXECUTION OF THE ASSOCIATED TERMS AND CONDITIONS.

APPROVED

Fire Chief Stan Tinney shared that the Fire Department is coordinating a grant application for a mobile command vehicle. The application is through the Assistance to Firefighters Grant (AFG) which funds critically needed resources. The City of North Richland Hills is a member of the Northeast Fire Department Association (NEFDA) and the North Richland Hills Fire Department will serve as the administrator if the grant is awarded. The application requests \$1,000,000 in funding to replace a command post vehicle for NEFDA. The local match of 10% (\$100,000) will be funded by NEFDA.

A MOTION WAS MADE BY COUNCIL MEMBER RODRIGUEZ, SECONDED BY MAYOR PRO TEM DEUPREE TO APPROVE RESOLUTION NO. 2024-016.

MOTION TO APPROVE CARRIED 7-0.

B.2 AUTHORIZE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR THE SOLID WASTE GRANT PROGRAM.

NO ACTION TAKEN BY CITY COUNCIL.

G. EXECUTIVE SESSION ITEMS - CITY COUNCIL MAY TAKE ACTION ON ANY ITEM DISCUSSED IN EXECUTIVE SESSION LISTED ON WORK SESSION AGENDA

Mayor Trevino announced there was no action necessary as the result of Executive Session.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Council member Orr made the following announcements.

New York Times bestselling author C.J. Box returns to the NRH Library this Tuesday, February 27, 2024 to celebrate the release of his new book, Three-Inch Teeth. This free event will begin at 1:00 p.m. on the 2nd floor of the library. Please visit the library website for more details.

Join NRH Parks & Recreation the first Saturday of the month at different park locations for Play Today NRH. On Saturday, March 2, 2024 they will be at Northfield Park with games and activities from 10:00 a.m. to 11:30 a.m. All ages and abilities are welcome.

Early voting for the March 5, 2024 Democratic and Republican Primaries continues through March 1, 2024. Area polling locations include City Point United Methodist Church, the former Bursey Road Senior Center, and Tarrant County Northeast Courthouse. Visit the Tarrant County Elections website to access your sample ballot, voting hours and more information.

Kudos Korner - Drew Weinberg, Kent Spencer, Todd Mayes, Casey Kirkpatrick, and Brandon Moore in the Fire Department - A resident shared a note of appreciation for the crew that responded when she had a medical emergency. "All were kind, patient, and at the same time professional. I realize it's their job, but they made something serious less scary and were right beside me from the time they arrived at my house to when they took me to the ER. Thank you."

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 8:37 p.m.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer