

**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
NORTH RICHLAND HILLS, TX 76180
JUNE 13, 2016**

WORKSESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 13th day of June 2016 at 4:30 p.m. in the City Council Workroom prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Tito Rodriguez	Council, Place 1
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	Scott Turnage	Council, Place 6
	Tim Welch	Council, Place 7
Absent:	David Whitson	Mayor Pro Tem
Staff Members:	Mark Hindman	City Manager
	Karen Bostic	Assistant City Manager
	Paulette Hartman	Assistant City Manager
	Jimmy Perdue	Director of Public Safety
	Alicia Richardson	City Secretary
	Cara L. White	City Attorney

CALL TO ORDER

Mayor Trevino called the meeting to order at 4:32 p.m.

1. DISCUSS ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES FOR FY 2015-2016 AND PLANNING AND PROGRAM OF SERVICES FOR FY 2016-2017.

City Manager Mark Hindman introduced the item and provided Council with an outline of items - health insurance costs, body cameras, and equipment for fire department - that will be presented at the July 29, 2016 budget retreat.

Director of Economic Development Craig Hulse provided an outlook on the national, state and local economy. The city has an increase in single family construction with anticipation of 200 new builds for Fiscal Year 2016 with prices at \$400,000 and higher. There is a demand for existing single family homes with prices at \$250,000 and higher. The market for single family homes is high and the number of days on the market is 20 days or less. The city is also seeing additional commercial development. He commented that local taxable sales are projected at 3.4%, which is an increase compared to last year. Businesses on Loop 820 are seeing an increase of 7% and the city's growth is comparable with Grapevine and Southlake. Mr. Hulse reviewed new businesses that have opened and those in the process of locating to the city. The former facility that housed court, library and park departments is in the process of being demolished to make way for future restaurants. The former barbershop located at Rufe Snow and Glenview Drive has been demolished to make way for a charter school. RaceTrac is making progress on property located off Davis Boulevard between Maplewood and Birchwood.

Finance Director Kent Austin provided Council with an overview of the city's debt financing and associated projects. Fiscal Year 2015/2016 Certificates of Obligations in the amount of \$5,625,000 funded: (1) NRH20 slide tower; (2) street preventative maintenance; (3) water and sewer projects; and (4) fleet replacements. The remaining General Obligation Bonds include: (1) 1994 Bond Election for Holiday Lane/NE Loop 820 and (2) 2003 Bond Election for streets and drainage. Staff has identified a preliminary program of projects in the amount of \$7,270,000 to be funded by Certificates of Obligation for the following: (1) Two (2) fire aerial quints; (2) Fire rescue pumper; (3) Northfield Park redevelopment; (4) Meadow Lakes Drive and Rufe Snow intersection; and (5) preventative street maintenance.

Director of Human Resources Patrick Hillis reviewed compensation/benefits and results of the 2016 salary survey. Staff proposes to allocate funds for market adjustment and merit increase. Options for Council's consideration include: (1) range adjustments; (2) lump sum increases; and (3) step plan for several sworn public safety positions. The city has seen a higher than normal large-loss claim for Fiscal Year 2015/2016. The threshold for identifying normal large-loss claims are those claims over \$25,000. To date, the city has 41 claims as compared to this time last year of 30. The three year average of large-loss claims is \$3.5 million. The annualized large-loss claims for this year is \$5 million. Staff will bring forward a mid-year budget adjustment (approximately \$1.7 million). The city has stop loss reimbursements that come back to the city, which will help offset the costs. Staff is anticipating plan design changes and an increase in premiums.

Director of Budget and Research Mark Mills provided council with an update of the adopted and revised budget for Fiscal Year 2015/2016. The latest values for current tax year are higher than they were reflected on the July 2015 Certified Tax Roll. The sales tax is in-line with staff's projection. Construction related revenue is expected to exceed Fiscal

Year 2015/2016 adopted budget. The building permit revenue through April exceeded the adopted budget by \$281,000. Revenue for fines and forfeitures is anticipated to be roughly 20% lower than adopted. This is primarily due to a decrease in citations by the police department. Mr. Mills outlined the preliminary 2016/2017 compared to the adopted 2015/2016 budget.

Public Safety Director Jimmy Perdue provided Council with an overview of body worn cameras that included benefits and concerns of the equipment. The budget impact to purchase and integrate the equipment is \$1,150,000. Mr. Perdue discussed the costs associated with data storage and disclosure of information attained by the body worn cameras.

Fire Chief Stan Tinney reviewed the department's replacement schedule, equipment rotation to reserve service, and upcoming equipment replacement. A committee, which included equipment services, fire department staff, fire association executive board and shift personnel, was formed to review the apparatus replacement schedule. The committee seeks to reduce the service life of the ambulance and identify a method of early replacement of aerial fleet, with possible reduction in fleet size. Mr. Tinney reviewed options identified by the committee and the following recommendations: (1) take advantage of current value of aerials; (2) replace aerials in the fleet that have maintenance concerns; (3) reduce fleet by one vehicle and replace aerials on 12 year rotation instead of 20; and (4) address aerial needs first to benefit from current value and address ambulances in the future.

City Manager Mark Hindman informed Council the recent citizen survey indicate the need to address transportation improvement and city streets. He believes the current projects will have an impact on transportation concerns expressed by the public. The city has not had a bond program in a number of years to address street maintenance. Staff will be seeking direction from Council to determine what they would like staff to address in the 2016/2017 budget.

2. DISCUSS ITEMS FROM REGULAR CITY COUNCIL MEETING.

Council had no questions for staff.

3. WELCOME AND INTRODUCTION - PUBLIC OFFICIAL, PUBLIC EMPLOYEE OR CITIZEN.

City Manager Mark Hindman introduced Zane Dupree who is the new intern in the City Manager and City Council offices. Mr. Dupree is a resident of North Richland Hills and has completed his first year at Texas A&M. He is pursuing a degree in economics. Mr. Dupree previously worked at NRH20 and will intern on a voluntary basis this summer.

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4. DISCUSS BOARDS AND COMMISSIONS - APPOINTMENT, REVIEW, AND ATTENDANCE.

City Manager Mark Hindman informed Council the annual appointments to various boards, commissions, and committees is scheduled for the July 11, 2016 City Council agenda. Staff has received comments from Council regarding attendance and how it is being addressed. Staff has been providing Council with attendance reports and this item was placed on work session to allow Council the opportunity to discuss attendance and provide direction to staff. Mr. Hindman commented that staff can assist Council with discussion or decisions regarding board appointments.

Council discussed the importance of attendance and the disappointment of board/commission members not meeting the minimum attendance requirement. Recently, the Planning and Zoning Commission has been meeting with four of five members, which is not fair to applicants. Council discussed that appointees need to be held accountable and directed staff to inform them that Council will enforce the attendance requirement beginning in October. Moving forward, Council asked staff to inform them of appointees who do not meet the attendance requirement and follow up with communication to the appointees. Council discussed the option of increasing the minimum percentage from 50% to 75% or higher. Council recognized certain boards/commissions meet more frequently and serve more than an advisory capacity. Council directed staff to bring back guidelines at the next work session to discuss changing the attendance minimum and process of removal from boards, commissions and committees.

City Manager Mark Hindman informed Council the City's Charter sets out guidelines for the Planning and Zoning Commission. City Secretary Alicia Richardson commented that staff will review the City Charter and include findings at the next work session.

EXECUTIVE SESSION

Mayor Trevino announced at 6:18 p.m. that the Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, specifically Section 551.071: Consultation with City Attorney to seek advice about pending or threatened litigation or a settlement offer - City of North Richland Hills v Windward Partners VII, LP, et al; 551.072: Deliberate the purchase, exchange, lease or value of real property - 1) 7301 NE Loop 820; 2) Southeast corner Rufe Snow & NE Loop 820; and 3) 8300 Starnes Road; and 551.074: Personnel matters to deliberate the employment, evaluation, and duties of public employees - city attorney. Executive Session began at 6:18 p.m. and concluded at 6:53 p.m.

Mayor Trevino announced at 6:53 p.m. that Council would convene to the regular City Council meeting.

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REGULAR MEETING

A. CALL TO ORDER

Mayor Trevino called the meeting to order June 13, 2016 at 7:00 p.m.

ROLL CALL

Present:	Oscar Trevino	Mayor
	Tito Rodriguez	Council, Place 1
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	Scott Turnage	Council, Place 6
	Tim Welch	Council, Place 7
Absent:	David Whitson	Mayor Pro Tem
Staff Members:	Mark Hindman	City Manager
	Alicia Richardson	City Secretary
	Cara L. White	City Attorney

A.1 INVOCATION

Council member Wright Oujesky gave the invocation.

A.2 PLEDGE

Council member Wright Oujesky led the pledge of allegiance to the United States and Texas flags.

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

A.3.1 TEEN COURT SCHOLARSHIPS

Teen Court Judge Bethany Grohman presented scholarships to the following students: Kendall Jarboe, Kayla Margenau, Nicholas Russell, and Amanda Roach.

A.4 CITIZENS PRESENTATION

There were no requests to speak from the public.

A.5 REMOVAL OF ITEM(S) FROM CONSENT AGENDA

No items were removed from the consent agenda.

B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS

APPROVED

**COUNCIL MEMBER LOMBARD MOVED TO APPROVE THE CONSENT AGENDA.
COUNCIL MEMBER WRIGHT OUJESKY SECONDED THE MOTION.**

MOTION TO APPROVE CARRIED 6-0.

B.1 APPROVE MINUTES OF THE MAY 16, 2016 CITY COUNCIL MEETING.

**B.2 AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH
TRI-LAM ROOFING AND WATERPROOFING FOR BUILDING ENVELOPE
AND ROOF REPAIRS AT 6110 DICK FISHER DRIVE WEST IN THE
AMOUNT OF \$121,350.00**

C. PUBLIC HEARINGS

**C.1 SUP 2015-06, ORDINANCE NO. 3409, PUBLIC HEARING AND
CONSIDERATION OF A REQUEST FROM MARVIN SMITH FOR A
SPECIAL USE PERMIT FOR A DETENTION POND ON THE PROPOSED
SMITH FARM ADDITION SITE LOCATED AT 7601 DOUGLAS LANE.**

APPROVED

Mayor Trevino opened the public hearing and called on Principal Planner Clayton Husband to present the item along with companion item D.1--FP 2015-02.

Principal Planner Clayton Husband informed Council the applicant Marvin Smith is requesting a Special Use Permit for a detention pond and final plat on property located at 7601 Douglas Lane. The area is designated as Low Density Residential and the current zoning is R-2 Single Family Residential. Mr. Husband presented site photos of the property.

Applicant representative Edward Kellie with Kellie Engineering located at 205 Lindenwood Drive, Fort Worth, Texas presented request and was available to answer questions from Council. The property has been in the Smith family for over 50 years. Mr. Smith is proposing a development with 21 lots. The development will include entrance features and retaining walls between the lots. Currently the property largely drains to Lincoln Drive. The applicant is requesting a Special Use Permit to allow a detention pond for the purpose of regulating drainage from the property, so it is equal or less than what drains to Lincoln Drive. Mr. Smith does not want to have a negative impact to the current drainage system on Lincoln Drive and Spring Lee Drive.

Council member Welch asked Mr. Kellie if the applicant will provide grading behind Block 2, Lots 7-10 to direct water toward the detention pond or Lincoln Drive. Mr. Kellie informed Council that staff has directed the applicant to decrease sheet flow from the large property located on Douglas to the south. They will put in smaller swales and work around the trees to direct all the drainage to Douglas Lane or the detention pond.

Principal Planner Clayton Husband presented staff's report. He advised there are two maintenance agreements associated with detention pond. The plat and proposed detention pond comply with the zoning regulation standards and subdivision regulation standards. The Planning and Zoning Commission, at their June 2, 2016 meeting, recommended approval with a vote of 6-0.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

COUNCIL MEMBER WELCH MOVED TO APPROVE SUP 2015-06, ORDINANCE NO. 3409, AS PRESENTED. COUNCIL MEMBER RODRIGUEZ SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

D.1 FP 2015-02 CONSIDERATION OF A REQUEST FROM MARVIN SMITH FOR A FINAL PLAT OF SMITH FARM ADDITION ON 8.00 ACRES LOCATED AT 7601 DOUGLAS LANE AND AN ASSOCIATED DETENTION/RETENTION STORAGE FACILITY MAINTENANCE AGREEMENT AND WATER COURSE MAINTENANCE AGREEMENT.

APPROVED

This item was presented with C.1.

COUNCIL MEMBER TURNAGE MOVED TO APPROVE FP 2015-02 AND THE ASSOCIATED DETENTION STORAGE FACILITY MAINTENANCE AGREEMENT AND WATER COURSE MAINTENANCE AGREEMENT. COUNCIL MEMBER LOMBARD SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

C.2 SDP 2016-02 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM DETATE PROPERTY GROUP, LLC FOR A SPECIAL DEVELOPMENT PLAN FOR THE FOUNTAINS AT IRON HORSE ON 7.910 ACRES AT 6301 IRON HORSE BOULEVARD.

APPROVED

Mayor Trevino opened the public hearing and called on Planning Manager Clayton Comstock to present the item.

Planning Manager Clayton Comstock informed Council the applicant Detate Property Group, LLC is requesting a Special Development Plan for approximately eight (8) acres at 6301 Iron Horse Boulevard. The area is designated on the Comprehensive Land Use Plan as Transit Oriented Development (TOD) and the current zoning is TOD, which was approved last year. Mr. Comstock provided site photos of the property. He asked Council to consider the criteria for a Special Development Plan during their discussion of the request.

Applicant representatives Edwin Patum with Detate Properties and Penelope Diaz with DOMUS Studio Group presented the request and were available to answer questions.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

COUNCIL MEMBER LOMBARD MOVED TO APPROVE SDP 2016-02, SUBJECT TO DRC CERTIFICATION OF THE FINAL SITE PLAN. COUNCIL MEMBER WELCH SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

D. PLANNING AND DEVELOPMENT

D.1 FP 2015-02 CONSIDERATION OF A REQUEST FROM MARVIN SMITH FOR A FINAL PLAT OF SMITH FARM ADDITION ON 8.00 ACRES LOCATED AT 7601 DOUGLAS LANE AND AN ASSOCIATED DETENTION/RETENTION STORAGE FACILITY MAINTENANCE AGREEMENT AND WATER COURSE MAINTENANCE AGREEMENT.

City Council took action on this item earlier in the meeting.

D.2 FP 2016-04 CONSIDERATION OF A REQUEST FROM ROBERT ESPINOSA FOR A FINAL PLAT OF LOT 3, BLOCK 13, MEADOWVIEW ESTATES ON 0.969 ACRES LOCATED AT 8409 RUMFIELD ROAD.

APPROVED

Principal Planner Clayton Husband informed Council the applicant Robert Espinosa is requesting a final plat of Lot 3, Block 13, Meadowview Estates for property located at 8409 Rumfield Road. The area is designated on the Comprehensive Land Use Plan as Low Density Residential and the current zoning is R-2 Single Family Residential. Mr. Husband provided site photos of the property.

Applicant representative Buck Nguyen, 6513 Courtier Court, McKinney, Texas informed Council he has been hired by Mr. Espinosa as the contractor for the project. He was available to answer any questions.

Applicant Robert Espinosa presented the request and was available to answer questions.

Principal Planner Clayton Husband presented staff's report. The plat meets the requirements of the zoning ordinance and subdivision regulations. The Planning and Zoning Commission, at their May 19, 2016 meeting, recommended approval with a vote of 5-0.

COUNCIL MEMBER WRIGHT OUJESKY MOVED TO APPROVE FP 2016-04. COUNCIL MEMBER RODRIGUEZ SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

E. PUBLIC WORKS

There were no items for this category.

F. GENERAL ITEMS

F.1 APPOINTMENT OF MAYOR PRO TEM.

APPROVED

City Secretary Alicia Richardson informed Council the City Charter outlines the process of appointing a member of the City Council to serve as mayor pro tem for one year. The City Council shall nominate a member to serve as mayor pro tem.

Council member Lombard nominated Council member Welch to serve as mayor pro tem. Council member Turnage requested that nominations be closed. There being no opposition, Mayor Trevino called for the motion.

COUNCIL MEMBER LOMBARD MOVED TO NOMINATE COUNCIL MEMBER WELCH TO SERVE AS MAYOR PRO TEM FOR ONE YEAR. COUNCIL MEMBER TURNAGE SECONDED THE MOTION. MOTION TO APPROVE CARRIED 6-0.

F.2 CONSIDER ORDINANCE NO. 3414, AMENDING THE CITY'S CODE OF ORDINANCES CHAPTER 98, ARTICLE XII - AQUATICS FACILITIES.

APPROVED

Director of Neighborhood Services Stefanie Martinez presented item. The purpose of the ordinance is to amend the minimum standards for the construction, operation, and maintenance of public and semipublic aquatic facilities. Staff is recommending the title be changed from "Swimming Pools" to "Aquatics Facilities". The ordinance provides for reinspection fees due to closure and pre-operation failures of public or semipublic aquatics facilities and a fee for the registration of Certified Pool Operators for the facilities.

Council had no questions for staff.

COUNCIL MEMBER TURNAGE MOVED TO APPROVE ORDINANCE NO. 3415. COUNCIL MEMBER RODRIGUEZ SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

F.3 CONSIDER RENEWAL OF PROFESSIONAL SERVICES AGREEMENT FOR AUDIT SERVICES TO BKD, LLP

APPROVED

Director of Finance Kent Austin presented item and was available to answer questions from Council.

Council had no questions for staff.

COUNCIL MEMBER WRIGHT OUJESKY MOVED TO APPROVE RENEWAL OF PROFESSIONAL SERVICES AGREEMENT FOR AUDIT SERVICES TO BKD, LLP. COUNCIL MEMBER BARTH SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

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

APPROVED

Mayor Trevino announced that action is necessary as the result of discussion in Executive Session for Section 551.071, consultation with city attorney to seek advice about pending or threatened litigation or a settlement offer - City of North Richland Hills v. Windward Partners VII, LP, et al.

City Manager Mark Hindman presented item. As part of the right-of-way access process for widening of Rufe Snow, the city had to take possession of right-of-way (CVS). As a result of mediation, the city was able to negotiate and acquire the property to continue with the project.

COUNCIL MEMBER LOMBARD MOVED TO APPROVE THE SETTLEMENT AGREEMENT IN THE NORTH RICHLAND HILLS V. WINDWARD PARTNERS ET AL. LAWSUIT AS PRESENTED TO THE COUNCIL IN EXECUTIVE SESSION, INCLUDING THE PAYMENT OF A TOTAL OF \$3,450,000 IN CASH AND AN ADDITIONAL PAYMENT OF AN AMOUNT NOT TO EXCEED \$50,000 TO REIMBURSE CVS FOR LOCAL SALES TAX PAID BY CVS. MAYOR PRO TEM WELCH SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Council member Barth made the following announcements.

Join us for the Mayor's Summer Reading Club at the NRH Public Library. There will be weekly story times and special programs. Participants will also earn prizes for reading. For more information and a calendar of Summer Reading Club activities, visit the Library or go online to library.nrhtx.com.

Children ages five (5) to 12 are invited to learn about bicycle safety at a free bike rodeo on Saturday, June 11, 2016. The rodeo will take place from 9:30 a.m. to 11:30 a.m. at Cross Timbers Park. Space is limited and pre-registration is required. Call the NRH Centre at 817-427-6600 to register and get more details.

June is National Adopt-a-Shelter-Cat Month. To celebrate, the North Richland Hills Animal Adoption & Rescue Center is reducing adoption fees to \$60.00 for kittens and puppies six (6) months and under, and \$20.00 for cats and dogs over six (6) months of age. Please call or visit the adoption center for more information.

Kudos Korner - Mark Hill in the Water Department - A resident called to share appreciation and thanks after Mark found a phone in the street, tracked down the owner and returned it. It's great to know we have such honest and caring employees working in our community.

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 7:47 p.m.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary