

**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
JANUARY 22, 2018**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 22nd day of January at 6:00 p.m. in the City Council Workroom prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Scott Turnage	Mayor Pro Tem
	Tito Rodriguez	Council, Place 1
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Mike Benton	Council, Place 5
	Tim Welch	Council, Place 7

Absent:	Tim Barth	Council, Place 4
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Staff Members:	Mark Hindman	City Manager
	Karen Bostic	Assistant City Manager
	Paulette Hartman	Assistant City Manager
	Mike Curtis	Managing Director
	Alicia Richardson	City Secretary
	Maleshia B. McGinnis	City Attorney

CALL TO ORDER

Mayor Trevino called the meeting to order at 6:03 p.m.

1. DISCUSS ITEMS FROM REGULAR CITY COUNCIL MEETING.

Council had no questions for staff.

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

There was no one present to introduce at the meeting.

3. ETHICS TRAINING

City Attorney Maleshia McGinnis reviewed local and state legislation outlining policies,

requirements and training for ethics. She reviewed the following state laws governing ethical behavior: dual office holding, gifts and bribery, use of social media, coercion, honorarium, misuse of property, misuse of information, election laws, sexual harrassment, Texas Ethics Commission, nepotism, confidential information, disclosure of conflicts, fairness in purchasing, misuse of funds, reporting of finances, abuse of office, self-appointments, workplace relationships, and professional ethics codes. She also discussed dual office holding, conflicts disclosure, bribery, honorariums, nepotism, and communications.

Council had no questions for staff.

EXECUTIVE SESSION

Mayor Trevino announced at 6:26 p.m. that the Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, specifically Section 551.072: deliberate the purchase, exchange, lease or value of real property - (1) 7301 NE Loop 820 and (2) 3516 Tourist Drive. Executive Session began at 6:33 p.m. and concluded at 6:49 p.m.

Mayor Trevino announced at 6:49 p.m. that Council would convene to the regular City Council meeting.

REGULAR MEETING

A. CALL TO ORDER

Mayor Trevino called the meeting to order at 7:02 p.m.

Present:	Oscar Trevino	Mayor
	Scott Turnage	Mayor Pro Tem
	Tito Rodriguez	Council, Place 1
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Mike Benton	Council, Place 5
	Tim Welch	Council, Place 7

Absent:	Tim Barth	Council, Place 4
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Staff Members:	Mark Hindman	City Manager
	Alicia Richardson	City Secretary
	Maleshia B. McGinnis	City Attorney

A.1 INVOCATION - COUNCIL MEMBER WRIGHT OUJESKY

Council member Wright Oujesky gave the invocation.

A.2 PLEDGE - COUNCIL MEMBER WRIGHT OUJESKY

Council member Wright Oujesky 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

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

A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY MAYOR PRO TEM TURNAGE TO APPROVE THE CONSENT AGENDA.

MOTION TO APPROVE CARRIED 6-0.

B.1 APPROVE MINUTES OF THE JANUARY 8, 2018 REGULAR CITY COUNCIL MEETING.

B.2 AUTHORIZE THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT TO THE MASTER SUPPLY AGREEMENT WITH CENTAMAN, INC. FOR FIVE YEARS COVERING THE USE AND MAINTENANCE OF THE CENTAMAN, INC. POINT OF SALE SOFTWARE SYSTEM FOR NRH2O FAMILY WATER PARK IN AN AMOUNT NOT TO EXCEED \$194,324.

C. PUBLIC HEARINGS

C.1 SDP 2017-05, ORDINANCE NO. 3497, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM RIGHT QUEST, LLC, FOR A SPECIAL DEVELOPMENT PLAN AT THE SOUTHEAST CORNER OF IRON HORSE BOULEVARD AND BROWNING DRIVE, BEING 9.55 ACRES DESCRIBED AS TRACT 1B3, EDMUND KING SURVEY, ABSTRACT 892.

APPROVED

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

Planning Manager Clayton Comstock informed Council the applicant is requesting a special development plan for a mixed-use project including apartment dwelling units and future commercial space. The area is designated on the Comprehensive Land Use Plan and is currently zoned Transit Oriented Development. Mr. Comstock provided site photos of the property.

Applicant representative Chris Harden, Principal with Right Quest, located at Liberty Plaza II, 5057 Keller Springs Road, Suite 300, Addison, Texas presented request and was available to answer questions from Council. The request includes 328 residential units and the development is designed to transition from higher density around the Transit Oriented Development core to less density the further you get from the station. The request proposes 26,000 square feet of commercial ready, flexible space live/work units at the ground level and 4,000 square feet of commercial only space on the hard corner. Mr. Harden described the six variances (mixed-use criteria, building height, parking, on-street parking, centralized civic/open spaces, and landscaping for private property) proposed in the request. The focus is building a strong residential base that can transition to commercial use.

Mr. Comstock presented staff's report. The proposed variances/waivers include:

1. **Mixed-Use Criteria.** Applicant proposes 100% residential use, which will transition, by Phase 2, to 95% of first floor space used for residential and 5% (4,000 square feet) for commercial uses.
2. **Building Height.** Applicant proposes approval for three-story and four-story building on Browning Drive and Hilltop Drive.
3. **Parking.** Applicant proposes 508 parking spaces to accommodate requested use of residential on first floor.
4. **On Street Parking.** Applicant proposes entire frontage be designated on Commercial Avenue.
5. **Civic/Open Space.** Applicant proposes to utilize smaller open spaces distributed throughout the project.
6. **Parking Lot Landscaping.** Applicant proposes one canopy tree per 20 parking

spaces

Mr. Comstock reviewed the special development plan previously approved by City Council at their May 16, 2016 meeting. The Planning and Zoning Commission, at their January 4, 2018 meeting, recommended approval with a vote of 6-0-1.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward.

Mr. John Pitstick, representative from Beaten Path, located at 700 West Harwood Road, Hurst, Texas spoke in favor of the item.

There being on one else wishing to speak, Mayor Trevino closed the public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER WELCH, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE ORDINANCE NO. 3497.

MOTION TO APPROVE CARRIED 6-0.

D. PLANNING AND DEVELOPMENT

There were no items for this category.

E. PUBLIC WORKS

E.1 ADOPT RESOLUTION NO. 2018-002, AUTHORIZING THE DONATION OF 4.837 ACRES OF LAND LOCATED ALONG THE EAST SIDE OF THE COTTON BELT RAILROAD, WEST OF IRON HORSE BLVD AND NORTH OF IH-820, TO THE FORT WORTH TRANSPORTATION AUTHORITY TO MEET THE CITY'S REQUIRED CONTRIBUTION OF PROPERTY FOR THE TEXRAIL PROJECT, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE REVISED TERMS OF PURCHASE AND ALL ASSOCIATED DOCUMENTS NECESSARY TO EFFECT THE DONATION.

APPROVED

Mayor Trevino announced that Council member Rodriguez would abstain from voting. He filed an affidavit of disqualification with the city secretary stating his conflict is that he serves on the Fort Worth Transportation Authority Board of Directors.

Council member Rodriguez left the dais at 7:44 p.m.

City Manager Mark Hindman presented item. The purpose of the request is to authorize

the donation of city-owned land to the Fort Worth Transportation Authority for the TEXRail project. In accordance with the city's agreement with the Fort Worth Transportation Authority, the city will provide monetary support and certain land for parking and the station. Pursuant to Chapter 452 of the Texas Transportation Code, the city is donating the land to the Fort Worth Transportation Authority to be used for a public purpose.

A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER BENTON TO APPROVE RESOLUTION NO. 2018-002.

MOTION TO APPROVE CARRIED 5-0-1, WITH COUNCIL MEMBER RODRIGUEZ ABSTAINING.

E.2 APPROVE ORDINANCE NO. 3496, ABANDONING A SANITARY SEWER EASEMENT LOCATED ON LOT 4R, BLOCK 1 IN THE WALKERS BRANCH ADDITION IN THE CITY OF NORTH RICHLAND HILLS AND AUTHORIZE EXECUTION OF A QUITCLAIM DEED AND HOLD HARMLESS AGREEMENT WITH CARLOS DORRIS AND JEFFREY K. WOOD.

APPROVED

Council member Rodriguez returned to the dais at 7:46 p.m.

City Engineer Caroline Waggoner presented item. The request seeks Council's approval to abandon a portion of a sanitary sewer easement located at Lot 4R, Block 1 in the Walkers Branch Addition. The ordinance also provides for approval of a quitclaim deed and hold harmless agreement with Carlos Dorris and Jeffrey K. Wood.

A MOTION WAS MADE BY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER WRIGHT OUESKY TO APPROVE ORDINANCE NO. 3496.

MOTION TO APPROVE CARRIED 6-0.

F. GENERAL ITEMS

F.1 CONSIDER ORDINANCE NO. 3495, AMENDING CHAPTER 78 OF THE CODE OF ORDINANCES TO MODIFY THE BASE UNIT OF MEASUREMENT FOR WATER AND SEWER CHARGES FROM CUBIC FEET TO GALLONS AND MODIFY THE FEE SCHEDULE AND AMEND APPENDIX A OF THE NORTH RICHLAND HILLS CODE OF ORDINANCES RELATED TO SEWER.

APPROVED

Director of Finance Mark Mills presented request. The proposed ordinance amends Appendix A (fee schedule) to include gallons as the primary unit of measurement for water and sewer, with a cross reference table in cubic feet. The ordinance also establishes that the volume charge of Appendix A uses cubic feet as the base unit of measurement, with the ability to change to gallons at a future date. If approved, the ordinance will become effective February 1, 2018.

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE ORDINANCE NO. 3495.

MOTION TO APPROVE CARRIED 6-0.

F.2 APPROVE RESOLUTION NO. 2018-003, CALLING THE MAY 5, 2018 CITY COUNCIL ELECTION, AUTHORIZING A JOINT ELECTION AGREEMENT WITH OTHER TARRANT COUNTY POLITICAL SUBDIVISIONS AND CONTRACT WITH TARRANT COUNTY FOR ELECTION SERVICES.

APPROVED

City Secretary Alicia Richardson presented item. Staff is recommending approval of Resolution No 2018-003, ordering the May 5, 2018 City Council General Election. In accordance with state law, Resolution No. 2018-003 orders the election for persons to be elected to the offices of Mayor and City Council Places 2, 4, and 6 for a term of two years. The resolution establishes the voting locations for Election Day that include Dan Echols Center (6801 Glenview Drive), Library (9015 Grand Avenue), and former Bursey Senior Center (7301 Bursey Road). The Election Day polling locations will be open between the hours of 7:00 a.m. - 7:00 p.m. The resolution also provides for the appointment of election officials, early voting and Election Day procedures, and authorizes the Mayor to execute a joint election agreement and contract for election services for Tarrant County. The filing period for the 2018 General Election began January 17, 2018 and concludes on February 16, 2018. Early voting for the city election will begin April 23, 2018 and continue through May 1, 2018. If needed, the resolution sets June 16, 2018 as the run-off date.

A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE RESOLUTION NO. 2018-003.

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 action is necessary as the result of discussion in Executive Session pursuant to Texas Local Government Code Section 551.072: Deliberate the purchase, exchange, lease or value of real property - 3516 Tourist Drive.

Director of Economic Development Craig Hulse presented item. Staff is seeking Council's approval authorizing the city manager to negotiate and execute an unimproved property contract for 3516 Tourist Drive in the amount of \$11,500. The 2,439 square foot property is located south of Onyx Drive and the is zoned R-2 residential.

A MOTION WAS MADE BY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN UNIMPROVED PROPERTY CONTRACT FOR 3516 TOURIST DRIVE WITH PIPERS GLEN PROPERTIES LLC SERIES 12 IN THE AMOUNT OF \$11,500.

MOTION TO APPROVE CARRIED 6-0.

H. INFORMATION AND REPORTS - COUNCIL MEMBER LOMBARD

H.1 ANNOUNCEMENTS

Council member Lombard made the following announcements.

Tickets are on sale now for the annual Daddy Daughter Valentines Dance, which will be held on Saturday, February 3, 2018 in the Grand Hall at the NRH Centre. The tickets are \$15.00 per person and may be purchased at the NRH Centre Guest Services Desk.

Lea Berman, former Social Secretary to George W. and Laura Bush will speak at the North Richland Hills Library this Friday at 1:00 p.m. Ms. Berman will visit to release a book she co-authored titled *Treating People Well*. A book signing will immediately follow her talk. Please visit the library's website or give them a call for more information.

Kudos Korner - Sherry Butler, Neighborhood Services - A note was received from a senior resident about Sherry. The resident said she had been raking leaves in her yard when Sherry stopped, introduced herself and asked if she could help. She declined the help, but wanted us to know that Sherry is a great employee.

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 7:55 p.m.

Oscar Trevino, Mayor

Alicia Richardson, City Secretary