

**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
MARCH 8, 2021**

Via Webex Video Conference

WORK SESSION

CALL TO ORDER

The City Council of the City of North Richland Hills, Texas met in work session on the 8th day of March at 6:00 p.m. via video conference prior to the 7:00 p.m. regular City Council meeting.

Mayor Trevino stated in accordance with the Texas Governor's March 13, 2020 Disaster Declaration and subsequent suspension of certain Texas Open Meetings Act Provisions, this March 8, 2021 meeting of the North Richland Hills City Council is hereby called to order at 6:00 p.m.

Mayor Trevino stated that tonight's meeting will be conducted using Webex video conference in order to observe physical distancing to mitigate the spread of COVID-19.

Mayor Trevino conducted a roll call of City Council members to confirm the presence of a quorum.

Present via video conference:

Oscar Trevino, Mayor

Tito Rodriguez, Deputy Mayor Pro Tem, Place 1

Rita Wright Oujesky, Place 2

Suzy Compton, Place 3

Mason Orr, Associate Mayor Pro Tem, Place 4

Mike Benton, Place 5

Scott Turnage, Mayor Pro Tem, Place 6

Kelvin Deupree, Place 7

Staff present via video conference:

Mark Hindman, City Manager

Alicia Richardson, City Secretary

Maleshia B. McGinnis, City Attorney

1. DISCUSS ITEMS FROM REGULAR CITY COUNCIL MEETING.

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City Council had no questions for staff.

2. DISCUSS NRH2O FAMILY WATER PARK OPERATIONS AND 2021 SEASON.

Mayor Trevino called on Deputy City Manager Paulette Hartman to open the discussion.

EXECUTIVE SESSION

1. SECTION 551.072: DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY - (1) 5301 DAVIS BOULEVARD AND (2) 4900 BLOCK OF WEDGEVIEW DRIVE.

Mayor Trevino announced at 6:43 p.m. that the City Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, Section 551.072: Deliberate the purchase, exchange, lease or value of real property - (1) 5301 Davis Boulevard and (2) 4900 block of Wedgeview Drive. Executive Session began at 6:48 p.m. and concluded at 7:04 p.m.

Mayor Trevino announced at 7:04 p.m. that City Council would convene to the regular City Council meeting.

REGULAR MEETING

A. CALL TO ORDER

In accordance with the Texas Governor's March 13, 2020 Disaster Declaration and subsequent suspension of certain Texas Open Meetings Act Provisions, this March 8, 2021 meeting of the North Richland Hills City Council is hereby called to order at 7:09 p.m. using Webex video conference.

Mayor Trevino conducted a roll call of City Council members to confirm the presence of a quorum.

Present via video conference:

Oscar Trevino, Mayor

Tito Rodriguez, Deputy Mayor Pro Tem, Place 1

Rita Wright Oujesky, Place 2

Suzy Compton, Place 3

Mason Orr, Associate Mayor Pro Tem, Place 4

Mike Benton, Place 5

Scott Turnage, Mayor Pro Tem, Place 6

Kelvin Deupree, Place 7

Staff present via video conference:
Mark Hindman, City Manager
Alicia Richardson, City Secretary
Maleshia B. McGinnis, City Attorney

A.1 INVOCATION

Council member Compton gave the invocation.

A.2 PLEDGE

Council member Compton 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 PUBLIC COMMENTS

There were no requests to speak from the public.

A.6 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 WRIGHT OUJESKY, SECONDED BY MAYOR PRO TEM TURNAGE TO APPROVE THE CONSENT AGENDA, AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

B.1 APPROVE MINUTES OF THE REGULAR FEBRUARY 22, 2021 CITY COUNCIL MEETING.

- B.2 CONSIDER AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATIVE PURCHASE AGREEMENT AND MASTER SERVICES AGREEMENT NO. 22516 WITH MCCI, LLC, FOR DOCUMENT MANAGEMENT SERVICES AND SOFTWARE SUPPORT FOR THE CITY'S LASERFICHE SYSTEM IN AN AMOUNT NOT TO EXCEED \$57,317 ANNUALLY FOR ONE YEAR WITH TWO ONE YEAR RENEWALS.**
- B.3 CONSIDER RESOLUTION NO. 2021-016, AUTHORIZING SUBMISSION OF THE APPLICATION AND ACCEPTANCE OF ALLOCATED FUNDS IF AWARDED FOR THE TEXAS GOVERNOR'S OFFICE HOMELAND SECURITY DIVISION FY2022 NORTH TEXAS ANTI-GANG CENTER, GRANT #2848907**
- B.4 CONSIDER AWARD OF RFB BID 21-008 TO INSITUFORM TECHNOLOGIES, LLC, FOR CONSTRUCTION OF THE BIG FOSSIL 24" INTERCEPTOR PROJECT (UT2004) IN THE AMOUNT OF \$737,815.50 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.**
- B.5 APPROVE VOTING AND ALTERNATE MEMBERS TO THE FORT WORTH WHOLESALE CUSTOMER ADVISORY COMMITTEE FOR THE OCTOBER 1, 2020 TO THE SEPTEMBER 30, 2021 PERIOD.**

C. PUBLIC HEARINGS

- C.1 SUP 2020-08, ORDINANCE NO. 3681, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM HENRY QUIGG FOR A SPECIAL USE PERMIT FOR A QUICK SERVICE RESTAURANT AT 5600 RUFE SNOW DRIVE, BEING 1.98 ACRES DESCRIBED AS LOT 1, BLOCK 35, HOLIDAY WEST ADDITION.**

APPROVED

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

Mr. Comstock informed City Council the applicant is requesting a special use permit for 1.98 acres located at 5600 Rufe Snow Drive for a quick service restaurant (Smoothie King). The area is designated on the Comprehensive Land Use Plan as retail commercial and the current zoning is C-1 commercial. Mr. Comstock provided site photos of the property.

Mr. Henry Quigg with the Richmond Group located at 12200 Stemmons Freeway, #317, Dallas presented request. He informed City Council that Richmond Group has worked with Smoothie King with a few locations. The location was selected because of its existing drive-through lane. In response to staff comments regarding traffic flow, they

made improvements to have one-way traffic with an escape lane. Mr. Quigg informed City Council they also added a sidewalk adjacent to their property line.

Council and Mr. Quigg discussed drive through traffic and location for vehicular traffic overflow.

Mr. Comstock presented staff's report. The applicant's special use permit includes two waivers to the drive-through standards and requirements. The applicant is seeking a waiver from the requirement that drive-through lanes and pickup windows not be located between the building and a public street. The construction for the previous restaurant was constructed with the drive-through lane adjacent to Buenos Aires Drive. The applicant has agreed to install landscaping along Buenos Aires Drive. Mr. Comstock commented that the remainder of the property is non-conforming with regard to landscaping. The second waiver is to allow one-way eastbound traffic flow for the drive-through lane. The Planning and Zoning Commission, at their March 4, 2021 meeting, recommended approval with a vote of 7-0.

Council member Wright Oujeksy preferred the applicant have only one enclosed refuse container. Mr. Comstock informed City Council the site has a few refuse containers. The Development Review Committee's recommendation is to enclose the refuse container. Mr. Comstock stated that staff would work with the applicant to enclose the refuse container to fit the needs of Republic Service.

In response to Associate Mayor Pro Tem Orr's concern with access to alley increasing vehicular traffic, Mr. Comstock said the circulation is natural and there is no element of the proposed design to encourage cut-through traffic.

Mayor Trevino asked Assistant City Secretary Traci Henderson 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 on the video conference wishing to speak for or against the item to raise their hand. There being no one wishing to speak, Mayor Trevino closed the public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER COMPTON, SECONDED BY COUNCIL MEMBER BENTON TO APPROVE SUP 2020-08, ORDINANCE NO. 3681.

MOTION TO APPROVE CARRIED 7-0.

D. PLANNING AND DEVELOPMENT

D.1 RP 2020-11 CONSIDERATION OF A REQUEST FROM BOHLER ENGINEERING FOR A REPLAT PLAT OF LOTS 1R, 3R, AND 4R, BLOCK 1, GIBSON ADDITION, BEING 3.31 ACRES LOCATED AT 8616 AND 8624 DAVIS BOULEVARD AND 8612 PRECINCT LINE ROAD.

APPROVED

Director of Planning Clayton Comstock informed City Council the applicant is requesting a replat for 3.31 acres located at 8616 and 8624 Davis Boulevard and 8612 Precinct Line Road. The area is designated on the Comprehensive Land Use Plan as retail commercial and the current zoning is NR-PD nonresidential planned development. Mr. Comstock provided site photos of the property.

Applicant representative Mathias Haubert with Bohler Engineering located at 6017 Main Street, Frisco presented request and was available to answer questions.

Mr. Comstock presented staff's report. The request seeks the following revisions to the previous plat. (1) the internal lot lines would be revised to accommodate the proposed development on the site in accordance with the current zoning standards; (2) a new 24-foot fire lane, access, and utility easement would be dedicated to provide all lots access to an existing driveway on Davis Boulevard and a proposed driveway on Precinct Line Road. The existing 15-foot mutual public access easement would be abandoned and replaced by the new easement; and (3) new easements would be added to accommodate water and drainage improvements associated with the development. Due to the severe winter weather and widespread power outages, the February 18, 2021 Planning and Zoning Commission meeting was canceled. As a result of the canceled meeting, the replat was considered approved due to inaction by the Planning and Zoning Commission (Texas Local Government Code, Section 212.009).

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY COUNCIL MEMBER DEUPREE TO APPROVE D.1, RP 2020-11.

MOTION TO APPROVE CARRIED 7-0.

D.2 CONSIDER ORDINANCE NO. 3681, TEMPORARILY SUSPENDING THE FEES IMPOSED UNDER APPENDIX A, FEE SCHEDULE, CHAPTER 98, OF THE CITY OF NORTH RICHLAND HILLS CODE OF ORDINANCES, FOR THE ISSUANCE OF PERMITS AND BUILDING INSPECTIONS FOR HOME REPAIRS RELATED TO THE FEBRUARY 15, 2021 TARRANT COUNTY DECLARATION OF DISASTER.

APPROVED

Director of Planning Clayton Comstock informed City Council the item before them this

evening is a proposed ordinance that temporarily suspends fees for the issuance of building permits and building inspections for home repairs related to the February 2021 winter storm event. If approved, the suspension of fees is valid for 90 days (February 15, 2021 - May 14, 2021). Mr. Comstock informed City Council the ordinance number listed on the agenda is incorrect and should read Ordinance No. 3682.

A MOTION WAS MADE BY MAYOR PRO TEM TURNAGE, SECONDED BY ASSOCIATE MAYOR PRO TEM ORR TO APPROVE ORDINANCE NO. 3682.

MOTION TO APPROVE CARRIED 7-0.

E. PUBLIC WORKS

There were no items for this category.

F. GENERAL ITEMS

F.1 RECEIVE THE FISCAL YEAR 2020 AUDITED FINANCIAL REPORT AND FISCAL YEAR 2020 SINGLE AUDIT.

APPROVED

Director of Finance Mark Mills presented item and Lupe Garcia with Whitley Penn, LLP provided the auditor opinion. Both Mr. Mills and Mr. Garcia were available to answer questions.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER DEUPREE TO RECEIVE THE FISCAL YEAR 2020 AUDITED FINANCIAL REPORT AND FISCAL YEAR 2020 SINGLE AUDIT AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

F.2 CONSIDER RESOLUTION NO. 2021-017, APPROVING AND AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN AN AMOUNT NOT TO EXCEED \$875,000.

APPROVED

Director of Finance Mark Mills presented the item and was available to answer questions.

A MOTION WAS MADE BY ASSOCIATE MAYOR PRO TEM ORR, SECONDED BY MAYOR PRO TEM TURNAGE TO APPROVE RESOLUTION NO. 2021-017, APPROVING AND AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN AN AMOUNT NOT TO EXCEED \$875,000.

MOTION TO APPROVE CARRIED 7-0.

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 Benton made the following announcements.

Daylight Saving Time begins on the second Sunday in March. Remember next weekend to "spring forward" by setting your clock ahead one hour. It is also a good time to test or change the batteries in your smoke detectors and carbon monoxide detectors.

Winter is not kind to our roadways. The freezing and thawing of moisture in the ground weakens the pavement, leading to cracks and potholes. The Public Works department is patching potholes that surfaced after last month's freezing weather. You can report a pothole by phone or online and they will add it to their list. We appreciate your patience, as they work to get caught up. In addition to pothole repair, numerous streets will be improved through the annual Preventive Street Maintenance Program and the 2020 Street Bond Program. You can find more information about these programs on the City's website.

Kudos Korner - Traci Henderson in the City Secretary's Office - A citizen recently contacted us to share her praise for Traci. The citizen had called City Hall during last month's winter storm and power outage because she was unable to get through to the facility where her elderly relative lives. Traci was able to track down the information she needed and assure her that the facility's residents were all ok. The citizen wanted Traci's supervisor to know how kind and helpful she was. "She was so good to help me with my problem. She did a tremendous job, and I thank you and thank the city for helping me in a crisis," the citizen stated.

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 8:07 p.m.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer