

**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
SEPTEMBER 25, 2023**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 25th day of September at 5:45 p.m. in the Council Workroom prior to the 7:00 p.m. regular Council meeting.

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| 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 |

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| Staff Members: | Mark Hindman | City Manager |
| | Paulette Hartman | Deputy City Manager |
| | Karen Manila | Assistant City Manager |
| | Caroline Waggoner | Assistant City Manager |
| | Alicia Richardson | City Secretary/Chief Governance Officer |
| | Maleshia B. McGinnis | City Attorney |

CALL TO ORDER

Mayor Trevino called the meeting to order at 5:46 p.m.

1. DISCUSS ITEMS FROM REGULAR CITY COUNCIL MEETING.

City Council had no questions for staff.

2. DISCUSS THE PROPOSED NEIGHBORHOOD EMPOWERMENT ZONE (NEZ) PROGRAM FOR DAVIS BOULEVARD AND BOULEVARD 26.

Deputy City Manager Paulette Hartman shared that at the May 17, 2023 Work Session, staff and City Council discussed tools to create special zones in specific areas to encourage development and redevelopment. At the direction of City Council, staff drafted a policy for the program to target revitalization and redevelopment for Davis Boulevard and Boulevard 26. The purpose of the Neighborhood Empowerment Zone (NEZ) is to stimulate revitalization/redevelopment through measures to remove barriers to

revitalization or redevelopment of aged properties in the zone. Ms. Hartman reviewed recommended measures for consideration by City Council. The zone encompasses Davis Boulevard from Smithfield Road/Bridge Street to Northeast Loop 820 and Boulevard 26 from Harwood Road to Northeast Loop 820. The Economic Development department created marketing material for the program "NRH EZ Streets" to assist with publicizing the program. The marketing literature will be used when meeting with target partners (businesses, property owners, brokers, investors, and developers). The benefits of "NRH EZ Streets" includes expedited review of plans, permitting and inspections, city fee waivers, customized grants to assist with property improvements, and variances to codes in order to accommodate property constraints. Ms. Hartman reviewed uses that would be ineligible to receive "NRH EZ Streets" benefits.

Ms. Hartman reviewed eligibility criteria for an empowerment zone project - (1) application for property located within the zone; (2) not delinquent in paying property taxes; (3) in the event of a zoning change or variance, public hearings have taken place and result in approval; and (4) comply with design guidelines within existing development policies adopted by City Council.

Ms. Hartman reviewed eligibility incentives for "NRH EZ Streets" - (1) applicant must have demonstrated eligibility and receive project certification; (2) property is in conformance with NRH zoning or obtains City Council approval for re-zoning; and (3) termination of incentives. Ms. Hartman reviewed eligible activities for grant funding in an amount not to exceed \$100,000 per project. The City Council will consider the grant policy at the next meeting. The policy authorizes the City Manager to execute approved standard agreements. Applications that involve requests for sales tax rebates, abatements or property tax would go through the city's normal process for consideration and approval by the City Council. She shared that the "Davis Boulevard Revitalization" (Capital Improvement Project ED2301) was approved in Fiscal Year 2023 with \$250,000 in funds to start the program before the Tax Increment Reinvestment Zone (TIRZ) is established. Ms. Hartman also reviewed city fees that are eligible to be waived as part of the "NRH EZ Streets" benefits.

Ms. Hartman asked City Council for their input regarding next steps for the Neighborhood Empowerment Zone (NEZ). City Council had no objection to the recommended policy for the NEZ and grant program for "NRH EZ Streets". Ms. Hartman asked City Council to let her or City Manager Mark Hindman know if they have any questions or input for the policy or grant program. Staff will bring forward two resolutions - (1) to establish the Neighborhood Empowerment Zone (NEZ) and (2) establish the ("NRH EZ Streets) grant program.

3. DISCUSS POSSIBLE CHANGES TO THE PLANNING AND ZONING COMMISSION TO INCLUDE ONE OR MORE ALTERNATE POSITIONS.

Director of Planning Clayton Comstock presented proposed options for appointing one or two alternates to the Planning and Zoning Commission. On May 6, 2023, citizens approved Proposition F of the Charter Amendment Election, to provide the appointment of alternates to the Planning and Zoning Commission. City Council directed staff to move forward with two alternates. Mr. Comstock informed City Council that staff will bring forward an ordinance to update the membership of the Planning and Zoning Commission.

4. DISCUSS CITY COUNCIL RULES OF PROCEDURE.

City Manager Mark Hindman reviewed the current process in the City Council Rules of Procedures to place items on pre-council agendas, known now as work session. The Rules of Procedure provide that the agenda is prepared by the City Manager, and the mayor or a member of council may request an item be placed on the work session agenda. The City Manager has the final decision, subject to appeal by City Council at the next regular meeting. He stated that if there is interest to place an item on the agenda from two or more members of City Council that he will place the item on the agenda. Mr. Hindman reviewed items that would require a consensus from the City Council before placing the item on the agenda. He shared with City Council the results of his review of area cities and their agenda process. There is a standing item, "Future Agenda Items", on most agendas that provide the opportunity for members of the City Council to request an item(s) be placed on an agenda for discussion by the City Council.

In response to Mayor Trevino's questions, Mr. Hindman responded that area cities list the standing item, "Future Agenda Items", at the end of the work session or on the regular agenda. The area cities vary in how they consider the requests for "Future Agenda Items". Some cities move forward with requested items by consensus.

Mr. Hindman reviewed options for consideration by the City Council to revise the current Rules of Procedure.

- (1) Agenda items added at the request of one Council member
- (2) Agenda items added at the request of multiple Council members
- (3) Future Agenda Items added to the agenda

3a - Items proposed at meeting, Council consensus on next step

3b - Items listed on the posted agenda for discussion, Council consensus on next step

Council and staff discussed the options; opportunity for City Council to have time to research items requested by other elected officials before discussing; the requesting member is responsible for presenting their item to the City Council for consensus to place the item on a future work session for discussion; staff provides unbiased direction on what is being requested by an elected official; and addressing repetitive requests.

The consensus of City Council is to add "Future Agenda Items" section to work session that allows City Council the opportunity to request an item be placed on a future work

session agenda.

EXECUTIVE SESSION

There being no Executive Session, Mayor Trevino announced at 6:48 p.m. that the City Council would convene to the regular City Council meeting.

REGULAR MEETING

A. CALL TO ORDER

Mayor Trevino called the meeting to order September 25, 2023 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 |

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| Staff Members: | Mark Hindman | City Manager |
| | Alicia Richardson | City Secretary/Chief Governance Officer |
| | 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

Ms. Shawna Stiles, 3908 Lochridge Court, commented on usage of cell phones by elected officials during public meetings and social media comments posted by an elected official regarding the budget.

Ms. Brandi Merritt, 7320 Shady Hollow, commented on the stray animals in the city, lack of officers on the weekends to respond to injured animals, and responses she received from animal control employees.

Ms. Jessie Goodfellow, 7500 Cimarron Drive, spoke about the flooding of her property from the adjacent development. She asked the city for help to address the flooding.

Mr. Matt Reed, 5145 Gentling Place, presented City Council with a proposed ordinance for backyard chickens. He provided an overview of the proposed ordinance that included a declaration policy, definitions, requirements, and code enforcement.

Ms. Crystal Main, 9216 Winslow Court, commented on the City Council work sessions and that the meetings should be recorded and available to the public on the website. Ms. Main also commented on backyard chickens, the number of chickens allowed in coops and her experience with coop tours.

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 ORR, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE THE CONSENT AGENDA.

MOTION TO APPROVE CARRIED 7-0.

B.1 APPROVE MINUTES OF THE MAY 20-21, 2022 CITY COUNCIL GOALS WORK SESSION.

B.2 APPROVE MINUTES OF THE FEBRUARY 24, 2023 CITY COUNCIL GOALS WORK SESSION.

B.3 APPROVE MINUTES OF THE SEPTEMBER 7, 2023 CITY COUNCIL MEETING.

B.4 APPROVE MINUTES OF THE SEPTEMBER 11, 2023 REGULAR CITY COUNCIL MEETING.

B.5 AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT INSTRUCTOR SERVICE AGREEMENT WITH JULIA GESKE FOR PROVIDING TENNIS INSTRUCTION SERVICES AT THE RICHLAND TENNIS CENTER IN AN AMOUNT NOT TO EXCEED \$85,000 FOR FY2024.

C. PUBLIC HEARINGS

C.1 ZC23-0073, ORDINANCE NO. 3812, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM THE SOCIETY OF SAINT PIUS X OF FORT WORTH INC. FOR A ZONING CHANGE FROM R-7-MF (MULTIFAMILY) AND C-1 (COMMERCIAL) TO U (SCHOOL, CHURCH, AND INSTITUTIONAL) AT 3900 SCRUGGS DRIVE, BEING 0.69 ACRES DESCRIBED AS LOTS 5K, 6K, AND 19K, CALLOWAY ACRES 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 zoning change for 0.69 acres located at 3900 Scruggs Drive. The area is designated on the Comprehensive Land Use Plan as community services and the current zoning is R-7MF, multifamily and C-1, commercial. Mr. Comstock provided site photos of the property.

Applicant representative Paul Banschbach, 5971 Trail Mark Court, Fort Worth, Texas, presented the request. The church has been at this location for 50 years. They are growing and would like to make improvements to their site to add a small school.

Mr. Comstock presented staff's report. The Planning and Zoning Commission, at their September 21, 2023 meeting, recommended approval with a vote of 5-0.

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.

Ms. Traci Bennett, 3825 Scruggs Drive, stated that she lives across the street from the church. She commented on the city zoning her property as commercial and she asked that the church have appropriate parking because people continually park in front of her house. She asked the city to look at the zoning for the entire street.

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

A MOTION WAS MADE BY MAYOR PRO TEM DEUPREE, SECONDED BY COUNCIL MEMBER COMPTON TO APPROVE ORDINANCE NO. 3812.

MOTION TO APPROVE CARRIED 7-0.

D. PLANNING AND DEVELOPMENT

There were no items for this category.

E. PUBLIC WORKS

E.1 AUTHORIZE THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH AGUIRRE & FIELDS, LP FOR ENGINEERING DESIGN SERVICES IN AN AMOUNT NOT TO EXCEED \$55,650 FOR THE PEDESTRIAN CONNECTIVITY ENHANCEMENTS PROJECT (ST2303).

APPROVED

Assistant City Manager Caroline Waggoner presented the item. The pedestrian connectivity enhancements includes the design and construction of a sidewalk on the east side of Davis Boulevard from Northeast Parkway to the Cotton Belt Trail and sidewalk on the east side of Smithfield Road from Northeast Parkway to the trail.

A MOTION WAS MADE BY DEPUTY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER COMPTON TO AUTHORIZE THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH AGUIRRE & FIELDS, LP FOR ENGINEERING DESIGN SERVICES IN AN AMOUNT NOT TO EXCEED \$55,650 FOR THE PEDESTRIAN CONNECTIVITY ENHANCEMENTS PROJECT (ST2303).

MOTION TO APPROVE CARRIED 7-0.

E.2 AUTHORIZE THE CITY MANAGER TO EXECUTE A COST-SHARING AGREEMENT WITH TYSON PREPARED FOODS NORTH RICHLAND HILLS FOR THE TYSON 12" & 10" SANITARY SEWER BY-PASS PROJECT (UT2207).

APPROVED

Assistant City Manager Caroline Waggoner presented the item. The project consists of designing and constructing 1,000 feet of 12" sanitary sewer main and 400 feet of 10" sanitary sewer line to replace an older 8" sewer line. If approved, staff will receive bids on October 11 and bring forward an item for City Council consideration at the November 13 meeting. Ms. Waggoner anticipates the construction to begin in January and the

project will take approximately eight months.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY MAYOR PRO TEM DEUPREE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A COST-SHARING AGREEMENT WITH TYSON PREPARED FOODS NORTH RICHLAND HILLS FOR THE TYSON 12" & 10" SANITARY SEWER BY-PASS PROJECT (UT2207).

MOTION TO APPROVE CARRIED 7-0.

F. GENERAL ITEMS

F.1 CONSIDER ORDINANCE NO. 3816, AUTHORIZING THE ISSUANCE OF "CITY OF NORTH RICHLAND HILLS, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2023A"; SPECIFYING THE TERMS AND FEATURES OF SUCH BONDS; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SUCH BONDS; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AND THE APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT; AND PROVIDING AN EFFECTIVE DATE.

APPROVED

Director of Finance Mark Mills presented the item. The City Council is requested to consider the issuance of General Obligation Bonds in the amount of \$5,895,000 for the following projects associated with the 2020 Bond Election program.

Harmonson Road - \$400,000
Crystal Lane - \$120,000
Daniel Drive - \$80,000
Post Oak Drive - \$90,000
North Richland Boulevard - \$665,000
Ruth Road - \$550,000
Chapman Road - \$1,220,000
Lake Side Circle - \$240,000
Residential bond streets - \$632,500
Major bond streets - \$1,897,500

The Bond Election program includes the reconstruction of 27 residential and major streets. This is the final issuance to fund the bond program.

Mr. Dan Mahoney, Chief Financial Officer Hilltop Securities, Inc., presented the bids

received for the General Obligation Bonds. The lowest bid came from PNC Capital Markets at 4.143517%.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER COMPTON TO APPROVE ORDINANCE NO. 3816, AUTHORIZING THE ISSUANCE OF "CITY OF NORTH RICHLAND HILLS, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2023A"; SPECIFYING THE TERMS AND FEATURES OF SUCH BONDS; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SUCH BONDS; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AND THE APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT; AND PROVIDING AN EFFECTIVE DATE.

MOTION TO APPROVE CARRIED 7-0.

F.2 APPROVE REIMBURSEMENT RESOLUTION NO. 2023-076 FOR PROJECTS INCLUDED IN THE FISCAL YEAR 2023/2024 CAPITAL PROJECTS BUDGET IN AN AMOUNT NOT TO EXCEED \$9,550,000.

APPROVED

Director of Finance Mark Mills presented the item. The reimbursement resolution allows expenses associated with projects included in the Fiscal Year 2023/2024 Capital Budget to be reimbursed through the future issuance of Certificates of Obligation. Staff recommends City Council approve Resolution No. 2023-076, authorizing reimbursement of capital expenditures with respect to proceeds of debt hereafter to be incurred, in an amount not to exceed \$9,550,000.

A MOTION WAS MADE BY DEPUTY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE REIMBURSEMENT RESOLUTION NO. 2023-076 FOR PROJECTS INCLUDED IN THE FISCAL YEAR 2023/2024 CAPITAL PROJECTS BUDGET IN AN AMOUNT NOT TO EXCEED \$9,550,000.

MOTION TO APPROVE CARRIED 7-0.

F.3 CONSIDER RESOLUTION NO. 2023-075, NOMINATING A REPRESENTATIVE TO THE TARRANT COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS.

APPROVED

City Manager Mark Hindman presented the item. The Tarrant County Appraisal District informed the city that the terms of service for the five members of the Tarrant Appraisal District ("TAD") Board of Directors("Board") expire December 31, 2023. As a voting entity, North Richland Hills may nominate one candidate for each of the five positions. TAD is receiving nominations from voting entities by resolution no later than October 15, 2023. Once the nomination process is complete, TAD will provide voting entities a ballot to allocate 37 votes for nominees. The city's ballot, approved by resolution, is due to TAD by December 15, 2023. The five nominees receiving the highest vote totals will be elected to office. Mr. Hindman commented that he received one nomination from Council member Rodriguez for Vince Puente, Sr. The city may nominate additional candidates at the next meeting and submit both resolutions to Tarrant County by October 15.

Council member Rodriguez nominated Vince Puente, Sr. as a candidate for the TAD Board.

Council member Vaughn expressed concern with members on the TAD Board. He said it is important to have competent people on the Board. He has no concern voting for Vince Puente tonight. He asked City Council to consider Rich DeOtte, Gary Losada, Gerald Miller, and Lucila "Luli" Seri.

Council member Wright Oujesky asked if it would hurt the city to split the votes.

Mayor Trevino commented that votes cast for candidates allows the opportunity for the city to recall the member if the city voted for them.

Associate Mayor Pro Tem Vaughn moved, seconded by Mayor Pro Tem Deupree, to nominate Gary Losada as a candidate for the TAD Board of Directors.

Council member Wright Oujesky asked Council member Vaughn if action on his motion can be postponed to the next meeting. She said that she is not familiar with Mr. Losada and has not seen his resume.

Associate Mayor Pro Tem Vaughn withdrew his motion.

A MOTION WAS MADE BY COUNCIL MEMBER RODRIGUEZ, SECONDED BY DEPUTY MAYOR PRO TEM TURNAGE TO APPROVE RESOLUTION NO. 2023-075, NOMINATING VINCE PUENTE, SR. TO THE TARRANT COUNTY APPRAISAL DISTRICT (TAD) BOARD.

MOTION TO APPROVE CARRIED 7-0.

F.4 AUTHORIZE THE PURCHASE OF ADDITIONAL FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT USING AN EXISTING PURCHASING AGREEMENT AWARDED TO CASCO INDUSTRIES, INC., THROUGH RFP 20-026 IN THE TOTAL COLLECTIVE PURCHASE AMOUNT OF \$119,673.96.

APPROVED

Fire Chief Stan Tinney presented the item.

A MOTION WAS MADE BY MAYOR PRO TEM DEUPREE, SECONDED BY COUNCIL MEMBER ORR TO AUTHORIZE THE PURCHASE OF ADDITIONAL FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT USING AN EXISTING PURCHASING AGREEMENT AWARDED TO CASCO INDUSTRIES, INC., THROUGH RFP 20-026 IN THE TOTAL COLLECTIVE PURCHASE AMOUNT OF \$119,673.96.

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 that City Council did not convene into Executive Session.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Council member Wright Oujesky made the following announcements.

National Night Out is Tuesday, October 3, 2023. If you will be hosting a National Night Out block party, please register your event in advance so city officials can plan to attend. You can find more information on the city's website.

If you're looking for amazing discounts on books, check out the Friends of the NRH Library's Book Sale on Saturday, October 7, 2023. The event will run from 10:00 a.m. to 2:00 p.m. in the Library's Community Room. All proceeds support the Friends of the NRH Library's mission to enhance literacy events and services.

Live music returns to our City Hall Plaza with two free concerts this October. Join us Saturday, October 7, 2023 for the Motown sounds of Memphis Soul, plus a video light show by Lightware Labs. On Thursday, October 12, 2023 the Stevie Ray Vaughan Tribute band Texas Flood will perform. Please visit the city's website for more details.

September 25, 2023

City Council Meeting Minutes

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Kudos Korner - Jed Boyd, Dalton Wood, Tom Fitzmaurice, Josh Hanson and Brian Martin in the Fire Department - We received a note of thanks from a resident about the team who responded to his emergency medical call. He stated that his family believes NRHFD has the best, highest trained and most professional firefighters and paramedics ever. He appreciated their caring concern and the outstanding quality of employees who work for NRH.

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 8:10 p.m.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer