

**MINUTES OF THE CITY COUNCIL OF THE
CITY OF NORTH RICHLAND HILLS, TEXAS
HELD IN THE CITY HALL 4301 CITY POINT DRIVE
SEPTEMBER 14, 2020**

REGULAR MEETING

A. CALL TO ORDER

Mayor Trevino called the meeting to order September 14, 2020 at 7:01 p.m.

Present:	Oscar Trevino	Mayor
	Tito Rodriguez	Deputy Mayor Pro Tem, Place 1
	Rita Wright Oujesky	Council, Place 2
	Suzy Compton	Council, Place 3
	Mason Orr	Associate Mayor Pro Tem, Place 4
	Mike Benton	Council, Place 5
	Scott Turnage	Mayor Pro Tem, Place 6
	Tim Welch	Council, Place 7
Staff Members:	Mark Hindman	City Manager
	Alicia Richardson	City Secretary/Chief Governance Officer
	Maleshia B. McGinnis	City Attorney

A.1 INVOCATION

Council member Benton gave the invocation.

A.2 PLEDGE

Council member Benton 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 MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE THE CONSENT AGENDA.

MOTION TO APPROVE CARRIED 7-0.

B.1 APPROVE MINUTES OF THE AUGUST 3, 13 AND 17, 2020 SPECIAL CITY COUNCIL MEETINGS.

B.2 APPROVE MINUTES OF THE REGULAR AUGUST 24, 2020 CITY COUNCIL MEETING.

B.3 CONSIDER AWARD OF BID NO. 20-025 TO DRISCOLL AUTOMATIC INC., FOR FC2101 CITY HALL UNINTERRUPTED POWER SUPPLY (UPS) BATTERY REPLACEMENT AT 4301 CITY POINT DR., IN THE AMOUNT OF \$67,499.

B.4 AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH UNIFIRST CORP., FOR THE RENTAL OF UNIFORMS, INDUSTRIAL MATS, SUPPLIES AND ACCESSORIES THROUGH BUYBOARD CONTRACT NUMBER 587-19, FOR AN AMOUNT NOT TO EXCEED \$90,000 IN TOTAL FOR THE REMAINING TWO YEAR CONTRACT PERIOD.

C. PUBLIC HEARINGS

There were no items for this category.

D. PLANNING AND DEVELOPMENT

D.1 FP 2020-07 CONSIDERATION OF A REQUEST FROM ION DESIGN GROUP FOR A FINAL PLAT OF CITY POINT ADDITION PHASE 1, BEING 22.5353 ACRES LOCATED AT 4400 CITY POINT DRIVE.

APPROVED

Director of Planning Clayton Comstock informed City Council the applicant is requesting

a final plat for 22.5353 acres located at 4400 City Point Drive. The area is designated on the Comprehensive Land Use Plan as urban village and the current zoning is nonresidential planned development. Mr. Comstock provided site photos of the property.

Applicant representative Bryan Klein with Ion Design Group, located at 7075 Twin Hills Avenue, Suite 350, Dallas presented request. The development includes a hotel site, 3.5 acres of multi-family and 159 single-family residential lots consisting of 93 urban home lots and 66 townhome lots.

Mr. Comstock presented staff's report. The Planning and Zoning Commission, at their August 20, 2020 meeting, recommended approval with a vote of 6-0, with the conditions outlined in the Development Review Committee (DRC) comments.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY ASSOCIATE MAYOR PRO TEM ORR TO APPROVE FP 2020-07 WITH THE CONDITIONS OUTLINED IN THE DEVELOPMENT REVIEW COMMITTEE'S (DRC) COMMENTS.

MOTION TO APPROVE CARRIED 7-0.

D.2 ORDINANCE NO. 3663, CONSIDERATION OF A REQUEST FROM CONVERGENCE CAPITAL, LLC FOR A VARIANCE TO THE DISTANCE REQUIREMENTS FOR THE SALE OF ALCOHOL FOR ON-PREMISE CONSUMPTION ON 8.443 ACRES IN THE 9000 BLOCK OF MID-CITIES BOULEVARD AND DESCRIBED AS TRACT 12G, TANDY K. MARTIN SURVEY, ABSTRACT 1055.

APPROVED

Director of Planning Clayton Comstock informed City Council the applicant is requesting a variance to the distance requirements for the sale of alcohol for on-premise consumption for 8.443 acres in the 9000 block of Mid Cities Boulevard.

Mayor Trevino disclosed that he had a working relationship with Rhonda Berry and Convergence Capital for the construction of his office building and a home. The construction on both projects are complete.

Applicant representative Rhonda Berry, 1214 Powder River Trail, Southlake presented request. Ms. Berry informed City Council that Convergence Capital CEO Mike Standish has met with the following restaurants Heim Barbeque, Seven Mile Cafe and HG Supply Company about the proposed development. Ms. Berry informed City Council they are seeking a minor variance to the alcohol distance restrictions for on-premise consumption to secure restaurants. Ms. Berry informed City Council the request is to consider a

variance to the distance requirements for the sale of alcohol for on-premise consumption within 300' of Birdville High School. Ms. Berry shared with City Council the following would apply to the designated restaurant area: (1) limited hours of operation, close by 10:00 p.m. on weekdays and midnight on the weekends; (2) restaurants not to exceed 30% of on-premise alcohol sales as a percentage of total sales; (3) no beer and wine stores, convenience stores or other establishments that sell off-premise consumption and (4) the designated area is greater than 300 "pedestrian" feet from Birdville High School campus property line. Ms. Berry commented that Convergence Capital would not own or operate any of the restaurants. She shared with City Council deed restrictions that would run with the land would incorporate language regarding restrictions of alcohol sales. Ms. Berry requested City Council reconsider Exhibit B, item 6 that does not allow the variance to be transferred to another location, assigned or otherwise transferred to another entity without prior approval from the City Council. Ms. Berry commented they need to have the ability to assign or transfer the variance during their negotiations with prospective restaurants.

Mayor Trevino announced at 7:31 p.m. that the City Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, Section 551.071: Consultation with City Attorney to seek advice regarding item D.1, Ordinance No. 3663. Executive Session began at 7:33 p.m. and concluded at 7:47 p.m.

Mayor Trevino reconvened City Council at 7:49 p.m., with same members present.

City Council and Ms. Berry discussed the access points to the development and location of restaurants. Mr. Comstock clarified the development would have a full access drive (located across from the high school) for the development that would allow patrons to go eastbound when exiting the development.

A MOTION WAS MADE BY COUNCIL MEMBER WELCH TO APPROVE ORDINANCE NO. 3663 WITH THE EXCEPTION THAT THE VARIANCE BE TRANSFERABLE TO ANOTHER ENTITY UPON INITIAL PURCHASE FROM CONVERGENCE CAPITAL, BUT THAT ANY ADDITIONAL SUBSEQUENT TRANSFERS OF THE VARIANCE TO ANOTHER ENTITY WILL REQUIRE CITY COUNCIL APPROVAL.

MOTION TO APPROVE CARRIED 7-0.

E. PUBLIC WORKS

There were no items for this category.

F. GENERAL ITEMS

F.1 CONSIDER ORDINANCE NO. 3664, ALL MATTERS INCIDENT AND RELATED TO THE SALE AND ISSUANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS TAX AND WATERWORKS AND SEWER SYSTEM (LIMITED PLEDGE) REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020, INCLUDING THE ADOPTION OF ORDINANCE NO. 3664, AUTHORIZING THE ISSUANCE OF SUCH CERTIFICATES OF OBLIGATION.

APPROVED

Director of Finance Mark Mills introduced items F.1, sale and issuance of Tax and Waterworks and Sewer System Revenue Certificates of Obligation and F.2, sale and issuance of General Obligation Bonds. The projects receiving funds from the issuance of Certificates of Obligation include Iron Horse Boulevard and Hightower/Davis signalization. The project receiving funds from the issuance of General Obligation Bonds include the reconstruction of approximately 2,700 linear feet of Glenview from Boulevard 26 to Flory Street.

Hilltop Securities, LLC Managing Director Laura Alexander reviewed the bond sale documents with City Council and was available to answer questions.

A MOTION WAS MADE BY COUNCIL MEMBER WELCH, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE ORDINANCE NO. 3664, THE SALE AND ISSUANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS TAX AND WATERWORKS AND SEWER SYSTEM (LIMITED PLEDGE) REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020 AND ALL INCIDENT AND RELATED MATTERS.

MOTION TO APPROVE CARRIED 7-0.

F.2 CONSIDER ORDINANCE NO. 3665, ALL MATTERS INCIDENT AND RELATED TO THE SALE AND ISSUANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS GENERAL OBLIGATION BONDS, SERIES 2020, INCLUDING THE ADOPTION OF ORDINANCE NO. 3665, AUTHORIZING THE ISSUANCE OF SUCH BONDS AND ALL INCIDENT AND RELATED MATTERS.

APPROVED

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

A MOTION WAS MADE BY ASSOCIATE MAYOR PRO TEM ORR, SECONDED BY MAYOR PRO TEM TURNAGE TO APPROVE ORDINANCE NO. 3665, ALL MATTERS INCIDENT AND RELATED TO THE SALE AND ISSUANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS GENERAL OBLIGATION BONDS, SERIES 2020, INCLUDING THE ADOPTION OF ORDINANCE NO. 3665, AUTHORIZING THE ISSUANCE OF SUCH BONDS AND ALL INCIDENT AND RELATED MATTERS.

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 convened into Executive Session earlier in the meeting as authorized by Chapter 551, Texas Government Code, Section 551.071: Consultation with City Attorney to seek advice about item D.2.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Mayor Pro Tem Turnage made the following announcements.

After a 10-month renovation of the course and clubhouse, Iron Horse Golf Course will celebrate its grand reopening with a tournament on Friday, September 18. Please contact the golf course for more information.

The City of NRH reminds all residents to take steps to protect themselves from West Nile Virus and other diseases carried by mosquitoes. Remember to wear insect repellent whenever you spend time outdoors and eliminate standing water where mosquitoes breed around your home. You can find a backyard checklist of eliminating mosquitoes on our website.

Kudos Korner - Terry Wreay in Public Works - A citizen emailed her appreciation for Terry, after he came upon her bicycle accident and stopped to help. He stayed on the scene with her until the ambulance arrived and delivered the bicycle back to her house safely. "That was over and above your duties and so appreciated," she said. "Thank you for all your help, thank you for all you do for our city, and I am happy to know we have a good man working out there in the city for us."

I. ADJOURNMENT

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

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer