

**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 23, 2020**

REGULAR MEETING

A. CALL TO ORDER

Mayor Trevino called the meeting to order March 23, 2020 at 7:01 p.m.

Present:	Oscar Trevino	Mayor
	Rita Wright Oujesky	Mayor Pro Tem
	Tito Rodriguez	Council, Place 1
	Suzy Compton	Council, Place 3
	Mason Orr	Council, Place 4
	Mike Benton	Council, Place 5
	Scott Turnage	Council, Place 6
	Tim Welch	Council, Place 7

Staff Members:	Mark Hindman	City Manager
	Alicia Richardson	City Secretary
	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 COUNCIL MEMBER RODRIGUEZ, SECONDED BY MAYOR PRO TEM WRIGHT OUJESKY TO APPROVE THE CONSENT AGENDA.

MOTION TO APPROVE CARRIED 7-0.

B.1 APPROVE MINUTES OF THE FEBRUARY 24, 2020 CITY COUNCIL MEETING.

B.2 APPROVE MINUTES OF THE MARCH 2, 2020 CITY COUNCIL MEETING.

B.3 RP 2020-02 CONSIDERATION OF A REQUEST FROM CBG SURVEYING TEXAS LLC FOR A REPLAT OF LOT 7R1, BLOCK 3, MORGAN MEADOWS ADDITION, BEING 0.642 ACRES LOCATED AT 6805 MEADOW ROAD.

B.4 RP 2020-03 CONSIDERATION OF A REQUEST FROM HAMILTON DUFFY PC FOR A REPLAT OF LOTS 17R1-17R3, BLOCK 2, WOODBERT ADDITION, BEING 0.461 ACRES LOCATED AT 8309 SAYERS LANE.

B.5 CONSIDER A PROFESSIONAL SERVICES AGREEMENT WITH LEE ENGINEERING IN AN AMOUNT NOT TO EXCEED \$99,770 FOR THE DESIGN OF A TRAFFIC SIGNAL AS PART OF THE NORTHEAST PARKWAY / DAVIS BOULEVARD INTERSECTION PROJECT (ST2003).

B.6 CONSIDER A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES WITH KIMLEY-HORN ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$329,000 FOR THE DESIGN OF THE CONN PUMP STATION REHABILITATION PROJECT (UT2008).

B.7 CONSIDER A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING SERVICES WITH GARVER, LLC IN AN AMOUNT NOT TO EXCEED \$190,714 FOR THE DESIGN OF THE BIG FOSSIL 24" INTERCEPTOR PROJECT (UT2004).

B.8 CONSIDER A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. IN AN AMOUNT NOT TO EXCEED \$100,413 FOR THE MACKEY CREEK FLOOD STUDY PROJECT (DR2005).

B.9 AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH DFW DOUBLE D CONTRACTING, LLC TO PERFORM RENOVATIONS TO THE IRON HORSE GOLF COURSE CLUBHOUSE IN THE AMOUNT OF \$114,227, USING THE CITY'S GENERAL CONTRACTOR SERVICES CONTRACT SCP-15-022.

B.10 CONSIDER RESOLUTION NO. 2020-016, AUTHORIZING SUBMISSION OF THE GRANT APPLICATION AND ACCEPTANCE OF ALLOCATED FUNDS IF AWARDED FOR THE FY20 COMMUNITY ORIENTED POLICING SERVICES LAW ENFORCEMENT MENTAL HEALTH AND WELLNESS ACT PROGRAM.

C. PUBLIC HEARINGS

C.1 ZC 2020-01, ORDINANCE NO. 3641, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM CHANH CONG TRAN FOR A ZONING CHANGE FROM R-4-D DUPLEX TO R-1 SINGLE-FAMILY RESIDENTIAL AT 5149 JENNINGS DRIVE, BEING 0.20 ACRES DESCRIBED AS A PORTION OF LOT 1R, BLOCK 4, RICHLAND OAKS ADDITION.

APPROVED

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

In a pre-recorded presentation, Mr. Comstock informed City Council the applicant is requesting a zoning change on 0.20 acres located at 5149 Jennings Drive. The area is designated on the Comprehensive Land Use Plan as Low Density Residential and the current zoning is R-4-D Duplex. Mr. Comstock provided site photos of the property.

Mr. Comstock presented staff's report. The Planning and Zoning Commission, at their March 5, 2020 meeting, recommended approval with a vote of 7-0.

Mayor Trevino stated that due to the COVID-19 pandemic and the nature of this particular item, the applicant was given and accepted the option not to attend tonight's meeting. Mr. Comstock was available via phone to answer questions.

City Council had no questions for staff.

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 wishing to speak in one of the rooms provided for social distancing. There being no one wishing to speak, Mayor Trevino closed the public hearing.

March 23, 2020

City Council Meeting Minutes

Page 3 of 9

A MOTION WAS MADE BY COUNCIL MEMBER WELCH, SECONDED BY COUNCIL MEMBER COMPTON TO APPROVE ORDINANCE NO. 3641.

MOTION TO APPROVE CARRIED 7-0.

D. PLANNING AND DEVELOPMENT

There were no items for this category.

E. PUBLIC WORKS

There were no items for this category.

F. GENERAL ITEMS

F.1 RECEIVE THE FISCAL YEAR 2019 AUDITED FINANCIAL REPORT AND FISCAL YEAR 2019 SINGLE AUDIT.

APPROVED

Director of Finance Mark Mills presented item and in a pre-recorded presentation, Lupe Garcia with Whitley Penn, LLP provided the auditor opinion.

Mr. Mills and Patrick Simmons with Whitley Penn (via phone) was available to answer questions.

A MOTION WAS MADE BY MAYOR PRO TEM WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER ORR TO RECEIVE THE FISCAL YEAR 2019 AUDITED FINANCIAL REPORT AND FISCAL YEAR 2019 SINGLE AUDIT AS PRESENTED.

MOTION TO APPROVE CARRIED 7-0.

F.2 CONSIDER RESOLUTION NO. 2020-017, AUTHORIZING SUBMISSION OF THE GRANT APPLICATION AND ACCEPTANCE OF ALLOCATED FUNDS IF AWARDED FOR THE FY20 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM.

APPROVED

Director of Public Safety Jimmy Perdue presented item and was available to answer questions.

A MOTION WAS MADE BY COUNCIL MEMBER COMPTON, SECONDED BY COUNCIL MEMBER RODRIGUEZ TO APPROVE RESOLUTION NO. 2020-017.

MOTION TO APPROVE CARRIED 7-0.

F.3 CONSIDER RESOLUTION NO. 2020-018, AUTHORIZING SUBMISSION OF THE GRANT APPLICATION AND ACCEPTANCE OF ALLOCATED FUNDS IF AWARDED FOR THE COMMUNITY ORIENTED POLICING SERVICES FY20 SCHOOL VIOLENCE PREVENTION PROGRAM FOR EXPEDITED PUBLIC SAFETY RESPONSE TO EMERGENCY SITUATIONS AT SCHOOL SITES.

APPROVED

Director of Public Safety Jimmy Perdue presented item and was available to answer questions.

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY COUNCIL MEMBER TURNAGE TO APPROVE RESOLUTION NO. 2020-018.

MOTION TO APPROVE CARRIED 7-0.

F.4 CONSIDER RESOLUTION NO. 2020-015, MOVING THE MAY 2, 2020 SPECIAL ELECTION TO THE NEXT UNIFORM ELECTION DATE, OCCURRING ON NOVEMBER 3, 2020.

APPROVED

City Secretary Alicia Richardson informed City Council the proposed resolution, if approved, moves the May 2, 2020 Special Election to November 3, 2020. In light of the COVID-19 pandemic, Governor Abbott on March 18, 2020, issued a proclamation suspending sections of the Texas Election Code allowing municipalities to move their general or special elections to be held on May 2, 2020 to the next uniform election date, which is November 3, 2020. Ms. Richardson informed City Council the resolution provides language that should the governor amend his proclamation authorizing an additional date to conduct elections, staff will bring back a resolution for consideration by City Council.

Council and staff discussed election date options and pros and cons of conducting an election in November.

A MOTION WAS MADE BY MAYOR PRO TEM WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER WELCH TO APPROVE RESOLUTION NO. 2020-015.

MOTION TO APPROVE CARRIED 7-0.

F.5 CONSIDER ORDINANCE NO. 3642 AMENDING CHAPTER 2, ARTICLE II, DIVISION 2, SECTION 2-65, RULES OF PROCEDURE, OF THE CITY CODE OF ORDINANCES TO PROVIDE FOR THE SELECTION OF A DEPUTY MAYOR PRO TEM IN THE ABSENCE OF THE MAYOR AND MAYOR PRO TEM.

City Manager Mark Hindman informed City Council the item for their discussion pertains to the position created by City Charter for a Mayor Pro Tem that is selected by council members at the first meeting following the general city election. Recent events has shown the importance of having more than two standing leadership positions on the City Council. Staff is recommending the addition of a third leadership position, Deputy Mayor Pro Tem, that will serve in the absence of the Mayor and Mayor Pro Tem. Staff has prepared an ordinance for consideration by City Council that amends the Rules of Procedure, for the addition of the Deputy Mayor Pro Tem. Pursuant to Section 2-62 of the Code of Ordinances, an amendment to the Rules of Procedure must first be introduced into the record at a City Council meeting and may be acted upon at a subsequent meeting.

Mayor Trevino recommended that staff include an additional leadership position in addition to the Deputy Mayor Pro Tem.

Mayor Pro Tem Wright Oujesky concurred with Mayor Trevino's recommendation.

Mayor Trevino recommended that Council member Turnage serve as Deputy Mayor Pro Tem and Council member Rodriguez serve as the fourth leadership position.

There being no opposition from City Council, staff was directed to place the ordinance, as recommended with the fourth leadership position on the next City Council agenda.

F.6 CONTINUE DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY DECLARED BY THE MAYOR OF THE CITY OF NORTH RICHLAND HILLS, TEXAS IN ACCORDANCE WITH CHAPTER 22, ARTICLE II, SECTION 22-32 OF THE CITY CODE OF ORDINANCES AND TEXAS GOVERNMENT CODE SECTION 418.108 DUE TO THE COVID-19 PANDEMIC.

APPROVED

Director of Public Safety Jimmy Perdue informed City Council with the action of the

governor and county officials yesterday, the city's declaration needs to be updated and items specific to the City of North Richland Hills clarified.

- Declaration language is updated to reflect this is the second amendment;
- Section 2, eliminated 60 day requirement and made it date specific from May 20 to April 13 and added language referencing the Tarrant County Emergency Management Plan;
- Sections 4,5,6,7,8 remain unchanged;
- Section 9, reflects significant changes, language was added from the Tarrant County Declaration to address social gatherings of more than 10 people and types of gatherings;
- Section 10 had no changes;
- Section 11, language is updated to reflect the governor and county action by addressing occupancy and violation responsibility of the business and individual and inclusion of additional businesses. Specific to the city's declaration, this section addresses gun ranges and defines "essential household goods";
- Section 12, matches the county's language however, some language has been added specific to North Richland Hills including veterinarian offices, dry cleaners, laundromats, auto repair shops, auto part stores, banks, bail bonds, personal loan stores, pawn shops, and home improvement stores selling structural material, plumbing, electrical and or HVAC supplies and updated language regarding essential government buildings;
- Section 13, is entirely applicable to North Richland Hills and is not included in the governor or county declarations. Specifically related to allow some business to continue doing business if they provide online sales or phone sales only, curb side pick up only as necessary; defines pet supply stores (no grooming), tax preparer, shoe stores, auto sales, auto rental, office supply stores, sporting goods stores,(does not include gun ranges), fire arms and ammunition sales, electronic sales, plant stores, nurseries, cell phone stores and repair, with no more than one person allowed in the waiting area at one time;
- Sections 14, 15 and 16, duplicates the county with the exception of Section 16 regarding churches to allow no more than 10 people; and
- Section 17, revocation of a building permit and adding the penalty for violation of the declaration; with this resolution and declaration going into effect at 11:59 on March 23, 2020.

Council and staff discussed the need for specificity for certain businesses; why playgrounds are closed; stressing significance of the virus; communication options with businesses and citizens; access to city services related to city hall; inspections related to code and building services; current employee safety precautions; and business compliance issues.

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY COUNCIL MEMBER TURNAGE TO CONTINUE THE DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY DECLARED BY THE MAYOR OF THE CITY OF NORTH RICHLAND HILLS DUE TO THE COVID-19 PANDEMIC UNTIL APRIL 13, 2020.

MOTION TO CONTINUE CARRIED 7-0.

EXECUTIVE SESSION

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 Welch made the following announcements.

Republic Services is asking residents to make sure all household trash is bagged and tied before placing it in your trash can or on the curb. Doing this helps to protect trash crews from the spread of germs and also keeps litter out of our neighborhoods. Since recyclables are collected by an automated truck, they do not need to be bagged and you can continue placing directly into your recycling cart. Residents should also refrain from placing large amounts of bulk and yard waste materials out for collection at this time, so crews can focus on collection of household waste.

As a reminder, city offices and facilities remain closed to the public and special events, programs and classes are canceled. During this time, you can still access our city offices by phone or email, and utilize online services through our website. We also continue to provide public safety services without interruption. You can find the latest information on the city's website.

Kudos Korner - All city staff: Over the past week, we have heard a number of comments of appreciation and thanks for our city employees who continue to provide services during these challenging times. One resident wrote: "I am so, so appreciative of all our local gov folks keeping basic services running: sanitation engineers; first responders; the city leaders and many people coordinating all these efforts behind the scenes; the people sharing information online; educators rapidly preparing ways to continue education success; everyone in public health; everyone keeping our utilities running safely; and

March 23, 2020

City Council Meeting Minutes

Page 8 of 9

the many, many other people we probably aren't even aware of, who are putting in work for our community. Thank you, thank you, thank you, for making this unprecedented situation livable for so many of us!"

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 8:24 p.m.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary