

**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
JULY 13, 2020**

WORK SESSION

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 July 13, 2020 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
Scott Turnage, Mayor Pro Tem, Place 6
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

Absent:

Tim Welch, Place 7

Staff present via video conference:

Mark Hindman, City Manager
Paulette Hartman, Deputy City Manager
Karen Bostic, Assistant City Manager
Alicia Richardson, City Secretary
Maleshia B. McGinnis, City Attorney
Jimmy Perdue, Director of Public Safety
Robert Myers, Director of Budget and Research

CALL TO ORDER

Mayor Trevino called the meeting to order at 6:07 p.m.

1. DISCUSS ITEMS ON REGULAR CITY COUNCIL MEETING.

City Council had no questions for staff.

2. FISCAL YEAR 2020-21 BUDGET WORK SESSION

City Manager Mark Hindman informed City Council the budget presentations over specific funds were provided to City Council in their packet and the Powerpoint presentations were provided on Friday. Staff is available to respond to questions.

City Council had no questions for staff.

EXECUTIVE SESSION

- 1. SECTION 551.071: CONSULTATION WITH CITY ATTORNEY REGARDING LITIGATION - (1) CINDY MARTINEZ V. CITY OF NORTH RICHLAND HILLS, ET AL, CASE NO. 4:19-CV-00343-0, FIFTH CIRCUIT COURT OF APPEALS; (2) CCI-RICHLAND HILLS I, LP VS CITY OF NORTH RICHLAND HILLS, CASE NO. 4:19-CV-00924-0, US DISTRICT COURT, NORTHERN DISTRICT OF TEXAS, FORT WORTH DIVISION; (3) CHARLENE PAULSON VS CITY OF NORTH RICHLAND HILLS, CASE NO. 2020-003670-1, COUNTY COURT AT LAW #1, TARRANT COUNTY AND (4) CITY OF NORTH RICHLAND HILLS V LAFONDA DIXON, ET AL CASE NO. 352-313751-19, 352ND DISTRICT COURT, TARRANT COUNTY**
- 2. SECTION 551.074: PERSONNEL MATTERS TO DELIBERATE THE EMPLOYMENT, EVALUATION, AND DUTIES OF PUBLIC EMPLOYEES - CITY SECRETARY**

Mayor Trevino announced at 6:18 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 regarding litigation - (1) Cindy Martinez v. City of North Richland Hills, et al, Case No. 4:19-cv-00343-0, Fifth Circuit Court of Appeals; (2) CCI-Richland Hills I, LP vs City of North Richland Hills, Case No. 4:19-cv-00924-0, US District Court, Northern District of Texas, Fort Worth Division; (3) Charlene Paulson vs City of North Richland Hills, Case No. 2020-003670-1, County Court at Law #1, Tarrant County and (4) City of North Richland Hills v Lafonda Dixon, et al Case No. 352-313751-19, 352nd District Court, Tarrant County Executive Session and Section 551.074: Personnel Matters to Deliberate the Employment, Evaluation, and Duties of Public Employees - City Secretary. Executive Session began at 6:22 p.m. and concluded at 7:00 p.m.

Mayor Trevino announced at 7:00 p.m. that City Council would convene to the regular

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City Council meeting.

REGULAR MEETING

A. CALL TO ORDER

In accordance with Governor Abbott's March 13, 2020 disaster declaration and subsequent suspension of certain Texas Open Meetings Act provisions, this July 13, 2020 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

Scott Turnage, Mayor Pro Tem, Place 6

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

Absent:

Tim Welch, Place 7

Staff present via video conference:

Mark Hindman, City Manager

Alicia Richardson, City Secretary

Maleshia B. McGinnis, City Attorney

A.1 INVOCATION

Associate Mayor Pro Tem Orr gave the invocation.

A.2 PLEDGE

Associate Mayor Pro Tem Orr 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.

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A.4 CITIZENS PRESENTATION

Mr. Paul Dillon, 6705 Hadley Drive, North Richland Hills, a resident of the Richfield Subdivision thanked City Council and public safety personnel for their service. He mentioned that he opposes the sunrise movement to de fund the police department.

Mr. Brandon Pitzer with False Idol Brewing, located 7924 Maplewood Avenue, North Richland Hills, requested the City Council review and update the City's food truck ordinance. Currently, the ordinance only allows food trucks twice a year with a special use permit.

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 ASSOCIATE MAYOR PRO TEM ORR, SECONDED BY DEPUTY MAYOR PRO TEM RODRIGUEZ TO APPROVE THE CONSENT AGENDA.

MOTION TO APPROVE CARRIED 6-0.

B.1 APPROVE MINUTES OF THE REGULAR JUNE 22, 2020 CITY COUNCIL MEETING.

B.2 RP 2020-09 CONSIDERATION OF A REQUEST FROM REALSEARCH OF TEXAS LLC FOR A REPLAT OF LOT 6R, BLOCK 1, GLENWYCK VILLAS ADDITION, BEING 0.341 ACRES LOCATED AT 3921 LOCHRIDGE COURT.

B.3 AUTHORIZE THE TRADE-IN OF CITY-OWNED PISTOLS TOWARDS THE PURCHASE OF NEW DUTY PISTOLS AND RELATED EQUIPMENT FROM GT DISTRIBUTORS, INC., WITH A PROJECTED COST OF \$128,769 USING A BUYBOARD COOPERATIVE PURCHASING AGREEMENT.

B.4 AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH COMPLETE SUPPLY, INC. FOR CUSTODIAL SUPPLIES AND EQUIPMENT USING A BUYBOARD COOPERATIVE PURCHASING AGREEMENT, FOR AN ANNUAL AMOUNT NOT TO EXCEED \$136,410.

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C. PUBLIC HEARINGS

C.1 SDP 2020-01, ORDINANCE NO. 3658, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM JACKSON WALKER LLP FOR A REVISED SPECIAL DEVELOPMENT PLAN FOR SPANOS IRON HORSE IN THE 6300-6400 BLOCKS OF IRON HORSE BOULEVARD, BEING 9.08 ACRES DESCRIBED AS TRACTS 2A1C1, 2K1, 2L, 2L1, AND 3A2, TELITHA AKERS SURVEY, ABSTRACT 19, AND TRACT 1B3J1A, EDMUND KING SURVEY, ABSTRACT 892. (POSTPONED FROM THE JUNE 8, 2020, CITY COUNCIL MEETING)

APPROVED

Mayor Trevino announced the public hearing for Ordinance No. 3658 was opened at the June 8, 2020 City Council meeting and continued to the meeting tonight. Mayor Trevino called on Director of Planning Clayton Comstock to introduce the item.

Mr. Comstock informed City Council the applicant is requesting a revised special development plan for 9.08 acres located in the 6300-6400 Block of Iron Horse Boulevard. The property is located on the north side of Iron Horse Boulevard immediately adjacent to the Iron Horse TEXRail station platform and commuter parking lot. The applicant proposes to modify requirements for structured parking. The area is designated on the Comprehensive Land Use Plan as urban village and the property is currently zoned transit oriented development. Mr. Comstock provided site photos of the property.

Applicant representative William Dahlstrom, 2323 Ross Avenue, Suite 600, Dallas, informed City Council the request before them this evening is to modify the parking structure requirement for all residential parking spaces (from 50% to 19%) and the build-to-zone requirement (from 0-20 feet to 0-25 feet) along Iron Horse Boulevard. The proposal includes a five four-story building with 291 multifamily units, flex commercial space (24 of the multifamily units), a clubhouse and retail. The request to modify the parking structure requirement is due to the shallowness of the lots. Mr. Dahlstrom stated the previously approved special development agreement allowed for streetscaping elements to be located within access easements. The proposed special development plan removes that allowance and the streetscape elements will be placed in the public right-of-way. Their second request seeks approval of the build-to-zone distance of zero to 25 feet in order to accommodate the curvature of Iron Horse Boulevard and various easements.

Mr. Comstock informed City Council the request is the fourth special development plan since 2015. The City Council approved prior requests in 2015, 2017 and 2018. The last approval for the property was February 26, 2018. Mr. Comstock provided City Council with a comparison of the 2020 and 2017 and 2018 plans. The request reduces the

number of units from 437 to 291. The dwelling units per acre decreased from 47.7 to 31.73. The dedicated commercial area and flex commercial area will remain the same at 11,000 square feet and 28,000 square feet, respectively. The total public open space has decreased from 1.711 acres (18.7%) to 0.825 acre (9%). The applicant proposes to modify the structured parking requirements. The Iron Horse transit oriented development core subzone requires 80% of all required parking spaces be located in a parking structure. The current 2018 special development plan reduced the standard to 50%. The proposal before City Council this evening is to reduce the requirement to 19%. Mr. Comstock stated that a special development plan within a transit oriented development district should meet the goals and intent of a transit oriented development, provide an alternative master plan approach, appropriate transitions, provide public benefits and not hinder future opportunities. The Planning and Zoning Commission, at their May 21, 2020 meeting, recommended approval with a vote of 6-0.

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 DEPUTY MAYOR PRO TEM RODRIGUEZ TO APPROVE ORDINANCE NO. 3658.

MOTION TO APPROVE CARRIED 6-0.

**C.2 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 3657
APPROVING AN AMENDMENT TO THE FY 2019-2020 ADOPTED BUDGET.**

APPROVED

Director of Budget Robert Myers informed City Council the purpose for this item is to conduct a public hearing on the proposed amendment to the Fiscal Year 2019-2020 Adopted Capital Budget. If approved, the amendment will add \$380,000 for professional service costs for the Glenview Drive East project. Funding for the project is proposed to come from unissued proceeds for the 2003 General Obligation Bonds. Following the public hearing, staff recommends City Council approve Ordinance No. 3657.

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 BENTON, SECONDED BY MAYOR PRO TEM TURNAGE TO APPROVE ORDINANCE NO. 3657, AMENDING THE FY 2019-2020 ADOPTED BUDGET.

MOTION TO APPROVE CARRIED 6-0.

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 CONSIDER REIMBURSEMENT RESOLUTION NO. 2020-028 FOR A FISCAL YEAR 2019/2020 CAPITAL IMPROVEMENT PROGRAM AMENDMENT FOR STREET IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$3,860,000.

APPROVED

Director of Finance Mark Mills informed City Council this is a companion item to Ordinance No. 3657 (C.2). The purpose of the reimbursement resolution allows the City to pay itself back for expenses--professional services related to Glenview East Project--incurred prior to the receipt of bond proceeds.

A MOTION WAS MADE BY ASSOCIATE MAYOR PRO TEM ORR, SECONDED BY DEPUTY MAYOR PRO TEM RODRIGUEZ TO APPROVE REIMBURSEMENT RESOLUTION NO. 2020-028 FOR A FISCAL YEAR 2019/2020 CAPITAL IMPROVEMENT PROGRAM AMENDMENT FOR STREET IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$3,860,000.

MOTION TO APPROVE CARRIED 6-0.

F.2 AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 WITH FLEETWOOD SERVICES LLC IN THE AMOUNT OF \$168,172.50 TO THE IRON HORSE GOLF COURSE IMPROVEMENTS CONTRACT.

APPROVED

Senior Park Planner Joe Pack informed City Council the change order provides for an additional 2.5 acres of sod for Sections A and C, additional drainage improvements and over 3,100 square feet of additional concrete for golf cart parking bypass areas. The

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change order also includes an encumbrance in the amount of \$74,600 for an owner's contingency. If approved, the total project amount for services provided by Fleetwood Services, Inc. is \$2,777,444.05.

A MOTION WAS MADE BY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER COMPTON TO AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 WITH FLEETWOOD SERVICES LLC IN THE AMOUNT OF \$168,172.50 TO THE IRON HORSE GOLF COURSE IMPROVEMENTS CONTRACT.

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

Mayor Trevino announced there was no action necessary as the result of discussion in Executive Session pursuant to Section 551.071: Consultation with City Attorney. The City Council postponed discussion of Section 551.074: Personnel matters to deliberate the employment, evaluation, and duties of the City Secretary to the July 27, 2020 meeting.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Deputy Mayor Pro Tem Rodriguez made the following announcements.

Summertime is here and so are the mosquitoes. Make sure you are protected by using insect repellent whenever you spend time outdoors and by eliminating standing water where mosquitoes breed around your home. You can find a backyard checklist of eliminating mosquitoes on the city's website.

The Mayor's Summer Reading Club continues through August 1, 2020 at the North Richland Hills Library. Readers of all ages can earn prizes by keeping track of how much they read. The Library is also hosting free online events throughout the summer. Visit the Library's website for a schedule and registration information.

Kudos Korner - David Nichols, Wayne Estep, John Bitner and Cory Bain in Public Works - An 83-year-old resident called in to express thanks for the caring and thoughtful crew that helped him. He had fallen in his front yard while checking his mail and David, Wayne, John and Cory stopped working to ensure he was okay. They helped him to his feet and made sure he made it back inside his home. He stated that he was proud to have employees like these men working for his city.

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I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 8:33 p.m.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary