

**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
JANUARY 25, 2021**

Via Webex Video Conference

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 25th day of January at 6:00 p.m. via video conference prior to the 7:00 p.m. regular Council meeting.

CALL TO ORDER

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 January 25, 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/Chief Governance Officer
Maleshia B. McGinnis, City Attorney

1. DISCUSS ITEMS ON REGULAR CITY COUNCIL MEETING.

Mayor Trevino announced that agenda item B.3 is a public hearing and will need to be pulled off the consent agenda and considered separately.

2. WELCOME AND INTRODUCTION - PUBLIC OFFICIAL, PUBLIC EMPLOYEE OR CITIZEN.

Deputy City Manager Paulette Hartman announced the promotion of Adrien Pekurney to Director of Parks and Recreation.

EXECUTIVE SESSION

Mayor Trevino announced at 6:08 p.m. that the City Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, Section 551.087: Deliberation regarding economic development negotiations - 8358 Davis Boulevard, Lot 2R8R, Block 1, Davis-North Tarrant Pkwy Addition and Section 551.072: Deliberate the purchase, exchange, lease or value of real property - Lot 8, Block 33, Nor'East Addition, immediately located north of 5301 Davis Boulevard. Executive Session began at 6:15 p.m. and concluded at 6:49 p.m.

Mayor Trevino announced at 6:50 p.m. that City Council would convene to the regular City Council meeting.

- 1. SECTION 551.087: DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS - 8358 DAVIS BOULEVARD, LOT 2R8R, BLOCK 1, DAVIS-NORTH TARRANT PKWY ADDITION.**
- 2. SECTION 551.072: DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY - LOT 8, BLOCK 33, NOR'EAST ADDITION, IMMEDIATELY LOCATED NORTH OF 5301 DAVIS BOULEVARD.**

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 January 25, 2021 meeting of the North Richland Hills City Council is hereby called to order at 7:00 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/Chief Governance Officer

Maleshia B. McGinnis, City Attorney

A.1 INVOCATION

Council member Deupree gave the invocation.

A.2 PLEDGE

Council member Deupree 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

Mayor Pro Tem Trunage removed item B.3 from the consent agenda.

B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS

APPROVED

A MOTION WAS MADE BY DEPUTY MAYOR PRO TEM RODRIGUEZ, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE CONSENT AGENDA ITEMS B.1, B.2, B.4, B.5 AND B.6.

MOTION TO APPROVE CARRIED 7-0.

B.1 APPROVE MINUTES FROM THE REGULAR JANUARY 11, 2021 CITY COUNCIL MEETING.

B.2 AP 2021-01 CONSIDERATION OF A REQUEST FROM 7625 GLENVIEW DRIVE TX LLC FOR AN AMENDED PLAT OF LOTS 7R1 AND 7R2, BLOCK A, CALLOWAY FARM ADDITION, BEING 3.517 ACRES LOCATED AT 7625 GLENVIEW DRIVE.

B.4 APPROVE PURCHASE OF A VALVE MAINTENANCE TRAILER FOR THE PUBLIC WORKS DEPARTMENT FROM ILLINOIS TOOL WORKS DBA E.H. WACHS IN THE AMOUNT OF \$89,653.56 THROUGH BUYBOARD CONTRACT #597-19.

B.5 CONSIDER RESOLUTION NO. 2021-003, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF ALLOCATED FUNDS IF AWARDED, FOR TEXAS GOVERNOR'S OFFICE 2021 STATE HOMELAND SECURITY PROGRAM - LAW ENFORCEMENT TERRORISM PREVENTION ACTIVITIES GRANT #4215401 FOR \$5,000.

B.6 AUTHORIZE PURCHASE FROM ICOR TECHNOLOGY, INC. FOR AN EXPLOSIVE ORDNANCE DISPOSAL ROBOT UTILIZING THE 2021 HOMELAND SECURITY GRANT PROGRAM (HSGP) URBAN AREA SECURITY INITIATIVE (UASI) GRANT IN THE AMOUNT OF \$62,801.38.

C. PUBLIC HEARINGS

B.3 TR 2021-01, ORDINANCE NO. 3679, PUBLIC HEARING TO CONSIDER AMENDMENTS TO CHAPTER 118, ARTICLE VII (PARKING AND LOADING REGULATIONS) OF THE NORTH RICHLAND HILLS CODE OF ORDINANCES REGARDING PARKING SURFACES ON PUBLIC PROPERTY WITHIN A FLOODPLAIN.

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 proposed text amendment provides for the use of alternative parking surface materials (permeable) for public property located within a floodplain. If approved, the following language will be added to Chapter 118, Section 118-831(f) minimum parking requirements "(11) *Exception for city-owned property within floodplain.* Parking, driving, and maneuvering areas located on city-owned property within FEMA-designated floodplain zone and used for passive open space recreation may be constructed of permeable parking surfaces such as permeable asphalt, permeable concrete, permeable pavers, or flexible base. Flexible base must meet minimum testing standards established by the Texas Department of Transportation and be approved by the City Engineer."

Mr. Comstock stated that the revision would allow a small flex-base parking lot area to be installed within the floodplain of Fossil Creek off of Onyx Drive. The Planning and Zoning Commission, at their January 25, 2021 meeting, recommended approval with a vote of 6-0.

In response to Council member Deupree's question, Mr. Comstock informed City Council he believes the permeable parking material is durable and will not wash away.

Director of Public Works Caroline Waggoner informed City Council the permeable material is required to be compacted upon installation. The application of permeable material would not be applied in every circumstance and staff would not recommend it in a high velocity floodway.

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 COUNCIL MEMBER COMPTON TO APPROVE ORDINANCE NO. 3679.

MOTION TO APPROVE CARRIED 7-0.

D. PLANNING AND DEVELOPMENT

There were no items for this category.

E. PUBLIC WORKS

- E.1 CONSIDER RESOLUTION NO. 2020-004, RECOMMENDING THE AWARD OF A CONSTRUCTION CONTRACT BY TARRANT COUNTY TO EXCEL 4 CONSTRUCTION, LLC FOR THE MATSON STREET SANITARY SEWER IMPROVEMENTS PROJECT FOR THE 46TH ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT IN THE TOTAL CONTRACT AMOUNT OF \$228,896.50.**

APPROVED

Director of Public Works Caroline Waggoner informed City Council the resolution number on the agenda is incorrect and should read Resolution No. 2021-004. The request is to award a construction contract by Tarrant County to Excel 4 Construction, LLC for the Matson Street sanitary sewer improvement project. The project consists of reconstructing approximately 1,300 linear feet of sanitary sewer main.

Ms. Waggoner stated that the Community Development Block Grant (CDBG) funding will cover 100% of the cost for design and construction. Ms. Waggoner informed City Council the project came in under budget and staff is working with Tarrant County and the contractor to expand the scope of the project.

A MOTION WAS MADE BY ASSOCIATE MAYOR PRO TEM ORR, SECONDED BY MAYOR PRO TEM TURNAGE TO APPROVE RESOLUTION NO. 2021-004.

MOTION TO APPROVE CARRIED 7-0.

- E.2 CONSIDER A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES WITH BINKLEY & BARFIELD, INC. IN AN AMOUNT NOT TO EXCEED \$352,400.00 FOR THE GLENVIEW DRIVE WEST PROJECT (ST2110).**

APPROVED

Director of Public Works Caroline Waggoner informed City Council this is the first project associated with the successful 2020 bond election for street projects. The request is a professional services agreement for engineering design services with Binkley and Barfield, Inc. for the reconstruction (approximately 3,100 linear feet) of Glenview Drive from Honey Lane to the city limit. The improvements include reconstructing the existing roadway with reinforced concrete and the addition of sidewalks where possible. The road will be rebuilt to its current width.

A MOTION WAS MADE BY COUNCIL MEMBER COMPTON, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES WITH BINKLEY & BARFIELD, INC., IN AN AMOUNT NOT TO EXCEED \$352,400.00 FOR THE GLENVIEW DRIVE WEST PROJECT.

MOTION TO APPROVE CARRIED 7-0.

E.3 CONSIDER A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES WITH KIMLEY-HORN AND ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$402,000.00 FOR THE BEDFORD EULESS ROAD PROJECT (ST2111) AND APPROVE ASSOCIATED BUDGET REVISION.

APPROVED

Director of Public Works Caroline Waggoner informed City Council this is the second project associated with the successful 2020 bond election for street projects. The request is a professional services agreement for engineering design services with Kimley Horn and Associates, Inc. for the reconstruction (approximately 2,800 linear feet) of Bedford Euless Road from Booth Calloway to Strummer. The improvements include reconstructing the existing roadway with reinforced concrete and the addition of pedestrian facilities on the south side of the roadway to supplement the existing trail located on the north side of the roadway. The road will be reconstructed within the existing right-of-way based on the 2019 Transportation Plan recommendation to be reduced to a three-lane configuration.

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY DEPUTY MAYOR PRO TEM RODRIGUEZ TO APPROVE A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES WITH KIMLEY-HORN AND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$402,000.00 FOR THE BEDFORD EULESS ROAD PROJECT AND APPROVE ASSOCIATED BUDGET REVISION.

MOTION TO APPROVE CARRIED 7-0.

F. GENERAL ITEMS

F.1 CONSIDER RESOLUTION 2021-006, APPOINTING CERTAIN MEMBERS TO THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER 1/1A; ACKNOWLEDGING THE APPOINTMENT OF THE OTHER CURRENT MEMBERS OF THE BOARD AND APPOINTING A CHAIRPERSON FOR THE BOARD.

APPROVED

Director of Finance Mark Mills informed City Council the request before them this evening is to appoint members to the Board of Directors for the Tax Increment Reinvestment Zone Number 1/1A. The membership of the Board consists of nine (9) directors with five (5) appointed by the City of North Richland Hills; one (1) appointed by Birdville Independent School District; one (1) appointed by Tarrant County; one (1) appointed by Tarrant County College District and one (1) appointed by Tarrant County Hospital District.

Mr. Mills informed City Council the current membership includes:

Name / Entity

Oscar Trevino - City of North Richland Hills
Rita Wright Oujesky - City of North Richland Hills
Scott Turnage - City of North Richland Hills
Vacant - City of North Richland Hills
Vacant - City of North Richland Hills
Joe Tolbert - Birdville ISD
Rebecca Barksdale - Tarrant County
Susan Alanis - Tarrant County College
Vacant - Tarrant County Hospital

Mayor Trevino recommended the appointment of Council member Deupree and Associate Mayor Pro Tem Orr to the vacant positions and to reappoint the existing members.

A MOTION WAS MADE BY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER BENTON TO APPROVE RESOLUTION NO. 2021-006, REAPPOINTING EXISTING MEMBERS TO THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER 1/1A; APPOINTING KELVIN DEUPREE AND MASON ORR TO THE VACANT POSITIONS; AND APPOINTING OSCAR TREVINO AS CHAIR OF THE BOARD.

MOTION TO APPROVE CARRIED 7-0.

F.2 CONSIDER RESOLUTION 2021-007, APPOINTING CERTAIN MEMBERS TO THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER 2; ACKNOWLEDGING THE APPOINTMENT OF THE OTHER CURRENT MEMBERS OF THE BOARD AND APPOINTING A CHAIRPERSON FOR THE BOARD.

APPROVED

Director of Finance Mark Mills informed City Council the request before them this evening is to appoint members to the Board of Directors for the Tax Increment Reinvestment Zone Number 2. The membership of the Board consists of nine (9) directors with six (6) appointed by the City of North Richland Hills; one (1) appointed by Tarrant County; one (1) appointed by Tarrant County College District and one (1) appointed by Tarrant County Hospital District.

Mr. Mills informed City Council the current membership includes:

Name / Entity

Oscar Trevino - City of North Richland Hills
Rita Wright Oujesky - City of North Richland Hills
Scott Turnage - City of North Richland Hills
Tito Rodriguez - City of North Richland Hills
Vacant - City of North Richland Hills
Vacant - City of North Richland Hills
Rebecca Barksdale - Tarrant County
Susan Alanis - Tarrant County College
Vacant - Tarrant County Hospital

Mayor Trevino recommended the appointment of Associate Mayor Pro Tem Orr and Council member Compton to the vacant positions and to reappoint the existing members.

A MOTION WAS MADE BY ASSOCIATE MAYOR PRO TEM ORR, SECONDED BY DEPUTY MAYOR PRO TEM RODRIGUEZ TO APPROVE RESOLUTION 2021-007, REAPPOINTING EXISTING MEMBERS TO THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER 2 AND APPOINTING MASON ORR AND SUZY COMPTON TO THE VACANT POSITIONS AND APPOINTMENT OF OSCAR TREVINO AS CHAIR OF THE BOARD.

MOTION TO APPROVE CARRIED 7-0.

F.3 CONSIDER RESOLUTION NO. 2021-005, APPOINTING A MEMBER(S) TO THE PLANNING AND ZONING COMMISSION AND CAPITAL IMPROVEMENT ADVISORY COMMITTEE.

APPROVED

City Secretary/Chief Governance Officer Alicia Richardson informed City Council the item before them this evening is to consider Mayor Pro Tem Turnage's recommendation to appoint Gregory Hoffa to Place 6 on the Planning and Zoning Commission and Capital Improvement Advisory Committee. The position is vacant due to the recent appointment

of Kelvin Deupree to City Council. Mr. Hoffa currently serves as the ex-officio on the Planning and Zoning Commission.

Mayor Trevino commented that he would bring forward a recommendation to fulfill the ex-officio vacancy at a future meeting.

A MOTION WAS MADE BY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER COMPTON TO APPROVE RESOLUTION 2021-005.

MOTION TO APPROVE CARRIED 7-0.

F.4 CONSIDER ORDINANCE NO. 3680, EXTENDING THE TEMPORARY MORATORIUM ON ALL DOOR-TO-DOOR SOLICITATION ACTIVITIES AND DISTRIBUTION OF HANDBILLS AUTHORIZED BY THE CITY CODE OF ORDINANCES, CHAPTER 18, ARTICLE VII, SOLICITORS AND HANDBILLS.

APPROVED

City Secretary/Chief Governance Officer Alicia Richardson informed City Council the item before them this evening is to consider extending the temporary moratorium on all door-to-door solicitation activities and distribution of handbills until 11:59 p.m. on February 28, 2021.

A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER DEUPREE TO APPROVE ORDINANCE NO. 3680 EXTENDING THE MORATORIUM TO FEBRUARY 28, 2021 AT MIDNIGHT.

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

APPROVED

Director of Economic Development Craig Hulse informed City Council the item before them this evening is to consider an amendment to the agreement with North Richland Hills Alamo, LLC to facilitate the reopening of the Alamo Drafthouse Cinema located at 8380 Davis Boulevard. The City Council, at their February 7, 2019 meeting, approved an economic development 380 program agreement for the construction of the 32,000 square foot theater. Shortly after Alamo Drafthouse opened their doors in April 2019, the theater closed due to the economic impact of COVID-19. The City was approached by North Richland Hills Alamo, LLC to amend the economic development incentive advance to

defray operating and reopening expenses. Staff recommends City Council authorize the City Manager to negotiate and execute a first amendment to the economic development 380 program agreement with North Richland Hills Alamo, LLC.

A MOTION WAS MADE BY MAYOR PRO TEM TURNAGE, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE A FIRST AMENDMENT TO THE ECONOMIC DEVELOPMENT 380 PROGRAM AGREEMENT WITH NORTH RICHLAND HILLS ALAMO, LLC.

MOTION TO APPROVE CARRIED 7-0.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Council member Wright Oujesky made the following announcements.

The City of North Richland Hills, in partnership with the Northeast Tarrant Chamber of Commerce and others, has launched 1 Million Cups, a program that aims to mentor local entrepreneurs. If you know someone who is thinking of starting a business or if you might be starting a business yourself, 1 Million Cups may be able to help. Please contact the NRH Economic Development Department for more information.

The City of NRH and Republic Services remind residents to have your garbage and recycling on the curb by 7:00 a.m. on your day of service. Recent changes to collection routes have changed the time of day that some neighborhoods are collected. To ensure your garbage and recycling is picked up, you should always have them on the curb by 7:00 a.m.

Kudos Korner - Maintenance Staff in the Parks Department - A resident called to complement our Parks & Recreation Department on how well they take care of Northfield Park. He walks in the park daily and he always sees staff out there tending to the area. He just wanted to say thank you all on a job well done!

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 7:48 pm.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer