

**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  
NORTH RICHLAND HILLS, TX 76180  
AUGUST 8, 2016**

**WORK SESSION**

The City Council of the City of North Richland Hills, Texas met in work session on the 8th day of August 2016 at 6:00 p.m. in the City Council Workroom prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Tim Welch	Mayor Pro Tem
	Tito Rodriguez	Council, Place 1
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	Scott Turnage	Council, Place 6
Absent:	David Whitson	Council, Place 5
Staff Members:	Mark Hindman	City Manager
	Karen Bostic	Assistant City Manager
	Mike Curtis	Managing Director
	Monica Solko	Assistant City Secretary
	Cara L. White	City Attorney

**CALL TO ORDER**

Mayor Trevino called the meeting to order at 6:00 p.m.

**1. DISCUSS ITEMS FROM REGULAR CITY COUNCIL MEETING.**

Council had no questions for staff.

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

Economic Development Director Craig Hulse introduced Elizabeth Copeland who was hired to fulfill the vacancy created by Phyl Baloga's retirement.

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### **3. UPDATE ON BOARD AND COMMISSION APPOINTEES.**

Assistant City Secretary Monica Solko informed Council this item was placed on work session so that Council could have an opportunity to give an update on their board appointment recommendations. Appointees are recommended by individual elected officials, which are considered and voted on by the entire City Council. Council discussed the appointments and advocated on behalf of their nominees. Mayor Trevino recommended that City Council postpone action on the Animal Adoption and Rescue Center Advisory Committee, Place 4 appointment, Park and Recreation Board, Alternate appointment and Civil Service Commission, Position 4 appointment. Council member Barth asked that City Council postpone action on Library Board, Place 4 appointment. City Council concurred with considering the remaining of board appointments.

### **EXECUTIVE SESSION**

Mayor Trevino announced at 6:14 p.m. that the Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, specifically 551.074: personnel matters to deliberate the employment, evaluation, and duties of public employees - city attorney and Section 551.072: deliverate the purchase, exchange, lease or value of real property - (1) 7301 NE Loop 820 and (2) Northwest corner of Davis Boulevard and Main Street. Executive Session began at 6:16 p.m. and concluded at 6:43 p.m.

Mayor Trevino announced at 6:43 p.m. that Council would convene to the regular City Council meeting.

### **REGULAR MEETING**

#### **A. CALL TO ORDER**

Mayor Trevino called the meeting to order August 8, 2016 at 7:00 p.m.

Present:	Oscar Trevino	Mayor
	Tim Welch	Mayor Pro Tem
	Tito Rodriguez	Council, Place 1
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	Scott Turnage	Council, Place 6

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Absent:	David Whitson	Council, Place 5
Staff Members:	Mark Hindman	City Manager
	Monica Solko	Assistant City Secretary
	Cara L. White	City Attorney

**A.1 INVOCATION - COUNCIL MEMBER WRIGHT OUJESKY**

Council member Wright Oujesky gave the invocation.

**A.2 PLEDGE - COUNCIL MEMBER WRIGHT OUJESKY**

Council member Wright Oujesky 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 REMOVAL OF ITEM(S) FROM CONSENT AGENDA**

No items were removed from the consent agenda.

**B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS**

**APPROVED**

**COUNCIL MEMBER RODRIGUEZ MOVED TO APPROVE THE CONSENT AGENDA.  
COUNCIL MEMBER LOMBARD SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

**B.1 APPROVE THE MINUTES OF THE REGULAR JULY 25, 2016 CITY  
COUNCIL MEETING.**

**C. PUBLIC HEARINGS**

**C.1 RP 2016-05 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM EL POLLO LOCO FOR A REPLAT OF LOTS 1A1 AND 1C, BLOCK 1, WAL-MART ADDITION ON 24.668 ACRES LOCATED IN THE 9100 BLOCK OF NORTH TARRANT PARKWAY.**

**APPROVED**

Mayor Trevino opened the public hearing and called on Principal Planner Clayton Husband to introduce the item.

Principal Planner Clayton Husband informed Council the applicant El Pollo Loco is requesting to replat 24.668 acre lot located on the north side of North Tarrant Parkway between Davis Boulevard and Precinct Line Road. The area is designated on the Comprehensive Land Use Plan as Retail and the current zoning is Planned Development (PD-36) which has a (C-1) Commercial base zoning district. The Retail designation is intended to permit a variety of retail trade, personal and business service establishments, and offices. Mr. Husband provided site photos of the property.

Applicant representative David Gregory, 2840 W. Southlake Boulevard, Suite 110, Southlake, TX stated that this is the follow-up replat to the zoning case that was approved last month. The purpose of the replat is to create an individual lot for the EL Pollo Loco. The lot is a flag shaped lot that will front North Tarrant Parkway allowing for access to utilities and a monument sign. The site will utilize the existing access points inside the Walmart Shopping Center. Cross access agreements and easements are already in place. He was available to answer questions from Council.

Principal Planner Clayton Husband presented staff's report. The 50-foot frontage off North Tarrant Parkway is the minimum width requirement, which has been met. The Planning and Zoning Commission, at their July 21, 2016 meeting, recommended approval with a vote of 5-0.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

**MAYOR PRO TEM WELCH MOVED TO RP 2016-05. COUNCIL MEMBER TURNAGE SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

**C.2 SUP 2015-03, ORDINANCE NO. 3422, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM DWAYNE CARAWAY FOR A SPECIAL USE PERMIT FOR A 100 FOOT COMMUNICATION TOWER LOCATED AT 8321 DAVIS BOULEVARD.**

**APPROVED**

Mayor Trevino opened the public hearing and called on Principal Planner Clayton Husband to introduce the item.

Principal Planner Clayton Husband informed Council the applicant is requesting a special use permit for a communications tower located at 8021 Davis Boulevard. The area is designated on the Comprehensive Land Use Plan as Office and the current zoned Agricultural (AG). Mr. Husband provided site photos of the property.

Applicant Dwayne Caraway, 10717 Plano Road, Suite 200, Dallas, TX presented the request and was available to answer questions.

Principal Planner Clayton Husband presented staff's report. The communication tower is 100-feet and requires a setback from all property lines of 100-feet. The tower location meets this standard on all sides except for the west property line. The west property line has a setback of 13-feet, which would mitigate the impact on the property for future development. The Planning and Zoning Commission was in favor of the 13-foot setback. The applicant has dedicated cross access on the site that allow future access north and south. The Planning and Zoning Commission, at their July 21, 2016 meeting, recommended approval with a vote of 5-0.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

**COUNCIL MEMBER LOMBARD MOVED TO APPROVE ORDINANCE NO. 3422. COUNCIL MEMBER RODRIGUEZ SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

**D. PLANNING AND DEVELOPMENT**

There were no items for this category.

**E. PUBLIC WORKS**

**E.1 APPROVE RESOLUTION NO. 2016-023, SUPPORTING A MUNICIPAL SETTING DESIGNATION (MSD) APPLICATION TO THE TARRANT COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ).**

**APPROVED**

Managing Director Mike Curtis presented item to Council. The request is to approve Resolution No. 2016-023 supporting an application of Industrial Power, LLC. to the Texas Commission on Environmental Quality (TCEQ) for the property located at 600 North Beach Street, Fort Worth, Texas.

Applicant representative Valerie Honneycutt, Koos & Associates, Inc., 10410 Markison Road, Dallas, TX presented the request. The site is located at 600 North Beach in Fort Worth and due to the five mile radius requirement the City of North Richland Hills falls within the area. The property will be used as truck parking and no drinking water would be necessary at the site. The City of Fort Worth passed a resolution in support. Ms. Honneycutt was available to answer any questions.

Mr. Curtis advised that staff is recommending approval of Resolution No. 2016-023.

**COUNCIL MEMBER TURNAGE MOVED TO APPROVE RESOLUTION NO. 2016-023. COUNCIL MEMBER WRIGHT OUJESKY SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

**F. GENERAL ITEMS**

**F.1 AUTHORIZE CITY MANAGER TO EXECUTE A CONTRACT WITH DOUBLE D CONTRACTING LLC FOR CONSTRUCTION OF A 6' WIDE SIDEWALK CONNECTING THE CALLOWAY BRANCH TRAIL TO AMENITIES IN RICHFIELD PARK IN THE AMOUNT OF \$69,712.**

**APPROVED**

Assistant Park and Recreation Director Bill Thornton presented item and was available to answer questions.

Council had no questions for staff.

COUNCIL MEMBER LOMBARD MOVED TO AUTHORIZE CITY MANAGER TO EXECUTE A CONTRACT WITH DOUBLE D CONTRACTING, LLC. FOR CONSTRUCTION OF A 6' WIDE TRAIL CONNECTING THE CALLOWAY BRANCH TRAIL TO AMENITIES IN RICHFIELD PARK IN THE AMOUNT OF \$69,712. COUNCIL MEMBER RODRIGUEZ SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

**F.2 SETTING THE DATES FOR THE PUBLIC HEARINGS FOR THE CITY'S FY 2016/2017 PROPOSED AND FY 2015/2016 REVISED BUDGET, THE PARK AND RECREATION FACILITIES DEVELOPMENT CORPORATION FY 2016/2017 PROPOSED AND FY 2015/2016 REVISED BUDGET, THE CRIME CONTROL AND PREVENTION DISTRICT FY 2016/2017 PROPOSED AND FY 2015/2016 REVISED BUDGET.**

**APPROVED**

Budget Director Mark Mills presented the item. Council is being asked to set the public hearing dates for the proposed FY 2016/2017 City Budget, FY 2015/2016 revised City Budget, proposed projects and operations of the Park and Recreation Facilities Development Corporation and the Crime Control and Prevention District. The public hearings are planned for Monday, August 22 as follows:

6:15 p.m. Park and Recreation Facilities Development Corporation  
6:30 p.m. Crime Control and Prevention District  
7:00 p.m. City Budgets as part of the regular City Council meeting.

Council did not have any questions for staff.

**COUNCIL MEMBER WRIGHT OUJESKY MOVED TO SET THE HEARINGS AS AUGUST 22, 2016 AT 6:15 P.M. FOR THE PARK AND RECREATION FACILITIES DEVELOPMENT CORPORATION, 6:30 P.M. FOR THE CRIME CONTROL AND PREVENTION DISTRICT, AND 7:00 P.M. FOR THE ANNUAL CITY BUDGET. COUNCIL MEMBER BARTH SECONDED THE MOTION.**

MOTION TO APPROVE CARRIED 6-0.

**F.3 SETTING AUGUST 22, 2016 AND SEPTEMBER 12, 2016 AS THE DATES FOR THE TAX RATE PUBLIC HEARINGS AND VOTE ON PLACING THE TAX RATE ADOPTION ON THE AGENDA OF THE SEPTEMBER 26, 2016 CITY COUNCIL MEETING.**

**APPROVED**

Budget Director Mark Mills summarized and presented the item to Council. At the Budget Work Session, a tax rate of 61¢ per \$100 of taxable valuation was proposed. This is the same as the currently adopted tax rate of 61¢. Per Section 26.05(d) of the Tax Code, the City Council cannot adopt a tax rate that exceeds the lower of the rollback tax rate or the effective tax rate until two public hearings have been held on that tax rate. The proposed tax rate exceeds the effective tax rate of 58.3909¢ but remains below the rollback rate of 61.0009¢. As a result, the city of North Richland Hills will be required to conduct two public hearings on the tax rate. The proposed dates for these public hearings are Monday, August 22, 2016 and Monday, September 12, 2016, each to be held at the City of North Richland Hills City Hall. State law requires that the City Council vote to place the adoption of the tax rate on a future City Council agenda as an action item. The date for this vote is planned for Monday, September 26, 2016.

**COUNCIL MEMBER LOMBARD MOVED TO APPROVE THE SETTING OF MONDAY, AUGUST 22, 2016 AND MONDAY SEPTEMBER 12, 2016 AS THE DATES FOR PUBLIC HEARINGS ON THE PROPOSED TAX RATE. COUNCIL MEMBER TURNAGE SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

**F.4 CONSIDER RESOLUTION NO. 2016-024, APPOINTING MEMBERS TO CIVIL SERVICE COMMISSION, KEEP NRH BEAUTIFUL COMMISSION, LIBRARY BOARD, PARK AND RECREATION BOARD, PARK AND RECREATION FACILITIES DEVELOPMENT CORPORATION, TEEN COURT ADVISORY BOARD AND ZONING BOARD OF ADJUSTMENT.**

**APPROVED**

Assistant City Secretary Monica Solko informed Council the resolution before them this evening is to discuss and consider nominees to various boards, commissions and committees. The following nominees were submitted by Mayor Trevino, Council member Wright Oujesky, Barth and Turnage.



**Animal Adoption and Rescue Center Advisory Committee**

Tom Lombard, Place 2, Term expiring June 30, 2018

**Keep North Richland Hills Beautiful Commission**

Mi'Shon Landry, Alternate, Term expiring June 30, 2018

**Board of Adjustment**

Brian Crowson, Place 2, Term expiring June 30, 2018

**Library Board**

Jennifer Bosley, Place 2, Term expiring June 30, 2018

**Park and Recreation Board**

Suzy Compton, Place 2, Term expiring June 30, 2018

Paul Pena, Place 4, Term expiring June 30, 2018

**Teen Court Advisory Board**

Janet Golightly, Place 2, Term expiring June 30, 2018

Francis Lambright, Jr., Place 4, Term expiring June 30, 2018

Karen Russell, Place 6, Term expiring June 30, 2018

**Civil Service Commission**

September Daniel, Position 2 - Fire Association, Term expiring June 30, 2017

Melissa Kates, Ex Officio, Term expiring June 30, 2018

**Parks and Recreation Facilities Development Corporation**

Tracye Tipps, Citizen Member Director, Term expiring May 30, 2018

**COUNCIL MEMBER WRIGHT OUJESKY MOVED TO RESOLUTION NO. 2016-024.  
COUNCIL MEMBER RODRIGUEZ SECONDED THE MOTION.**

**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**

**APPROVED**

Mayor Trevino announced that action is necessary as result of discussion in Executive Session pursuant to Section 551.074: personnel matters to deliberate the

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employment, evaluation, and duties of public employees - city attorney.

**COUNCIL MEMBER WRIGHT OUJESKY MOVED TO APPOINT MALESHIA FARMER AS THE CITY ATTORNEY AND APPROVE THE EMPLOYMENT CONTRACT WITH THE CITY OF NORTH RICHLAND HILLS AND MALESHIA FARMER. COUNCIL MEMBER LOMBARD SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

## **H. INFORMATION AND REPORTS - MAYOR PRO TEM WELCH**

### **H.1 ANNOUNCEMENTS**

Mayor Pro Tem Welch made the following announcements.

New York Times bestselling author Susan Wiggs will visit the North Richland Hills Library this Friday, August 12 to release her newest book, Family Tree. Her free talk will begin at 1:00 p.m. and will be immediately followed by a book signing. Please call the Library or visit their website for more information.

Celebrate summer with fireworks this Saturday at NRH2O. The fireworks will begin at dusk, at around 9:15 p.m. Visit NRH2O.com for more details.

Kudos Korner - Chuck James, Pooch Amy, Lester Champion, Bennie Frazier, Chris Legg, Johnny Reyes, Justin Dean, Juan Rastrepo and Cannon Binkert in the Public Works Department - A resident emailed his appreciation for the employees who worked through the night to repair a water main break. His email stated: "From what I could tell driving by, it looked like a very difficult leak to access, much less repair. I was very impressed with the response to the leak, the notification process and how quickly water was restored. You should be very proud!"

## **I. ADJOURNMENT**

Mayor Trevino adjourned the meeting at 7:53 p.m.

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Oscar Trevino, Mayor

ATTEST

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Monica Solko, Assistant City Secretary