

**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 27, 2020**

Via Webex Video Conference

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 27, 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
Suzy Compton, Place 3
Mason Orr, Associate Mayor Pro Tem, Place 4
Mike Benton, Place 5

Absent:

Rita Wright Oujesky, Place 2
Tim Welch, Place 7

Staff present via video conference:

Mark Hindman, City Manager
Alicia Richardson, City Secretary
Maleshia B. McGinnis, City Attorney

CALL TO ORDER

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

1. DISCUSS ITEMS ON REGULAR CITY COUNCIL MEETING.

City Council had no questions for staff.

EXECUTIVE SESSION

1. SECTION 551.074: PERSONNEL MATTERS TO DELIBERATE THE EMPLOYMENT, EVALUATION, AND DUTIES OF PUBLIC EMPLOYEES - (1) CITY SECRETARY AND (2) MUNICIPAL JUDGE

Mayor Trevino announced at 6:03 p.m. that the City Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, Section 551.074: Personnel Matters to Deliberate the Employment, Evaluation, and Duties of Public Employees - (1) City Secretary and (2) Municipal Judge. Executive Session began at 6:05 p.m. and concluded at 6:55 p.m.

Mayor Trevino announced at 6:55 p.m. that City Council would convene to the regular City Council meeting.

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 July 27, 2020 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

Scott Turnage, Mayor Pro Tem, Place 6

Tito Rodriguez, Deputy Mayor Pro Tem, Place 1

Suzy Compton, Place 3

Mason Orr, Associate Mayor Pro Tem, Place 4

Mike Benton, Place 5

Absent:

Rita Wright Oujesky, Place 2

Tim Welch, Place 7

A.1 INVOCATION

Council member Benton gave the invocation.

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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)

A.4 CITIZENS PRESENTATION

Mr. Roger Price, 5632 Meadows Way, informed City Council he signed a contract with the North Richland Hills Police Association for a charity sweepstakes. He has been made aware that the zoning does not allow sweepstake businesses. Mr. Price commented that he would love to do business in North Richland Hills and to assist the police department via his sweepstake business.

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

MAYOR PRO TEM TURNAGE MOVED, SECONDED BY DEPUTY MAYOR PRO TEM RODRIGUEZ TO APPROVE THE CONSENT AGENDA.

MOTION TO APPROVE CARRIED 5-0.

B.1 APPROVE MINUTES OF THE REGULAR JULY 13, 2020 CITY COUNCIL MEETING.

B.2 APPROVE THE PURCHASE OF TECHNOLOGY CONSULTING SERVICES FOR NETWORK CONFIGURATION ENHANCEMENTS AND SECURITY FROM JOHNSTON TECHNICAL SERVICES, INC. (JTS) UTILIZING BUYBOARD COOPERATIVE PURCHASING CONTRACT NO. 579-19 IN THE COMBINED AMOUNT OF \$87,120 FOR FISCAL YEAR 2019-2020.

B.3 APPROVE FISCAL YEAR 2019-2020 PURCHASES FOR HARDWARE, SOFTWARE LICENSES, AND PROFESSIONAL SERVICES FROM RACKLEY SERVICES, LLC. FOR A TOTAL AMOUNT NOT TO EXCEED \$65,750 UTILIZING THE INTERLOCAL PURCHASING SYSTEM (TIPS) COOPERATIVE CONTRACT NO. 18020401.

C. PUBLIC HEARINGS

C.1 PUBLIC HEARING AND DISCUSSION ON UPDATING IMPACT FEES FOR WATER AND WASTEWATER AND AMENDING IMPACT FEE REGULATIONS, PURSUANT TO CHAPTER 395 OF THE LOCAL GOVERNMENT CODE.

Mayor Trevino opened the public hearing for item C.1 and called on Director of Public Works Caroline Waggoner to introduce items C.1 and E.1.

Ms. Waggoner informed City Council a correction to the service unit equivalent for wastewater is required in the Impact Fee Study based on a technical memorandum provided by the study consultant, Freese & Nichols. The study document indicated the service unit equivalent for wastewater was lower than water. The meter unit equivalents should be identical for both water and wastewater. Item E.1, Ordinance No. 3656, amends the service unit equivalent and updates the City's fee schedule. The proposed ordinance will not alter the impact fee rates identified in the Impact Fee Study approved by City Council. The ordinance amends Table 4 - North Richland Hills Meter/Service Unit Equivalency. State law requires the governing body to conduct a public hearing prior to revisions to the Impact Fee Study.

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 one wishing to speak, Mayor Trevino closed the public hearing.

D. PLANNING AND DEVELOPMENT

There were no items for this category.

E. PUBLIC WORKS

E.1 CONSIDER ORDINANCE NO. 3656, AMENDING SECTION 110 OF THE CODE OF ORDINANCES TO CORRECT A SERVICE UNIT EQUIVALENT IN THE CITY'S FEE SCHEDULE.

APPROVED

This item was presented in conjunction with C.1.

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY COUNCIL MEMBER COMPTON TO APPROVE ORDINANCE NO. 3656, AMENDING SECTION 110 OF THE CODE OF ORDINANCES.

MOTION TO APPROVE CARRIED 5-0.

E.2 CONSIDER ORDINANCE NO. 3659, ABANDONING A PORTION OF A WATER LINE EASEMENT IN THE SUNNYBROOK SCHOOL ADDITION AND AUTHORIZE EXECUTION OF A QUITCLAIM DEED AND RELEASE AGREEMENT WITH BISD.

APPROVED

Director of Public Works Caroline Waggoner informed City Council the request is to abandon a water line easement, instrument number D216158176 as recorded with the deed records of Tarrant County. The easement was granted in May 2016 for placement of a fire hydrant. The construction of a new campus required the relocation of the water main and fire hydrant and the easement is no longer necessary. Ms. Waggoner informed City Council that Birdville Independent School District has executed a release agreement and a quitclaim deed will be required from the City.

A MOTION WAS MADE BY ASSOCIATE MAYOR PRO TEM ORR, SECONDED BY MAYOR PRO TEM TURNAGE TO APPROVE ORDINANCE NO. 3659, ABANDONING A PORTION OF A WATER LINE EASEMENT IN THE SUNNYBROOK SCHOOL ADDITION AND AUTHORIZE EXECUTION OF A QUITCLAIM DEED AND RELEASE AGREEMENT WITH BIRDVILLE INDEPENDENT SCHOOL DISTRICT.

MOTION TO APPROVE CARRIED 5-0.

E.3 CONSIDER A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES WITH BAIRD, HAMPTON & BROWN, INC. IN AN AMOUNT NOT TO EXCEED \$377,840.60 FOR THE GLENVIEW DRIVE EAST PROJECT (ST2006).

APPROVED

Director of Public Works Caroline Waggoner informed City Council the Glenview Drive East project consists of engineering and construction of approximately 2,700 linear feet of Glenview Drive from Boulevard 26 to Flory Street. The improvements include the reconstruction of the existing roadway with concrete and addition of sidewalks where possible. The reconstruction will not expand the roadway. Staff recommends City Council approve the professional service agreement for engineering design services with Baird, Hampton & Brown, Inc.

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A MOTION WAS MADE BY COUNCIL MEMBER COMPTON, SECONDED BY DEPUTY MAYOR PRO TEM RODRIGUEZ TO APPROVE A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES WITH BAIRD, HAMPTON & BROWN, INC., IN AN AMOUNT NOT TO EXCEED \$377,840.60 FOR THE GLENVIEW DRIVE EAST PROJECT.

MOTION TO APPROVE CARRIED 5-0.

F. GENERAL ITEMS

F.1 CONSIDER RESOLUTION NO. 2020-029, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN AN AMOUNT NOT TO EXCEED \$2,075,000.

APPROVED

Director of Finance Mark Mills informed City Council the amended budget for Fiscal Year 2019/2020 includes two projects--Iron Horse Boulevard reconstruction and Hightower / Davis Boulevard signalization--that will be financed with Certificates of Obligation. State law requires specific notification prior to the issuance of Certificates of Obligation. The resolution, if approved, authorizes and directs staff to publish the notice of intent to issue Certificates of Obligation in the amount not to exceed \$2,310,000. Mr. Mills informed City Council the caption on the agenda and the resolution had an incorrect amount of \$2,075,000. The memorandum in the agenda packet had the correct number in the amount not to exceed \$2,310,000. Mr. Mills informed City Council the notice, if approved, will publish on Wednesday, July 29 and the following Wednesday, August 5, 2020. The anticipated sale date is September 14, 2020.

A MOTION WAS MADE BY DEPUTY MAYOR PRO TEM RODRIGUEZ, SECONDED BY COUNCIL MEMBER BENTON TO APPROVE RESOLUTION NO. 2020-029, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN AN AMOUNT NOT TO EXCEED \$2,310,000.

MOTION TO APPROVE CARRIED 5-0.

F.2 APPROVE RESOLUTION NO. 2020-030, DESIGNATING THE DIRECTOR OF FINANCE AS THE PRIMARY AND DIRECTOR OF BUDGET & RESEARCH AS THE SECONDARY AS THE OFFICER OR EMPLOYEE RESPONSIBLE FOR THE CALCULATION OF THE NO-NEW-REVENUE TAX RATE, VOTER-APPROVAL TAX RATE, AND PERFORMING ALL OTHER DUTIES AND OBLIGATIONS NECESSARY TO EFFECT SUBMISSION OF THE TAX RATE TO THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS IN ACCORDANCE WITH CHAPTER 26 OF THE TEXAS TAX CODE.

APPROVED

Director of Budget and Research Robert Myers informed City Council state law requires the City Council designate an officer to be responsible for the calculation of the no-new-revenue tax rate, voter-approval tax rate and to perform other duties and obligations related to submission of the tax rate to the City Council. Resolution No. 2020-030, designates the Director of Finance as the primary and Director of Budget and Research as the secondary officer or employee responsible for the City in the calculation of the no-new revenue tax rate, voter-approval tax rate, and other obligations required by Chapter 26 of the Texas Tax Code.

A MOTION WAS MADE BY MAYOR PRO TEM TURNAGE, SECONDED BY ASSOCIATE MAYOR PRO TEM ORR TO APPROVE RESOLUTION NO. 2020-030, DESIGNATING THE DIRECTOR OF FINANCE AS THE PRIMARY AND DIRECTOR OF BUDGET & RESEARCH AS THE SECONDARY AS THE OFFICER OR EMPLOYEE RESPONSIBLE FOR THE CALCULATION OF THE NO-NEW-REVENUE TAX RATE, VOTER-APPROVAL TAX RATE, AND PERFORMING ALL OTHER DUTIES AND OBLIGATIONS NECESSARY TO EFFECT SUBMISSION OF THE TAX RATE TO THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS IN ACCORDANCE WITH CHAPTER 26 OF THE TEXAS TAX CODE.

MOTION TO APPROVE CARRIED 5-0.

F.3 CONSIDER RESOLUTION NO. 2020-031, DIRECTING THE DESIGNATED OFFICER TO CALCULATE THE VOTER-APPROVAL TAX RATE FOR THE CITY OF NORTH RICHLAND HILLS IN ACCORDANCE WITH TEXAS TAX CODE 26.04 (C-1).

Director of Budget and Research Robert Myers informed City Council the item for their consideration is to direct the designated officer to calculate the voter-approval tax rate for the City of North Richland Hills in accordance with the Texas Tax Code Section 26.04(c-1). The section allows any City to calculate the voter-approval tax rate in a manner provided for a special taxing unit if any part of the taxing unit is located in an

area that is declared a disaster area during the current tax year by the governor of the state or by the President of the United States. The change provides for a taxing unit to calculate the voter-approval tax rate from a 3.5% increase over the no-new revenue tax rate to an 8% increase over the no-new revenue tax rate. Based on staff's additional research, staff is recommending no action from City Council.

No action taken by City Council.

F.4 SETTING THE DATE FOR THE PUBLIC HEARINGS FOR THE CITY'S FY 2019/2020 REVISED BUDGET, THE PARK AND RECREATION FACILITIES DEVELOPMENT CORPORATION'S FY 2019/2020 REVISED BUDGET, THE CRIME CONTROL AND PREVENTION DISTRICT'S FY 2019/2020 REVISED BUDGET.

APPROVED

Director of Budget and Research Robert Myers informed City Council this item sets the date of Thursday August 13, 2020 for public hearings on the Revised Fiscal Year 2019/2020 budgets for the Park and Recreation Facilities Development Corporation, Crime Control and Prevention District, and City Council. The public hearing for the Park and Recreation Facilities Development Corporation is scheduled for 6:30 p.m., Crime Control and Prevention District is scheduled for 6:40 p.m. and City Council scheduled for 7:00 p.m.

Mr. Myers also presented item F.5, which sets the date of Thursday August 13, 2020 for public hearings on the Proposed Fiscal Year 2020/2021 budgets for the Park and Recreation Facilities Development Corporation, Crime Control and Prevention District, and City Council. The public hearing for the Park and Recreation Facilities Development Corporation is scheduled for 6:30 p.m., Crime Control and Prevention District is scheduled for 6:40 p.m. and City Council scheduled for 7:00 p.m.

A MOTION WAS MADE BY ASSOCIATE MAYOR PRO TEM ORR, SECONDED BY DEPUTY MAYOR PRO TEM RODRIGUEZ TO APPROVED. APPROVE THURSDAY, AUGUST 13, 2020 AS THE DATE FOR THE PUBLIC HEARING ON THE CITY'S FY 2019/2020 REVISED BUDGET, THE PARKS AND RECREATION FACILITIES DEVELOPMENT CORPORATION'S FY 2019/2020 REVISED BUDGET, AND THE CRIME CONTROL AND PREVENTION DISTRICT'S FY 2019/2020 REVISED BUDGET. MOTION TO APPROVE CARRIED 7-0.

F.5 SETTING THE DATE FOR THE PUBLIC HEARING FOR THE CITY'S FY 2020/2021 PROPOSED BUDGET, THE PARK AND RECREATION FACILITIES DEVELOPMENT CORPORATION'S FY 2020/2021 PROPOSED BUDGET, AND THE CRIME CONTROL AND PREVENTION DISTRICT'S FY 2020/2021 PROPOSED BUDGET.

APPROVED

This item was presented in conjunction with F.4.

A MOTION WAS MADE BY COUNCIL MEMBER COMPTON, SECONDED BY DEPUTY MAYOR PRO TEM RODRIGUEZ TO APPROVE THURSDAY, AUGUST 13, 2020 AS THE DATE FOR THE PUBLIC HEARING ON THE CITY'S FY 2020/2021 PROPOSED BUDGET, THE PARKS AND RECREATION FACILITIES DEVELOPMENT CORPORATION'S FY 2020/2021 PROPOSED BUDGET, AND THE CRIME CONTROL AND PREVENTION DISTRICT'S FY 2020/2021 PROPOSED BUDGET.

MOTION TO APPROVE CARRIED 6-0.

F.6 CONSIDER ORDINANCE NO. 3668, APPOINTING THE PRESIDING JUDGE AND SUBSTITUTE JUDGE OF THE MUNICIPAL COURT OF RECORD.

APPROVED

City Manager Mark Hindman informed City Council the ordinance provides for the appointment of Presiding Judge Stewart Bass and Substitute Judge Lorraine Irby of the Municipal Court of Record for a term of two years. The ordinance provides the annual salary of \$84,941 for the Presiding Judge and that the Substitute Municipal Judge shall be compensated by the Presiding Judge to serve during his absence.

City Attorney Maleshia McGinnis informed City Council the action is to consider Ordinance No. 3668, in accordance with Executive Session.

A MOTION WAS MADE BY COUNCIL MEMBER BENTON, SECONDED BY COUNCIL MEMBER COMPTON TO APPROVE ORDINANCE NO. 3668, IN ACCORDANCE WITH EXECUTIVE SESSION.

MOTION TO APPROVE CARRIED 5-0.

F.7 CONSIDER RESOLUTION NO. 2020-032, APPOINTING MEMBERS TO PLACE 6 ON VARIOUS BOARDS, COMMISSIONS AND COMMITTEES.

APPROVED

City Secretary Alicia Richardson informed City Council the item before them this evening is to consider the recommendations of Mayor Pro Tem Turnage to various boards, commissions, and committees.

Kathy Luppy - Keep NRH Beautiful Commission, term expiring June 30, 2022

Mary Robbins - Library Board, term expiring June 30, 2022

Dianne Spradling - Parks and Recreation Board, term expiring June 30, 2022

Kelvin Deupree - Planning and Zoning Commission, term expiring June 30, 2022

Kelvin Deupree - Capital Improvement Advisory Committee, term expiring June 30, 2022

Brian Crowson - Substandard Building Board, term expiring June 30, 2022

Karen Russell - Teen Court Advisory Board, term expiring June 30, 2022

Bill Gibbs - Zoning Board of Adjustment, term expiring June 30, 2022

A MOTION WAS MADE BY MAYOR PRO TEM TURNAGE, SECONDED BY ASSOCIATE MAYOR PRO TEM ORR TO APPROVE RESOLUTION NO. 2020-032, APPOINTING MEMBERS TO PLACE 6 ON VARIOUS BOARDS, COMMISSIONS AND COMMITTEES.

MOTION TO APPROVE CARRIED 5-0.

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 Executive Session.

H. INFORMATION AND REPORTS

H.1 ANNOUNCEMENTS

Council member Compton made the following announcements.

Registration is open for the next Citizens Police Academy which will take place August 27 to November 19. The Citizens Police Academy will meet each Thursday from 9 a.m. to noon. Participants will learn about patrol procedures, dispatch operations, SWAT operations, crime scene search and many other law enforcement subjects. Class size is limited to allow for social distancing and advanced registration is required. You can sign up online at nrhtx.com/cpa.

The City of North Richland Hills reminds all water customers of our twice per week watering schedule. Please water your lawn only on your designated days. You can go online to nrhtx.com/conservation for more information.

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Kudos Korner - Frank Perez and Stephanie Hee at NRH2O Family Water Park - A citizen emailed praise for the management staff at NRH2O. She stated that both Frank and Stephanie go above and beyond in providing extraordinary customer service. They are always accessible to their guests and epitomize the crucial values of sincerity, integrity, respect, diversity, safety, and inclusion. In an era where one-to-one customer service is a rarity, Mr. Perez and Ms. Hee are a great example for all to follow.

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 7:47 p.m.

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary