MINUTES OF
RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
APRIL 12, 2011

Mayor Ragan called the Regular City Council meeting to order at 7:00 p.m., in the Council Chambers of the Richland Hills City Hall, 3200 Diana Drive, Richland Hills, Texas.

David L. Ragan	Mayor
Kenney Davis, Place 2	Mayor Pro Tem
James Blyn, Place 1	Councilmembers
Andrew Baugh, Place 3	
Ricky Head, Place 4	
Larry Marrs, Place 5	
James W. Quin	City Manager
Linda Cantu	City Secretary
Tim Sralla	City Attorney

with the following members absent: None, constituting a quorum, at which time the following business was transacted:

1. Call to Order

2. **INVOCATION/PLEDGES OF ALLEGIANCE**

The invocation was given by Mayor pro tem Kenney Davis.

Councilmember Head led the Pledge of Allegiance to the United States and Texas flags.

3. **PUBLIC INPUT OR PUBLIC COMMENTS-**

Travis Malone, 3106 Elm Park, commented on the need to redesign the city website, and to keep the upcoming city election positive.

4. **PRESENTATIONS/RECOGNITION-**

Consider recognizing and presenting awards to the following:

A) Mayor Ragan proclaimed April, 2011 as Child Abuse Prevention Month encouraging all citizens to become more aware of child abuse prevention and consider helping

parent's raise their children in a safe, nurturing environment and urge all citizens to work together to help reduce child abuse and neglect significantly in the years to come; and

B) Mayor Ragan proclaimed May as Motorcycle Safety and Awareness month urging all residents of Richland Hills to become aware of the inherent danger involved in operating a motorcycle and give the operator the respect on the road they deserve;

C) Mayor Ragan proclaimed the week of April 10-16, 2011, as National Crime Victims' Rights Week."

5. **COUNCIL APPOINTED BOARDS-**

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Head to appoint Tom Shannon to Zoning Board of Adjustment, Place 2. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Marrs to appoint Judy Sargent to Animal Shelter Advisory Board, Place 2. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Marrs, and seconded by Councilmember Baugh to appoint Travis Malone to Animal Shelter Advisory Board, Place 5A. Motion carried by a vote of 5-0.

6. **APPROVE OIL, GAS AND MINERAL LEASE AGREEMENT WITH DALE PROPERTY SERVICES, LLC -**

City Manager James Quin advised the following item was for consideration to discuss and approve oil, gas and mineral lease agreement with Dale Property Services, LLC regarding city property described as 1.17 acres, more or less, Block 33, Richland Hills Addition (Kate Baker Park); .4971 acres, more or less, Lot 7 and 8, Block F, Richland Hills Addition; .1835 acres, more or less. Lot 2B, Block 1, Richland Hills Addition and .1607 acres, more or less, Lot 16R, Payton Subdivision (Hurst) for the amount of $5,000 per net mineral acre and twenty-five percent royalties. This item was tabled at Council's Tuesday, March 22, 2011 Regular Meeting.

City Attorney Tim Sralla recommended Councilmember's reconvene for a brief Executive Session.

At 7:20 p.m., Mayor Ragan moved to Executive Session, in particular, Section 551.071: Consultation with Attorney. The City Council may conduct a private consultation with its attorney when the City Council seeks the advice of its attorney concerning any item on

this agenda, about pending and contemplated litigation, or a settlement offer, or a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Chapter 551.

The Mayor reconvened the open meeting at 7:35 p.m.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Marrs to approve subject to city attorney's review and approval. Motion carried by a vote of 5-0.

7. **APPROVE RESOLUTION DESIGNATING CERTAIN POSITIONS AUTHORITY TO HANDLE REGISTRATION DOCUMENTATION -**

City Manager James Quin advised the following was to discuss and approve resolution designating certain positions authority to handle registration documentation pertaining to unmarked license plates.

MOTION: A motion was made by Councilmember Blyn, and seconded by Councilmember Marrs to approve. Motion carried by a vote of 5-0.

8. **APPROVE JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH TARRANT COUNTY-**

City Manager James Quin advised the following was to discuss and approve a joint election agreement and contract for election services with the Tarrant County Elections Administrator to conduct early voting and election day services regarding May 14, 2011 General Election.

MOTION: A motion was made by Councilmember Blyn, and seconded by Councilmember Davis to approve. Motion carried by a vote of 5-0.

9. **DISCUSS AND APPROVE PROPOSED CHANGES TO BOARDS, COMMISSIONS, AND COMMITTEES -**

City Manager James Quin advised the following was for consideration to discuss and approve the proposed Ad Hoc Committees recommended changes to Boards, Commissions, and Committees, and direct City Attorney to prepare ordinances to reflect changes.

Councilmember Davis recommended consolidation of the Economic Development Advisory Board to the Richland Hills Development Corporation.

Councilmember Head recommended the following memo posted to the city website with changes to various Boards, Commissions and Committees in order to make the public aware of the changes.

Proposed Changes to Boards, Commissions, and Committees:

Animal Shelter Advisory Board- No changes

Baker Blvd. TIF Board – No changes

Crime Prevention Advisory Board – No changes

Richland Hills Development Corporation – No changes

Economic Development Advisory Board – Consolidate this Board into Richland Hills Development Corp.

Ethics Review Commission – No changes

Keep Richland Hills Beautiful – Eliminate five (5) places; Do not designate business or youth members

Library Advisory Board – No changes

Parks and Beautification Advisory Board – Eliminate two alternate places

Planning & Zoning Commission – Remove the wording *(Place 1 & Place 2)* for Alternate places – but keep alternate positions

Task Force (P.R.I.D.E.) – No change

Teen Court Advisory Board – Eliminate five (5) places, and change meeting dates to twice a year

Zoning Board of Adjustment – No changes

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Davis to table this item to the May 10, 2011 City Council meeting. Motion carried by a vote of 5-0.

10. **APPROVE INTERLOCAL AGREEMENT WITH THE T REGARDING BURNS STREET/TRINITY BOULEVARD/HANDLEY EDERVILLE ROAD REALIGNMENT PROJECT-**

City Manager James Quin advised the following was for consideration to discuss and approve an interlocal agreement with the Fort Worth Transportation Authority dba The T regarding the realignment of the Burns Street/Trinity Boulevard/Handley Ederville Road intersection.

Travis Malone, 3106 Elm Park, spoke in support of approving this item.

City Attorney Tim Sralla stated there are some minor modifications to the agreement. Mr. Sralla further stated the primary purpose for the agreement is to expand the parking at the rail station.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Marrs to approve. Motion carried by a vote of 5-0.

11. **APPROVE REPLAT REQUEST FOR PROPERTY LOCATED AT 7024 AND 7030 BOULEVARD 26-**

City Manager James Quin advised the following is for consideration discuss and approve a replat request to combine two non-residential lots totaling 0.88 acres into one non-residential lot in C-2 General Commercial zoning district located at 7024 and 7030 Boulevard 26 (Tranquility Day Spa).

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Blyn to approve. Motion carried by a vote of 5-0.

12. **APPROVE SITE PLAN FOR PROPERTY LOCATED AT 7421 WHITEHALL STREET-**

City Manager James Quin advised this item was for consideration to discuss and approve a site plan for property located at 7421 Whitehall Street in I-1 Zoning District regarding construction of 21,000 square foot office/warehouse building.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Blyn to approve. Motion carried by a vote 5-0.

13. **HEAR PRESENTATION FROM LEE ENGINEERING REGARDING SAFE ROUTES TO SCHOOL PROGRAM-**

City Manager James Quin advised this item was for consideration to hear and discuss presentation of video from Lee Engineering regarding Safe Routes to School program which is required by the Non-Infrastructure portion of the grant.

Kimberly Brawner, Lee Engineering, briefed Councilmember's on the SRTS Program.

14. **APPROVE SPECIFICATIONS PLUS ALTERNATE FOR LIBRARY ROOF REPAIR AND AUTHORIZE STAFF TO BID LIBRARY EXTERIOR WALL REPLACEMENT PROJECT-**

City Manager James Quin advised this item was for consideration to discuss and approve plans and specifications for the replacement of the Library exterior wall plus alternate for Library roof repair and authorize staff to seek competitive sealed bids for the project.

Michael Barter, LBL Architects, was present to answer questions from Councilmember.

Councilmember Blyn inquired about synthetic stucco.

Mr. Barter stated it is an acrylic stucco and there shouldn't be any problems with this material.

MOTION: A motion was made by Councilmember Marrs, and seconded by Councilmember Davis to approve. Motion carried by a vote 5-0.

15. **APPROVE SPECIFICATIONS AND AUTHORIZE STAFF TO BID BAKER BOULEVARD DETENTION POND PROJECT-**

City Manager James Quin advised this item was for consideration to discuss and approve plans and specifications for the construction of the Baker Boulevard detention pond and authorize staff to seek competitive sealed bids for the project.

Michael Barnes, Public Works Director, briefed Councilmember's on the exact location of the project.

Josh Logan, Halff Associates, was present to answer Councilmember's questions.

MOTION: A motion was made by Councilmember Blyn, and seconded by Councilmember Davis to approve. Motion carried by a vote 5-0.

16. **APPROVE REQUEST FOR PROPOSAL FOR SALES TAX AUDITING SERVICES-**

City Manager James Quin advised this item was for consideration to discuss and approve professional services agreement received from Kasner & Associates for sales tax auditing services for the amount of 33% of back sales and use tax collected.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Marrs to approve. Motion carried by a vote 5-0.

17. **CONSIDER APPROVING AND SCHEDULING A CANDIDATE FORUM TO BE HELD AT CITY HALL AND SELECTING A MODERATOR AND ESTABLISHING GUIDELINES FOR CONDUCTING THE FORUM-**
City Manager James Quin advised this item was for consideration to approve and schedule an impartial candidate forum to be held at City Hall, selecting a moderator and establishing mandatory guidelines for conducting the forum in compliance with Texas election laws. This item was placed on the agenda by Councilmember Marrs.

Martha Strain, 3663 Popplewell, asked Mr. Sralla to change the moderator to not include one specific person.

Travis Malone, 3106 Elm Park, spoke in support of the forum.

MOTION: A motion was made by Councilmember Marrs, and seconded by Councilmember Baugh to approve any and all broadcasting of the Candidate's forum. Motion carried by a vote 5-0.

18. **CONSIDER APPROVING BROADCASTING AND/OR INTERNET STREAMING A CANDIDATE FORUM TO BE HELD AT CITY HALL AND SELECTING A MODERATOR AND ESTABLISHING GUIDELINES FOR CONDUCTING THE FORUM-**

City Manager James Quin advised this item was for consideration approving broadcasting the proposed candidate forum on the City's public access television channel and/or providing internet streaming of the forum. This item was placed on the agenda by Councilmember Marrs.

No action was taken, as this item was encompassed in the City Council's motion on item 17.

19. **CONSIDER APPROVING PLACEMENT OF BOTH PRESENT PARKING RESTRICTION ORDINANCE WITH PROPOSED ORDINANCE ON THE CITY WEBSITE-**

City Manager James Quin advised this item was for consideration to discuss and approve the placement on the city website the present parking restriction ordinance with the

proposed parking restriction ordinance with any changes between them clearly delineated for citizens to review. This item was placed on the agenda by Councilmember Head.

Martha Strain, 3663 Popplewell, reviewed the changes to the proposed ordinance.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Davis to approve with a link to the cities website to the existing changes for the proposed ordinance. Motion carried by a vote 5-0.

At this time Councilmember Blyn requested Item #14 brought back for further discussion.

MOTION: A motion was made by Councilmember Blyn, and seconded by Councilmember Davis to return to item #14 for further discussion. Motion carried by a vote 5- 0.

APPROVE SPECIFICATIONS PLUS ALTERNATE FOR LIBRARY ROOF REPAIR AND AUTHORIZE STAFF TO BID LIBRARY EXTERIOR WALL REPLACEMENT PROJECT-

Councilmember Blyn stated he has questions regarding synthetic stucco, and requested the LBL Architect present to answer further questions at the April 26, 2011 meeting, before action is taken on this item.

MOTION: A motion was made by Councilmember Blyn, and seconded by Councilmember Baugh to withdraw the previous motion for Item #14 and to table the item until the April 26, 2011 meeting. Motion carried by a vote 5- 0.

20. **REMOVAL OF CONSENT AGENDA ITEMS-**

Any Councilmember may remove any item from the Consent Agenda for separate discussion and action at this time.

21. **CONSENT AGENDA-**

A) Approval of Tuesday, March 22, 2011 Regular Meeting Minutes and B) approve placement of Fire Department 1997 Chevy Suburban on internet auction site for disposal.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Blyn to approve the minutes. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Blyn, and seconded by Councilmember Baugh to approve item for internet auction site. Motion carried by a vote 5-0.

20. **EXECUTIVE SESSION-**

Mayor Ragan announced an Executive Session at 9:20 P.M. regarding Section 551.074; Deliberation regarding Personnel Matters. The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officers, including the City Manager, City Secretary, City Attorney, Municipal Judge and non-advisory city boards and commissions members. A complete list of the city boards and commissions and the membership of those boards and commissions is on file in the City Secretary's Office; particularly, the performance review of the City Manager; 551.072 Deliberation regarding real property: particularly obtaining drainage easement for property located at 7025 Latham Drive.

Mayor Ragan reconvened the meeting in open session at 9:52 P.M.

No action was taken.

21. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor David Ragan declared the meeting adjourned at 9:52 P.M.

ATTEST **APPROVED**

Linda Cantu
City Secretary

David Ragan
Mayor