MINUTES OF
RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
JUNE 14, 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
Edward Lopez, Place 5	Mayor Pro Tem
Roland Goveas, Place 1	
Kenney Davis, Place 2	
Robert DeSoto, Place 3	Councilmembers
Ricky Head, Place 4	
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 Reverend Lowan.

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

3. **PUBLIC INPUT OR PUBLIC COMMENT-**

Michael Logan, 2643 Kingsbury Ave., read a statement regarding the issue of Ms. Jermyn's equipment.
Oliver Pettit, 7505 Hovenkamp, addressed abandoned houses.
James Blyn, 3560 Granada Drive, addressed the Public Comment section moved to the end of the meetings, and voiced his concern for the change in the 4th of July parade.
David Williams, 7112 Richlynn Rd., addressed the Animal Ordinance and parking issues.

4. **PRESENTATIONS/RECOGNITIONS -**

Mayor Ragan recognized and presented the following award:

A) Mayor Ragan presented ten-year service award to Police Officer Jonathan Robinson; and five-year service award to Robin Ford, Public Safety Dispatcher, and stated Police Officer Lorenzo Cedillo, Jr. was not able to attend the meeting, so his award will be presented at a later date.
B) Mayor Ragan recognized Matthew Shaffstall for being awarded the Texas Economic Development Council's 2010 Certificate of Achievement for Economic Excellence for utilizing economic development best practices for its use of the Economic Re-Development Plan and commitment to the economic development process with a focus on Business Retention and Expansion, Business Attraction and Recruitment, Entrepreneurism and Tourism.

Mayor Ragan recommended Item #6 moved for discussion at this time.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Davis to move Item #6 for discussion at this time. Motion carried by a vote of 5-0.

6. **APPROVE ORDINANCE AMENDING BOARDS, COMMISSIONS AND COMMITTEES-**

James Quin, City Manager, advised the following was for consideration to discuss and approve an ordinance amending Boards, Commissions and Committees.

Mayor Ragan stated he would like to address the proposed changes to the Animal Shelter Advisory Board; the Economic Development Advisory Board (EDAB), and the Keep Richland Hills Beautiful Board (KRHB). Mayor Ragan voiced his support of adding four (4) more members to the Animal Shelter Advisory Board, hear report from Economic Development Specialist Matt Shaffstall regarding the consolidation of the EDAB to Richland Hills Development Corporation, and retain the ten (10) members to the Keep Richland Hills Beautiful Board.

Debbie Fritz, 7138 Baker Blvd., voiced her support of the number of members for KRHB at ten (10).
Barbara Childress, Chief of Police, was present to answer questions.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Davis to address the Animal Shelter Advisory Board Places for Licensed Vet, Animal Control Officer, Animal Welfare Org., and Municipal Officer to move to at-large positions. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Davis, and seconded by

Councilmember DeSoto to table discussion at this time regarding Economic Development Advisory Board until Economic Development Specialist Matt Shaffstall presents his report to Councilmembers. Motion carried by a vote of 5-0.

No action taken on Keep Richland Hills Beautiful at this time.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Head to table discussion regarding the recommended changes to Parks and Beautification, Planning and Zoning, and Teen Court Advisory Board at this time. Motion carried by a vote of 5-0.

5. **BOARD APPOINTMENTS AND RESIGNATIONS-**

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to accept the resignation from Ronald Preissinger, Animal Shelter Advisory Board. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Head to accept the resignation from Jerry Swain, Animal Shelter Advisory Board. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto accept the resignation from Nelda Stroder, Zoning Board of Adjustment. Motion carried by a vote of 5-0.

MOTION: A motion was made by Mayor Ragan, and seconded by Councilmember Davis to appoint Roland Goveas to Place 1, Bob DeSoto to Place 3, and Edward Lopez to Place 5 on the Baker Boulevard TIF Board. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Head to appoint Jeremy Hill to Animal Shelter Advisory Board, Place 5B. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Davis to appoint Athena Mathew to Baker Boulevard TIF Board Citizen Place 5. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Head to appoint James Blyn to Crime Prevention Advisory Board Place 2A. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Lopez to appoint Lisa Wallace to Crime Prevention Advisory Board Place 1A. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Lopez to appoint Gloria Dunaway to Crime Prevention Advisory Board Place 3A. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Davis to re-appoint Cheri Sizemore to Crime Prevention Advisory Board Place 3B. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Davis to re-appoint William Kinnaird to Crime Prevention Advisory Board Place 3B. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Davis to appoint Jorge Cisneros to Crime Prevention Advisory Board Place 5B. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Davis to appoint Edward Lopez to Richland Hills Development Corporation. Motion carried by a vote of 5-0.

MOTION: A motion was made by Mayor Ragan, and seconded by Councilmember Lopez to re-appoint C.F. Kelley to Richland Hills Development Corporation, Citizen member/Incorporator. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Davis to appoint Jorge Cisneros to Richland Hills Development Corporation, Citizen member. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Goveas to appoint Athena Mathew to Richland Hills Development Corporation, Citizen member. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Davis to appoint David Ragan to Chairman to Richland Hills Development Corporation. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by

Councilmember Davis to re-appoint Cherry Farrar and Debora Fritz to Keep Richland Hills Beautiful, Place 1A and Place 1B. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Davis to appoint Ruth Milner to Keep Richland Hills Beautiful, Place 3A. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Goveas to appoint Janie Wood to Keep Richland Hills Beautiful, Place 3B. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Davis to appoint Janece Hill to Keep Richland Hills Beautiful, Place 5A. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Head to re-appoint Ruby Dillon to Keep Richland Hills Beautiful, Place 5B. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to appoint Diane Barrett to Keep Richland Hills Beautiful, Place 2A. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to appoint Doris DeSoto to Keep Richland Hills Beautiful, Place 2B. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Goveas to appoint Deidra Jones to Keep Richland Hills Beautiful, Place 4A. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Lopez to appoint Bettye Mastin to Library Advisory Board, Place 1. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Lopez to re-appoint Jutta Bertelsen to Library Advisory Board, Place 3. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Goveas to appoint Sanjay Mathew to Library Advisory Board, Place 5. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by

Councilmember Davis to re-appoint Kathleen Davis to Parks and Beautification Advisory Board, Place 1. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Davis to re-appoint Rick Strain to Parks and Beautification Advisory Board, Place 3. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Head to re-appoint Pam Page to Parks and Beautification Advisory Board, Place 5. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to appoint Jean Spieker to Planning and Zoning Commission, Place 1. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Head to appoint David Baker to Planning and Zoning Commission, Place 3. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Goveas to appoint Ron Hyde to Planning and Zoning Commission, Place 5. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to appoint Steve Doering to Planning and Zoning Commission, Alternate Place 1. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to appoint Lisa Skier to Planning and Zoning Commission, Alternate Place 2. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Davis to appoint Lisa Wallace to Teen Court Advisory Board, Place 1A. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Head to re-appoint Wendy Cooper to Teen Court Advisory Board, Place 1B. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Head to appoint Doris DeSoto to Teen Court Advisory Board, Place 3A. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Head to re-appoint Toya Norton to Teen Court Advisory Board, Place 5A. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Davis to re-appoint Tina Rimer to Teen Court Advisory Board, Place 5B. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Head to appoint Michael Logan to Zoning Board of Adjustment, Place 1. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Lopez to appoint William Kinnaird to Zoning Board of Adjustment, Place 3. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to appoint Sanjay Mathew to Zoning Board of Adjustment, Place 5. Motion carried by a vote of 5-0.

7. **CONSIDER CREATING AN AD HOC COMMITTEE TO REVIEW PROPERTIES WHICH HAVE DELINQUENT TAXES-**

James Quin, City Manager, advised the following was for consideration to create an ad hoc committee which purpose is to review properties which have delinquent taxes and determine if the City should consider acquiring such properties.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember DeSoto to instruct the City Manager to schedule a Worksession with the City Tax Attorney to discuss this item, and what type of action can be taken by the city. Motion carried by a vote of 5-0.

8. **CONSIDER DISCUSSING AND APPROVING THE CITY OF RICHLAND HILLS CITY COUNCIL FINAL AGENDA CUT-OFF DAY AND TIME PRIOR TO THE REGULAR CITY COUNCIL MEETINGS--**

City Manager James Quin advised this item was for consideration to discuss and approve that Final Agenda cut-off day be moved to 5 P.M. the Wednesday prior to the City Council regular meeting. Also included on this Cut-off date will be all Agenda items and their corresponding backup material. The Final Agenda should be posted on the internet for Council and Public View. This item was placed on the agenda by Councilmember Goveas.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Davis to approve the agenda posting date of the Wednesday prior to the City Council meeting. Items are to be submitted to the City Manager's office by 5:00 P.M. the Wednesday prior to the

Council meeting posting date. Any document/attachment not ready for posting to the agenda by Tuesday at 5:00 P.M., prior to the posting day will be removed from the agenda. This process to begin with the first City Council meeting in July. Motion carried by a vote of 5-0.

9. **CONSIDER DISCUSSING AND APPROVING ESTABLISHMENT OF PRE-COUNCIL MEETING PRIOR TO CITY COUNCIL MEETINGS-**

City Manager James Quin advised the following was for discussion and approving establishment of a Pre-Council Meeting thirty minutes prior to City Council Meetings. This item was placed on the agenda by Councilmember DeSoto.

Ron Hyde, 6656 Hovenkamp, requested the pre-council sessions televised.

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

10. **CONSIDER DRAFTING A POLICY INCREASING PROJECT VALUE LIMIT BEFORE REQUIRING ARCHITECTURAL AND ENGINEERING SERVICES-**

City Manager James Quin advised the following was for discussion and approving drafting a policy which would increase the monetary value limit of a project before requiring architectural and engineering services. This item was placed on the agenda by Councilmember DeSoto.

Council members directed the City Attorney to draft a policy to increase the monetary value limit of a project.

11. **CONSIDER APPROVING AN ORDINANCE ESTABLISHING CITY CHARTER REVIEW COMMITTEE-**

City Manager James Quin advised the following was for discussion and approving an ordinance establishing a City Charter Review Committee which will be comprised of appointees from each council place and an appointee from the Mayor to serve as chairman of the committee. The chairman would only vote in case of a tie. This item was placed on the agenda by Councilmember Lopez.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to direct City Attorney to draft an ordinance establishing a City Charter Review Committee, with the members totaling six (6), to reflect each Councilmember and the Mayor's seat. Motion carried by a vote of 5-0.

12. **APPROVE ORDINANCE ESTABLISHING PUBLIC TRANSPORTATION ADVISORY BOARD-**

City Manager James Quin advised the following was for discussion and approving drafting a policy which would increase the monetary value limit of a project before requiring architectural and engineering services. This item was placed on the agenda by Councilmember DeSoto.

MOTION: A motion was made by Mayor Ragan, and seconded by Councilmember Davis to direct the City Attorney to draft an ordinance to re-establish the Public Transportation Advisory Board. Motion carried by a vote of 5-0.

13. **APPROVE AMENDMENT TO CITY COUNCIL RULES OF PROCEDURE PLACING PUBLIC INPUT OR PUBLIC COMMENTS ITEM AT END OF AGENDA-**

City Manager James Quin advised the following was for discussion and approving an amendment to the City Council Rules of Procedure placing "Public Input or Public Comments" item at the end of the agenda. This item was placed on the agenda by Mayor Ragan.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember DeSoto to approve the Public Comment Section at the beginning and end of the meetings. Motion carried by a vote of 5-0.

14. **DESIGNATION OF VOTING REPRESENTATIVE TO NCTCOG-**

City Manager James Quin advised the following was for consideration to designating a voting representative to the North Central Texas Council of Governments' General Assembly.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to nominate Mayor Ragan. Motion carried by a vote of 5-0.

15. **APPOINT RICHLAND HILLS DEVELOPMENT CORPORATION BOARD OF DIRECTORS-**

City Manager James Quin advised the following was for consideration to appoint members to the Richland Hills Development Corporation Board of Directors for a two-year term in accordance with the Corporation's Articles of Incorporation.

No action was taken on this item.

16. **CONDUCT PUBLIC HEARING ON FISCAL YEAR 2011-12 CRIME CONTROL AND PREVENTION DISTRICT BUDGET-**

City Manager James Quin advised the following item was for consideration

A) Conduct Public Hearing on Fiscal Year 2011-12 Crime Control and Prevention District Budget.

B) Schedule a meeting to adopt the CCPD budget for 7:00 P.M., Tuesday, June 28, 2011.

Mayor Ragan opened the public hearing.

Upon learning that Chief Childress had a pressing matter to attend to at the Police Department, and was not present to speak to Councilmember's, Mayor Ragan recommended this item moved for discussion after Item #23.

Mayor Ragan closed the public hearing.

17. **APPROVE SITE PLAN REQUEST FOR 6401 BAKER BOULEVARD--**

City Manager James Quin advised this item was for consideration to discuss and approve a site plan request to renovate and operate an automotive repair garage located at 6401 Baker Boulevard which is in General Commercial (C-2) Zoning District.

Denice Thomas, Community Development Director, briefed Councilmember's on the approval from Zoning Board of Adjustment to allow the site plan for the repair garage.

Julio Santiago, owner of the repair garage, was present to answer questions from Council members.

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

18. **APPROVE PURCHASE OF POLICE DEPARTMENT REPLACEMENT VEHICLE-**

City Manager James Quin advised this item was for consideration to discuss and approve the purchase of a police department replacement vehicle for the amount of $25,560 from Caldwell Country and $17,684 to replace and install equipment all of which is being funded by payment from the offending driver's insurance company.

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

19. **APPROVE MEMORANDUM OF UNDERSTANDING (MOU) REGARDING ADOPTION OF TXDOT FEDERALLY-APPROVED DISADVANTAGED BUSINESS ENTERPRISE PROGRAM BY ENTITY-**

City Manager James Quin advised this item was for consideration to discuss and approve MOU regarding adoption of TXDOT federally-approved Disadvantage Business Enterprise Program by Entity which is required by TXDOT for federally funded projects via the Federal Highway Administration of which the Safe Routes to School program grant received by the city is a part.

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

The City Manager advised that due to the Police Chief not present for discussion for Item #20, a recommendation was made to move this item to the end of the meeting.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Davis to move this item for discussion after Item #23, and before Item #16. Motion carried by a vote of 5-0.

21. **APPROVE PASSAGE OF AN ORDER AUTHORIZING THE REDEMPTION OF CITY OF RICHLAND HILLS, TEXAS TAX NOTE, SERIES 2005 -**

City Manager James Quin advised this item was for consideration to discuss and approve the passage of an order authorizing the redemption of City of Richland Hills, Texas Tax Note, Series 2005.

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

ITEM #20 WAS BROUGHT BACK FOR DISCUSSION AT THIS TIME.

20. **APPROVE INTERLOCAL AGREEMENT WITH CITY OF NORTH RICHLAND HILLS FOR VARIOUS ANIMAL IMPOUNDMENT SERVICES-**

City Manager James Quin advised this item was for consideration to discuss and approve an interlocal agreement with the City of North Richland Hills for various substitute animal impoundment services.

Barbara Childress, Police Chief, briefed Councilmember's on the interlocal agreement that the City of North Richland Hills presented to the City of Richland Hills for their animal services. Chief Childress indicated that the City currently has arrangements with the City of Hurst, and the City of Haltom City, but these two cities do not require an interlocal agreement. She further indicated that without this interlocal agreement, the city could not use the City of N. Richland Hills Animal Shelter for any type of animal services.

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

ITEM #16 WAS BROUGHT BACK FOR DISCUSSION AT THIS TIME.

16. **CONDUCT PUBLIC HEARING ON FISCAL YEAR 2011-12 CRIME CONTROL AND PREVENTION DISTRICT BUDGET-**

City Manager James Quin advised the following item was for consideration

C) Conduct Public Hearing on Fiscal Year 2011-12 Crime Control and Prevention District Budget.

D) Schedule a meeting to adopt the CCPD budget for 7:00 P.M., Tuesday, June 28, 2011.

Mayor Ragan opened the public hearing.

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

Mayor Ragan closed the public hearing.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember DeSoto to approve the schedule of adoption for the June 28, 2011 meeting. Motion carried by a vote of 5-0.

23. **APPROVE AGREEMENT WITH JEFFERY AND CONNIE GRIFFIN FOR PURCHASE OF REAL PROPERTY LOCATED AT 7025 LATHAM DRIVE-**

City Manager James Quin advised this item was for consideration to approve a contract with Jeffery and Connie Griffin, sellers, to purchase a tract of land containing approximately 1.219 acres being more particularly described as a portion of Lot 6B, a

portion of Lot 6, out of a Revision of Ward's Subdivision out of the A.S. Trimble Survey, in Richland Hills, Texas, and located at 7025 Latham Drive for $80,747.84.

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

24. **REMOVAL OF CONSENT AGENDA ITEMS**

There were no items removed from the consent agenda for individual consideration.

25. **CONSENT AGENDA --**

City Manager James Quin presented the consent agenda as follows:

A) Approval of Tuesday, May 24, 2011 Regular Meeting Minutes and Wednesday, June 1, 2011, Special Meeting Minutes; and
B) Approval of Health Insurance and Accidental Death and Disability Benefits Request for Proposal and authorize staff to seek competitive sealed bids.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember DeSoto to approve. The motion carried by a vote of 5-0. The vote for the June 1, 2011 Special Meeting Minutes carried by a vote of 4-0, with Councilmember Davis abstaining due to his absence .

26. **COUNCIL MEMBER ANNOUNCEMENTS/COMMENTS** – Public.

A) Mayor Ragan commented upon and clarified issues related to the storage of entertainment and food service equipment upon City property and addressed letter issued by Ms. Pat Jermyn on Friday, June 10, 2011.

Mayor Ragan read a letter regarding the issues related to the equipment belonging to Ms. Pat Jermyn.

27. **EXECUTIVE SESSION**

At 9:27 P.M., Mayor Ragan announced an Executive Session, Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, executive session may be held under one or more of Sections 551.071, 551.073, 551.074, 551.076, 551.087, 413.184(f) and 418.106(d) and (e), either at the end of the Regular Session or at any time during the meeting on any item on the agenda if a need arises for the City Council to seek advice from the City Attorney or otherwise convene in closed session as permitted by such sections for the Open Meetings Act. The City Council may take action on any agenda item listed for executive session consideration upon reconvening in

open session. Please refer to agenda for the items posted. The sections referenced above are generally described as follows:

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 on 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: 1) particularly claims and complaints regarding issuance of a stop work order, complaint, permits, request for reimbursement of legal fees, and other issues raised by David White regarding 7008 Hovenkamp Ave.

Mayor Ragan reconvened into open session at 10:10 p.m.,

22. **APPROVE DEVELOPMENT AGREEMENT WITH E.L. BAKER, JR. LTD. AND RICHLAND INDUSTRIAL RAIL, INC. REGARDING SIGNAGE, LANDSCAPE, SETBACK AND ACCESS REGULATIONS AND DEVELOPMENT OF PROPERTY OWNED OR TO BE ACQUIRED BY SUCH PARTIES LOCATED AT THE PROPOSED INTERSECTION OF BURNS STREET AND HANDLEY-EDERVILLE ROAD-**

City Manager James Quin advised this item was for consideration to discuss and approve a development agreement with E.L. Baker, Jr., Ltd., a Texas Limited Liability Company, and Richland Industrial Rail, Inc., a Texas Corporation, regarding signage, landscape, access and setback regulations and development of property owned or to be acquired by such parties located at the intersection of Burns Street and Handley Ederville Road, as such intersection is to be realigned.

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

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Lopez to request Item #5 back for discussion. The motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Head to appoint Michael Logan as Chair of Zoning Board of Adjustment. Motion carried by a vote of 5-0.

28. ADJOURNMENT

There being no further business to come before the City Council, Mayor David Ragan declared the meeting adjourned at 10:13 P.M.

ATTEST

Linda Cantu
City Secretary

APPROVED

David Ragan
Mayor