MINUTES OF
RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
AUGUST 23, 2011

PRE-COUNCIL WORK SESSION

The pre-council work session was called to order by Mayor David L. Ragan at 6:30 p.m., in the Conference Room of the Richland Hills City Hall to review items on the agenda prior to the regular meeting.

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	Councilmember's
Kenney Davis, Place 2	
Robert DeSoto, Place 3	
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 Mayor Ragan.

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

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

Ricky Brisco, 2800 Willow, commented on a letter received from the City regarding his vehicle parked in his back yard.
Douglas Knowlton, 2749 Spruce Park Dr., commented on the red light cameras.

Rebecca Gill**,** 3824 Ruth Rd., voiced her concern regarding Councilmember's revoking the Ethics ordinance.
Larry Marrs, 7166 Richland Rd., reported that his ethics case was dismissed, and voiced his concern for city employees.
Martha Strain, 3663 Popplewell, voiced her concern for the employees of the city.
Gerrit Spieker, 3401 Jonette, voiced his concerns regarding the budget.
Malcolm Jackson, 3528 Labadie, voiced his concern for the city and encouraged Councilmember's to hold the city at its highest ethical standards.

4. **PRESENTATIONS/RECOGNITIONS –**

Mayor Ragan presented a twenty-year service award to Mr. David Peck, Sergeant, Police Department.

5. COUNCIL APPOINTMENTS AND RESIGNATIONS-

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Lopez to appoint Ralph Smith to the Charter Review Committee, Place 2. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Goveas to appoint Douglas Knowlton to the Charter Review Committee, Place 4. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to appoint Betty Mastin to the Public Transportation Advisory Board, Place 1. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Goveas to appoint Travis Malone to the Public Transportation Advisory Board, Place 3. Motion carried by a vote of 5-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Davis to appoint Gerrit Spieker to the Public Transportation Advisory Board, Place 5. Motion carried by a vote of 5-0.

6. **DISCUSS AND APPROVE AMENDING ORDINANCE NO. 1201-11 REGARDING CHARTER REVIEW COMMITTEE-**

City Manager James Quin advised this item was for consideration to discuss and approve an ordinance amending Ordinance No. 1201-11 regarding the Charter Review Committee to read "The Charter Committee shall hold its first meeting after a majority of members have been appointed." This item was tabled at Council's Tuesday, August 16, 2011 Special Meeting.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to cancel this item. Appointments to the Charter Review Committee have been finalized. Motion carried by a vote of 5-0.

7. **APPROVE CITY PARTICIPATION IN NATIONAL LEAGUE OF CITIES ENTERPRISE PRESCRIPTION DISCOUNT PROGRAM-**

City Manager James Quin advised this item was to consider discussing and approving City participation in National League of Cities Enterprise Prescription Discount Program that allows residents to receive discounts of up to twenty (20) percent on prescription at no cost to the resident and addresses those most in need, specifically, those without insurance.

Chief Childress briefed Councilmember's on the National League of Cities Enterprise Prescription Discount Program. This program allows residents to receive discounts of up to 20% on prescription medications, at no cost to the resident. The program assists those most in need, specifically, those without insurance. The Water office personnel will insert a card in the water bill with information about the program

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

8. **APPROVE STANDARD FORM CITATION VERIFICATION SERVICES AGREEMENT WITH REDFLEX TRAFFIC SYSTEMS, INC.-**

City Manager James Quin advised this item was for consideration to discuss and approve standard form citation verification services agreement with Redflex Traffic Systems, Inc., entering into an automated Scofflaw Program for the purpose of collecting unpaid civil penalty related to automatic photo red light violations.

Chief Childress briefly described the Scofflaw Program, which purpose is the collection of unpaid civil penalty related to automatic photo red light violations. Texas allows cities to participate in the state Scofflaw Program, which places a hold on vehicle registration renewal until all outstanding fines and warrant have been paid by the registered owner.

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

9. **CONSIDER DISCUSSING AND APPROVING AN AGREEMENT WITH PALMER PRICE, INC. FOR WATER AND SEWER RATE UPDATE-**

City Manager James Quin advised this item was for consideration to discuss and approve an agreement with Palmer Price, Inc., for a not-to-exceed amount of $15,000 to complete an update to Water and Sewer Rates for Fiscal Year 2012 for the City of Richland Hills.

Diane Palmer, Palmer and Associates, briefed Council on the agreement. The agreement states the Consultant shall be reimbursed for other direct expenses, including printing and reproduction expense, communication expense, travel, transportation and subsistence away from the office and other miscellaneous expenses directly related to the work, including costs of work required to be done by independent persons other than Consultant's staff members.

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

10. **DISCUSS AND ESTABLISH POLICY REGARDING EMPLOYEE TRAVEL EXPENSE AND AUTOMOBILE ALLOWANCES-**

City Manager James Quin advised this item was for consideration to discuss and establish policy regarding employee travel expense and automobile allowances. This item was placed on the agenda by Councilmember Lopez.

OPPOSITION: Martha Strain, 3663 Popplewell
Larry Marrs, 7166 Richland Rd.
Malcolm Jackson, 3528 Labadie Dr.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Davis, to conduct a 90 day study where all city Employee's log their mileage for any city business they conduct, using their personal vehicles. After a 90 day period, Councilmember's requested the City Manager to evaluate data and pass on recommendation's and changes that apply to employees that have car allowances. Motion carried by a vote of 5-0.

11. **CONSIDER DISCUSSING AND APPROVING A POLICY REQUIRING ALL BOARD AND COMMISSION MEETINGS BE SCHEDULED FOR THE COMMUNITY BOARD ROOM-**

City Manager James Quin advised this item was for consideration to discuss and approve a policy requiring the City Secretary to schedule all board and commission meetings at the Community Board Room. This item was placed on the agenda by Councilmember Goveas.

OPPOSITION: Martha Strain, 3663 Popplewell
Larry Marrs, 7166 Richland Rd.
Gerrit Spieker, 3401 Jonette
Chief Barbara Childress

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to table this item and to instruct staff to purchase audio equipment to be used at the Community Board Room for various board meetings. The item will be on the September 27th. agenda. Motion carried by a vote of 5-0.

12. **CONDUCT PUBLIC HEARING REGARDING FISCAL YEAR 2011-12 PROPOSED BUDGET AND CAPITAL IMPROVEMENTS PLAN-**

A) Conducting a public hearing regarding Fiscal Year 2011-12 Proposed Budget and Capital Improvements Plan; and

B) Close public hearing

James Quin, City Manager, stated the effective rate this years as published is .551757, this equates to getting the same amount of revenue as last year even though the ad valorem values have decreased. The General Fund budget revenue is $5,028,122 and the expenditures proposed is $4,918,298, that means the city has $109,824 more dollars in revenue than expenditures. The Enterprise Fund has $4,098,510 and the expenditures proposed is $3,980,911, in that fund the city has $117,599 more revenue than expenditures. With both funds there is $227,423 more revenue than expenditures.

Mayor Ragan opened the Public Hearing.

The following spoke regarding the Fiscal Year 2011-12 Budget:

Malcolm Jackson, 3528 Labadie
Larry Marrs, 7166 Richland Road
Diane Barrette, 7241 Richlynn Terrace
Martha Strain, 3663 Popplewell
Gerrit Spieker, 3401 Jonette

Mayor Ragan closed the Public Hearing.

13. **APPROVE AWARD OF CONTRACT FOR FENCING AND DISPOSAL OF LIVE AND DEAD TREES AT 7064 DOVER LANE-**

City Manager James Quin advised this item was for consideration to discuss and approve an award of contract for Alternate 1 ($5,800) and Alternate 2 ($6,509) to Garrett Demolition to dispose of live and dead trees and install wood and chain link fencing.

Michael Barnes, Public Works Director, stated the fence that is on the west side and south side of the property will remain, and new fencing will be installed on the east side. New bids will be taken for the disposition of the numerous trees on the lot.

No action taken.

14. **CONSIDER APPROVING NON-DEPARTMENTAL BUDGETARY REQUESTS-**

City Manager James Quin advised this item was to discuss and approve non-departmental budgetary requests for funding submitted by "We're All About the Dress," Zoning Board of Adjustment, Planning and Zoning Commission and Richland Hills Historical Society.

OPPOSITION: Larry Marrs, 7166 Richland Road

Matt Shaffstall, Economic Development Specialists, briefed Councilmember's on a grant program through the Hotel Occupancy Fund. Mr. Shaffstall stated a grant program could be put in place that would support specialty events. There are certain limits on how the Hotel funds can be used. Mr. Shaffstall stated he would be available to assist with the grant application process. Councilmember's would allocate the funds to be used according to the submitted grants.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Goveas to approve the grant program. The motion carried by a vote of 5-0.

15. **CONSIDER ADOPTING POLICY FOR REVIEW OF ORDINANCES, RESOLUTIONS, AND AGREEMENTS MODIFIED BY COUNCIL INSTRUCTION-**

City Manager James Quin advised this item was for consideration to adopt a policy permitting Council review of any ordinance, resolution, or agreement passed by Council at a meeting subject to modification as instructed by the Council, to insure that such ordinance, resolution, or agreement accurately reflects such Council instructions regarding modifications to be made, and applying such policy to previously passed ordinances, resolutions, and agreements.

City Attorney Tim Sralla stated the policy would be as follows:

The proposal would be that Council would adopt a new policy which would provide that if Council approves an ordinance, resolution, agreement or document, a draft of which has been presented to Council, and Council would approve with a modification orally made during the meetings, City Attorney would produce a revision reflecting the change and if Council felt the change did not accurately reflect the content with instructions made at the meeting, Councilmember's would notify the City Manager to place the item on the next City Council agenda.

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

16. **DISCUSS AND APPROVE ESTABLISHMENT OF CITY EVENT PLANNING COMMITTEE-**

City Manager James Quin, advised this item was for consideration to discuss and approve the establishment of a City of Richland Hills Events Planning Committee for special occasions as needed. This item was placed on the agenda by Councilmember Goveas.

Councilmember Goveas recommended establishment of a City Event Planning Committee. The committee would consist of six (6) members, and possibly two alternates. This committee would plan future events in the city. Councilmember Goveas stated the committee could be funded by the Hotel/Motel Fund. Councilmember Goveas further stated he would coordinate with Matt Shaffstall, Economic Development Specialists, with the details of the funding and would recommend the City Attorney draft an ordinance to establish the committee.

MOT**ION:** A motion was made by Councilmember Head, and seconded by Councilmember DeSoto to approve. The motion carried by a vote of 5-0.

17. **REMOVAL OF CONSENT AGENDA ITEMS**

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

18. **CONSENT AGENDA --**

City Manager James Quin presented the consent agenda as follows:

A) Approval of Tuesday, August 9, 2011, Regular Meeting Minutes.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to approve with correction to Item #8. The motion carried by a vote of 4-0, with Councilmember Lopez abstaining due to his absence.

19. **PUBLIC INPUT OR PUBLIC COMMENTS** – Public

Beverly Williams, 7112 Richland Rd.
Janece Hill, 7000 Park Place
Douglas Knowlton, 2749 Spruce Park
Debbie Fritz, 7138 Maple Park
Larry Marrs, 7166 Richland Road
Janie Woods, 7086 Brooks Ave.
Gerrit Spieker, 3401 Jonette

20. **EXECUTIVE SESSION**

Mayor Ragan announced an Executive Session at 9:25 p.m., Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, executive session may be held under one or more the Section 551.071, 551.073, 551.074, 551.076, 551.087, 413.183(f) and 418.106(d) & (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 of the listed 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 551.087: Deliberation regarding Economic Development Negotiations: The City Council may discuss or deliberate regarding commercial or financial information received from a business prospect that the city seeks to have locate, stay or expand in or near the city and which the City is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect; 1) particularly, discussion of potential economic development incentive agreement for development of real property.

Mayor Ragan reconvened the meeting in open session at 9:40 p.m.

With no other business to come before Council, the meeting was adjourned.

21. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor David Ragan declared the meeting adjourned at 9:40 P.M.

ATTEST

Linda Cantu
City Secretary

APPROVED

David Ragan
Mayor