MINUTES OF
RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
OCTOBER 11, 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
Roland Goveas, Place 1	Councilmembers
Kenney Davis, Place 2	
Robert DeSoto, Place 3	
Ricky Head, Place 4	
Edward Lopez, Place 5	
James W. Quin	City Manager
Linda Cantu	City Secretary
Tim Sralla	City Attorney

with the following members absent: Roland Goveas, 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 Councilmember Lopez.

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

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Lopez to combine Item #3 and Item #17 and to move Item #14 for discussion at this time. Motion carried by a vote of 4-0.

14. **DISCUSS AND APPROVE REDUCING TIME FOR CITIZEN COMMENTS AND REMOVING PUBLIC COMMENTS INPUT ITEM FROM BEGINNING OF THE AGENDA-**

City Manager James Quin advised this item was for consideration to discuss and approve reducing the citizens comment time for agenda items and public comments from five

minutes to three minutes, removing public comments at the beginning of the council meeting and retaining public comments at the end of the council meeting as presently in place. This item was placed on the agenda by Councilmember DeSoto.

There was general discussion among Councilmember's.

OPPOSITION: Larry Marrs, 7166 Richland Rd.
Martha Strain, 3663 Popplewell
Don Acker, 7146 Hovenkmap
Doug Knowlton, 2749 Spruce Park

SUPPORT: Travis Malone, 3106 Elm Park

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Lopez to approve. Motion carried by a vote of 3-2, with Mayor Ragan voting to break the tie.

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

This item was moved to the end of the meeting.

4. **PRESENTATIONS/RECOGNITIONS-**

Consider recognizing and presenting awards to the following:

A) Mayor Ragan presented a fifteen-year service award to Ms. Barbara Mann, Finance/Accounting Manager;

B) Mayor Ragan presented a thirty-year service award to Battalion Chief Morris Foster, Fire Department;

C) Mayor Ragan proclaimed November 2011 as "Pancreatic Cancer Awareness Month" in Richland Hills as the well-being of the residents of Richland Hills are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes and effective treatments; and

D) Mayor Ragan proclaimed October 23-October 29, 2011 as RED RIBBON CAMPAIGN WEEK and encouraged all citizens to participate in alcohol, tobacco and illegal drug and violence prevention activities, making a visible statement that we are strongly committed to creating safe and caring environments for every child to grow up in and further encourage all citizens to pledge, "No use of Illegal Drugs, No Illegal Use of Legal Drugs."

5. **BOARD APPOINTMENTS AND RESIGNATIONS –**

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to accept the resignation from Steven Doering, Planning and Zoning, Alternate. Motion carried by a vote of 4-0.

Larry Marrs, 7166 Richland Rd., commented on the removal of Don Acker from the Zoning Board of Adjustment on June 14, 2011. Mr. Marrs stated Mr. Acker was appointed to that board on May 25, 2010 to serve a two (2) year term. Mr. Marrs stated Mr. Acker needs to be reinstated to the Zoning Board of Adjustment, per Article II, Division II, of Section 90-51 of the City of Richland Hills Municipal Code.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember DeSoto to appoint Diane Baker to the Public Transportation Advisory Board. Motion carried by a vote of 4-0.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Head to appoint Diane Barrette to the Special Events Committee, Place 2. Motion carried by a vote of 4-0.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Head to appoint Beverly Williams to the Special Events Committee, Place 5. Motion carried by a vote of 4-0.

6. **CONDUCT PUBLIC HEARING AND APPROVE FISCAL YEAR 2010-11-**

City Manager James Quin advised this item was for consideration.

A) Conducting a public hearing on the proposed amendment in accordance with Section 12.02 of the City Charter; and,

B) Approving an ordinance amending the Fiscal Year 2010-11 Budget.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 4-0.

7. **APPROVE INTERLOCAL AGREEMENT WITH TARRANT COUNTY TO RECONSTRUCT LABADIE DRIVE-**

City Manager advised the following was for consideration to discuss and approve an interlocal agreement with Tarrant County to reconstruct Labadie Drive from Baker Boulevard to Evelyn Drive.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 4-0.

8. **CONSIDER DISCUSSING AGREEMENT PERMITTING ENCROACHMENT OF CITY PROPERTY-**

City Manager James Quin advised the following was for consideration to discuss encroachment agreement adopted by the City Council at its Tuesday, April 26, 2011 regular meeting; particularly, insurance requirements.
City Attorney advised this is city owned property and recommended City staff look at this property and Council decide what to do with this type of property. Make a determination as to the value of the property.

Bill Agan, 6900 Katherine, spoke in regard to the city easement located next to his brother's property.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Head to direct City staff to look at the utility locations and report back to Council at the October 25, 2011 meeting. Motion carried by a vote of 4-0.

9. **APPROVE PLACEMENT OF FIRE DEPARTMENT SURPLUS EQUIPMENT ON INTERNET AUCTION SITE FOR DISPOSAL-**

City Manager James Quin advised the following was for consideration to discuss and approve the placement of Amkus Rescue Systems (Jaws of Life) and Lifepak 10 and Lifepak 112 cardiac monitors and one Ferno ambulance stretcher/cot on internet auction site for disposal.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 4-0.

10. **APPROVE RESOLUTION NOMINATING CANDIDATE FOR ELECTION TO TARRANT APPRAISAL DISTRICT BOARD OF DIRECTORS-**

City Manager James Quin advised the following was for consideration to discuss and approve a resolution nominating a candidate for election to the Tarrant Appraisal District Board of Directors which election will be conducted Wednesday, December 14, 2011.

No action taken.

11. **APPROVE HOTEL OCCUPANCY TAX MATCHING GRANT FUNDING APPLICATION GUIDELINES-**

City Manager James Quin advised the following was for consideration to discuss and approve Hotel Occupancy Tax Tourism and Special Events Matching Grants Guidelines.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Head to table. Motion carried by a vote of 4-0.

12. **CONSIDER CANCELING NOVEMBER 22 AND DECEMBER 27, 2011 CITY COUNCIL MEETINGS-**

City Manager James Quin advised this item was for consideration to discuss and approve canceling the Tuesday, November 22, 2011 and Tuesday, December 27, 2011 Regular City Council Meetings.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 4-0.

13. **APPROVE EMPLOYMENT OF OUTSIDE LAW FIRM TO REPRESENT THE ZONING BOARD OF ADJUSTMENT-**

City Manager James Quin advised this item was for consideration to discuss and approve the employment of an outside law firm to represent the interests of the Zoning Board of Adjustment concerning matters placed before the board.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Head to discuss this after Item #17. Motion carried by a vote of 4-0.

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

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

16. **CONSENT AGENDA-**

A) Approval of Tuesday, September 13, 2011, Regular Meeting Minutes.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 4-0.

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

David White, 7008 Hovenkamp, requested his Open Records Request available for his inspection.
Larry Marrs, 7166 Richland Rd., addressed the need for security in City Hall.
Gerrit Spieker, 3401 Jonette, addressed the budget.

Martha Strain, 3663 Popplewell, requested security for City Hall employees.
Andy Baugh, 3604 Granada Dr., requested added security to City Hall.
Rick Hodges, 7124 Oak Park, spoke regarding the traffic in the city.

18. **EXECUTIVE SESSION-**

Mayor Ragan announced an Executive Session at 8:15 p.m., Pursuant to Open Meetings Act, in particular 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 commission members. A complete list of the city boards and commissions and the membership of those boards and commissions if on file in the City Secretary's Office; particularly, follow-up on August 23, 2011 discussion regarding the expectations and goals of the City Council related to the duties of the City Manager; and Section 551.076: Deliberation regarding Security Devices, The City Council may deliberate the deployment, or specific occasions for implementation of security personnel or devices; particularly, receive a report from the Chief of Police regarding security of city facilities.

Mayor Ragan reconvened the meeting at 9:55 p.m.

Mayor Ragan stated Item #13 was discussed in Executive Session.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Lopez to table this item until ZBA can confer as a board. Motion carried by a vote of 4-0.

19. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor David Ragan declared the meeting adjourned at 9:58 P.M.

ATTEST

Linda Cantu
City Secretary

APPROVED

David Ragan
Mayor