**MINUTES OF**
**RICHLAND HILLS CITY COUNCIL**
**REGULAR MEETING**
**NOVEMBER 8, 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.**

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| 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: 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.

Mayor Ragan led the Pledge of Allegiance to the United States and Texas flags.

3. **PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS-**

City Manager James Quin advised the following was for consideration:

A) Mayor Ragan presented fifteen-year service award to Investigator Tye Bell, Police Department.

4. **BOARD APPOINTMENTS AND RESIGNATIONS-**

**MOTION:** A motion was made by Councilmember Head, and seconded by

Councilmember DeSoto to accept the resignation from Jim Parker, Crime Prevention Advisory Board. Motion carried by a vote of 5-0.

**MOTION:** A motion was made by Councilmember Head, and seconded by Councilmember DeSoto to appoint Celesta Howell, to Crime Prevention Advisory Board, Place 4A. Motion carried by a vote of 5-0.

**MOTION:** A motion was made by Councilmember DeSoto, and seconded by Councilmember Lopez to appoint Bill Agan to Special Events Committee, Place 3. Motion carried by a vote of 5-0.

Larry Marrs, 7166 Richland Rd., requested Council members take action regarding the seating of Don Acker to the Zoning Board of Adjustment.

Council members Davis and Head voiced their support of Mr. Acker and stated Mr. Acker needs to be seated, due to the fact he was removed without cause.

It was agreed that Mr. Acker is a member of the Zoning Board of Adjustment and would be seated at the next Zoning Board of Adjustment meeting.

5. **APPROVE RESOLUTION CASTING OF VOTE(S) FOR NOMINEES FOR ELECTION TO THE TAD BOARD OF DIRECTORS-**

City Manager James Quin advised the following was for consideration to discuss and approve resolution casting of vote(s) for nominees for election to the Tarrant Appraisal District Board of Directors.

**MOTION:** A motion was made by Councilmember De Soto, and seconded by Councilmember Goveas to nominate David Averitt. Motion carried by a vote of 5-0.

6. **CONDUCT PUBLIC HEARING AND APPROVE SPECIAL USE PERMIT FOR CERTAIN PROPERTY LOCATED AT 7457 BAKER BOULEVARD-**

City Manager James Quin advised the following was for consideration:

A) Conduct public hearing regarding granting a special use permit for a “Restaurant Stand Temporary/Seasonal” use in C-2 General Commercial Zoning District for certain property located at 7457 Baker Boulevard; and

B) Approve granting a special use permit for a “Restaurant Stand Temporary/Seasonal” use in C-2 General Commercial Zoning District for certain property located at 7457 Baker Boulevard.

Mayor Ragan opened the public hearing.

**SUPPORT:** Larry Marrs, 7166 Richland Rd.
Martha Strain, 3663 Popplewell
Travis Malone, 3106 Elm Park
Malcolm Jackson, 3528 Labadie

Speaker: Ron Hyde, 6656 Hovenkamp

There being no one else to speak, Mayor Ragan closed the public hearing.

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

7. **APPROVE REQUEST TO CONSTRUCT ELECTRONIC MESSAGE CENTER AT 6852 BAKER BOULEVARD, RICHLAND HILLS BAPTIST CHURCH-**

City Manager James Quin advised the following item was for consideration to discuss and approve a request to construct and operate an electronic message center on a .097-acre property, zoned Ge4neral Commercial (C-2) District, located at 6852 Baker Blvd. (Lots 1, 2, 3, and 7, Block 22, Richland Park Addition).

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

8. **ADOPT ORDINANCE AUTHORIZING ISSUANCE AND SALE OF COMBINATION TAX AND WATER AND SEWER REVENUE REFUNDING BONDS-**

City Manager James Quin advised the following was to consider discussing and authorizing the issuance and sale of combination tax and water and sewer revenue refunding bonds, calling for redemption prior to maturity certain outstanding obligations of the City, and ordaining other matters related thereto.

Doug Witt, representative with Southwest Securities, presented a brief report.
Rudy Secura, representative with McCall, Parkhurst, and Horton, was present to answer questions.

Mr. Witt stated the city has AA minus rating according to Standard and Poors. He stated according to an independent credit agency, the AA minus rating is a reflection of your sound finances, including the maintenance of very strong reserves, and moderate debt. Mr. Witt further stated the City of Richland Hills is a highly rated city for a city of its size, due to sound financial practices and limited outstanding debt.

Speaker: Gerrit Spieker, 3401 Jonette

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

9. **APPROVE SELECTION OF INDEPENDENT AUDITING FIRM-**

City Manager James Quin advised the following was to consider discussing and approving selection of independent auditing firm to perform annual city audit.

Mayor Ragan requested this item taken into executive session.

**MOTION:** A motion was made by Councilmember Lopez, and seconded by Councilmember Head to move this item for discussion after executive session. Motion carried by a vote of 5-0.

10. **APPROVE AWARD OF CONTRACT TO HALFF AND ASSOCIATES TO DEVELOP SECOND YEAR STORMWATER GIS PROGRAM-**

City Manager James Quin advised the following was for consideration at this time to discuss and approve an award of contract for the amount of $19,000 to the professional engineering firm Halff and Associates to develop the second year stormwater GIS program.

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

11. **CONSIDER DISCUSSING AND APPROVING TREE CUTTING POLICY REGARDING TREE, LIMBS AND BRANCHES WHICH FALL INTO THE PUBLIC RIGHT OF WAY-**

City Manager James Quin advised the following is for consideration to discuss and approve public works tree cutting policy for trees, limbs and branches which fall into the street or public right of way from private property.

Michael Barnes, Public Works Director, briefed Councilmember's on the tree policy, which would cover a fallen tree that is in the cities right of way, the Public Works Department would cut the fallen tree if it is in the street, but a tree that is on private property would be the responsibility of the property owner.

Speaker: Martha Strain, 3663 Popplewell

**MOTION:** A motion was made by Councilmember Head, and seconded by Councilmember Goveas to approve with changes as discussed. Motion carried by a vote of 5-0.

12. **CONSIDER DISCUSSING COST OF UPDATING THE CITY'S COMPREHENSIVE PLAN-**

City Manager James Quin advised this item was for consideration to discuss the estimated cost of updating the City's Comprehensive Plan.

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

Martha Strain, 3663 Popplewell, voiced her support of the update of the City's Comprehensive Plan.

13. **CONSIDER DISCUSSING AMENDMENTS TO INTERLOCAL AGREEMENT FOR PROVISION OF WASTEWATER COLLECTION AND DISPOSAL FACILITIES BETWEEN THE CITY OF HURST AND RICHLAND HILLS, TEXAS-**

City Manager James Quin advised this item was for consideration to discuss amendments to interlocal agreement for provision of wastewater collection and disposal facilities with the City of Hurst.

**MOTION:** A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to move this item for discussion in Executive Session. Motion carried by a vote of 5-0.

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

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

15. **CONSENT AGENDA-**

A) Approval of Tuesday, October 25, 2011 Regular Meeting Minutes.

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

16. **COUNCIL MEMBER ANNOUNCEMENTS/COMMENTS –**

Mayor Ragan commented on the Safe Route to School sidewalk construction project, stating this involved many children and adults.

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

David White, 7008 Hovenkamp
Terry Broome, owner of 2809 Mimosa Park Drive
Malcolm Jackson, 3528 Labadie
Travis Malone, 3106 Elm Park
Larry Marrs, 7166 Richland Road
Janece Hill, 7000 Park Place
Gerrit Spieker, 3401 Jonette
Athena Mathew, 7401 Hovenkamp
Doug Knowlton, 2749 Spruce Park
Beverly Williams, 7112 Richland Road

18. **EXECUTIVE SESSION-**

Mayor Ragan announced an Executive Session at 8:54 p.m., pursuant to the Open Meetings Act, Chapter 551, in particular Section 551.071: Consultation with Attorney, specifically, discussing amendments to interlocal agreement for provision of wastewater collection and disposal facilities between the City of Hurst and Richland Hills, Texas; and Item #9 Consider discussing and approving selection of independent auditing firm to perform annual city audit; and Item #13 Consider discussing amendments to interlocal agreement for provision of wastewater collection and disposal facilities with the City of Hurst.

Mayor Ragan reconvened the meeting in open session at 9:37 p.m.

9.) **APPROVE SELECTION OF INDEPENDENT AUDITING FIRM-**

City Manager James Quin advised the following was to consider discussing and approving selection of independent auditing firm to perform annual city audit.

Mayor Ragan asked Councilmember's if they had any comments regarding any of the auditing firms that were interviewed.

Travis Malone, 3106 Elm Park

**MOTION:** A motion was made by Councilmember Goveas, and seconded by Councilmember Davis for Mayor Ragan to negotiate a price between the audit firms of Rylander, Clay and Opitz; and Patillo, Brown and Hill. Motion carried by a vote of 5-0.

13.) **CONSIDER DISCUSSING AMENDMENTS TO INTERLOCAL AGREEMENT FOR PROVISION OF WASTEWATER COLLECTION AND DISPOSAL FACILITIES BETWEEN THE CITY OF HURST AND RICHLAND HILLS, TEXAS-**

City Manager James Quin advised this item was for consideration to discuss amendments to interlocal agreement for provision of wastewater collection and disposal facilities with the City of Hurst.

Mayor Ragan announced there was no Council action. This item will be handled by city staff.

19. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor David Ragan declared the meeting adjourned at 9:50 P.M.

**ATTEST**

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Linda Cantu
City Secretary

**APPROVED**

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David Ragan
Mayor