

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2018
MINUTES**

Roll Call:

Council present:

Edward Lopez, Mayor
Travis Malone, Place 1
Allison Barger, Mayor Pro Tem
Curtis A Bergthold, Place 3
Roland Goveas, Place 4
Athena Campbell, Place 5

Council Absent:

Staff

Eric Strong, City Manager
Cathy Bourg, City Secretary
Betsy Elam, City Attorney

WORK SESSION – Mayor Lopez Called to Order – Time 6:17 p.m.

- 1. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183 (f) and 418.106 (d) & (e) of the Texas Government Code (Texas Disaster Act).**

Motion: Motion was made by Councilmember Bergthold, and seconded by Councilmember Goveas to convene into executive session. Time: 6:18 p.m.

Motion carried by a vote of 5-0.

Mayor Lopez reconvened into open session. Time: 7:00 p.m.

- 2. Discussion of items and presentations listed on tonight's City Council Agenda**

None at this time.

REGULAR SESSION – Mayor Lopez Called to Order – Time 7:00 p.m.

Invocation – Mayor Lopez

Pledge of Allegiance

1A. Citizen Appearances/Public Comments

(Citizens who have signed a card to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the city staff and City Council members are prevented from discussion of the subject and may respond only with statements of factual information or existing city policy. Public comment will not be taken on items that the Council has previously considered in a public hearing.)

Chuck Sevieck, 7612 Deborah Lane, spoke regarding the TRE Train Station closure.

John Skier, 7016 Park Place Drive, spoke against the BISD Bond Election and encouraged the Council to not support the proposition.

CONSENT AGENDA

2A. Approval of minutes from the August 27th, 2018 City Council Meeting.

2B. Approval of Resolution 501-18 approving a negotiated settlement with Atmos Energy.

2C. Approval of a Cooperative Purchasing Agreement with the City of Fort Worth, Texas.

Motion: Motion was made by Councilmember Bergthold, and seconded by Councilmember Malone to approve the consent agenda.

Motion carried by a vote of 5-0.

PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS

3A. None at this time.

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

4A. Consider Ordinance 1363-18 revising budget figures for FY 2017-18 and adopting the FY 2018-19 Annual Operating Budget.

Eric Strong, City Manager Ordinance 1363-18 revising budget figures for FY 2017-18 and adopting the FY 2018-19 Annual Operating Budget.

Motion: Motion was made by Councilmember Goveas, and seconded by Councilmember Malone to approve.

Motion carried by a vote of 5-0.

4B. Consider Ordinance 1364-18 adopting the tax rate for FY 2018-19.

Eric Strong, City Manager presented Ordinance 1364-18 adopting the tax rate for 2018 at \$0.54188 per \$100 valuation. The total M & O portion of the tax rate is \$0.450755. and the debt service portion of the rate is \$0.091125.

Ricky Head, 3208 Kingsbury stated that the Council is doing what is right for the citizens by rolling back the tax rate.

Motion: Motion was made by Councilmember Barger, and seconded by Councilmember Bergthold to approve as follows: "I move that property tax rate be increased by the adoption of a tax rate of .54188 which is effectively a 3.08 percent increase in the tax rate."

Motion carried by a vote of 5-0.

4C. Consider Ordinance 1365-18 amending Chapter 91, Article II, Parking.

Eric Strong, City Manager presented Ordinance 1365-18 amending Chapter 91, Article II, Parking, by prohibiting overnight parking in Professional Office Districts in parking spacing that are directly adjacent to residential properties.

John Skier, 7016 Park Place Dr., believes this send the wrong message to businesses.

Motion: Motion was made by Councilmember Malone, and seconded by Councilmember Campbell to approve.

Motion carried by a vote of 4-0. Councilmember Goveas abstained.

4D. Consideration of Resolution 503-18 authorizing the transfer of funds from the Drainage Utility Fund to the General Fund.

Eric Strong, City Manager presented the following information regarding Resolution 503-18 authorizing the transfer of funds from the Drainage Utility Fund to the General Fund:

The current rate structure and associated drainage improvement plan for the Drainage Utility Fund was put into place in 2009. The plan at that time called for numerous drainage improvements to be completed with the fee schedule that was put into place. Those projects were:

1. Richland Elementary Detention
2. Baker Boulevard Detention
3. Latham Drive Detention
4. Matthews Interceptor
5. Kingsbury Bypass
6. Hardisty System

In the plan, it specifically recognizes that the Hardisty System cannot be fully funded with the fee structure we have in place. The estimated cost of these improvements in 2009 dollars was \$5.63 million. Those costs have gone up significantly since that time. The study specifically notes “(While there) is not enough funding to construct the Hardisty system improvements as recommended, there are some options available.” Those options included reducing the level of protection for which the system is designed and seeking out additional sources of funding.

It is important to note that the Hardisty system has not been completely neglected. Significant portions of the Upper Hardisty East were completed during construction of new buildings in that area sometime around 2012. The Lower Hardisty had significant work completed on it in 2017 to repair collapsing walls around the drainage system, which also widened the drainage channel. However, as the study anticipated, we are several million dollars short of being able to complete all of the recommendations that were outlined.

As a result of this, staff recommends that you consider two things:

1. Lowering the Drainage Rate going forward
2. Moving excess fund balance out of the Drainage Utility Fund, as the law allows.

Under certain conditions, the law allows for us to move some Drainage Funds into the General Fund, and we meet all of the legal conditions to do so. One option available to you is to use these funds to supplement our efforts in the Utility Fund. Over the past two years we have had significant unplanned expenses in our Utility Fund as it relates to water and wastewater line failures. In addition to these unplanned and significant line failures, we have also had inflationary costs, personnel increases, and increases to cost of water and wastewater from Fort Worth.

As a result of all of this, we are presenting to you an option to transfer up to \$1,600,000 from the Drainage Fund to the General Fund. The balance remaining in the Drainage Fund along with the recurring revenue that will continue to be collected will be sufficient to maintain our fund balance and continue to operate as we have been operating. If you approve this item, we will come to you at a future date to reduce the drainage fee in conjunction with the possibility of changing the Utility Rates as previously discussed.

David White, 7008 Hovenkamp, spoke regarding Phase V of the drainage project which goes from Dover down to south of the end of his property not being done. He feels it does not make sense to not complete all phases of the project.

Motion: Motion was made by Councilmember Goveas, and seconded by Councilmember Campbell to approve.

Motion carried by a vote of 5-0.

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS

5A. Consider Resolution 502-18 for bid award for property located at 3123 Ash Park Drive.

We have received a bid on the property by a developer who wants to build a house on the lot. The bid is for \$4,000, which is below market value and the amount owed.

John Skier, 7016 Park Place Dr., was not in favor of the low bid and that this does not achieve the goal of a park or home being built on the property.

Councilmember Goveas recommended speaking to the tax attorney regarding options and tabling the item.

Motion: Motion was made by Councilmember Goveas, and seconded by Councilmember Bergthold to table.

Motion carried by a vote of 5-0.

OTHER ITEMS FOR CONSIDERATION

6A. Ratify vote approving tax rate.

Motion: Motion was made by Councilmember Malone, and seconded by Councilmember Campbell to approve.

Motion carried by a vote of 5-0.

REPORTS & DISCUSSIONS

7A. None at this time.

8. COMMUNITY INTEREST ITEMS

- The Link – Please review the new edition of “The Connection” for more details.
- The Link New Children’s Classes - Including American Karate, Drawing and Painting, Soccer, Basketball
- The Link New Adult Classes - Painting with Pinot – BYOW (wine)
Cornhole League Sponsored by Hopfusion Brewery
Parent’s Night Out – Friday Nights at the Link
- Senior Lunch Bunch at The Link Thursday, Sept. 13th 12 noon – 2 PM
Serving Ying’s Chinese followed by Bingo
- Community Dinner at the Link - Wednesday, Sept. 26th 7 PM – 8:30 PM
Free Community Dinner on the fourth Wednesday of the month hosted by area churches & served by volunteers for free.
- Vax Shack – September 27th
- Richland Hills Connect Meeting – September 13th
- Book Club at the Library – 2nd Thursday of each month 11am to Noon

9. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074,

Sec. 551.076, Sec. 551.087 and Sec. 418.0183 (f) and 418.106 (d) & (e) of the Texas Government Code (Texas Disaster Act).

Mayor Lopez convened to executive session. Time: 7:58 p.m.

Mayor Lopez reconvened into open session. Time: 8:32 p.m.

No action take from executive session.

10. A motion was made by Councilmember Barger, and seconded by Councilmember Campbell to adjourn. Motion passed 5-0.

There being no further business to come before the City Council, Mayor Lopez declared the meeting adjourned at 8:32 p.m.

ATTEST

APPROVED

Cathy Bourg, City Secretary

Edward Lopez, Mayor