

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
JANUARY 10, 2022
MINUTES**

Roll Call:

Council present

Edward Lopez, Mayor
Douglas Knowlton, Place 1
Curtis A. Bergthold, Mayor Pro Tem
Javier Alvarez, Place 4

Council absent

Stacey L. Morse, Place 2

Council present via Zoom

G.W. Estep, Place 5

Staff present

Candice Edmondson, City Manager
Lindsay Wells, City Secretary

Staff present via Zoom

Betsy Elam, City Attorney

CITY COUNCIL WORK SESSION – 6:48 PM

- 1. Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, 418.183(f) and 418.106(d) & (e). Refer to posted list attached hereto and incorporated herein. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.**

None.

2. Discuss American Rescue Plan Funding Proposal

City Manager Candice Edmondson presented an update regarding the American Rescue Plan Act (ARPA) funding and advised that Richland Hills received the first payment of \$1,970,642 in recovery funds in August 2021, with the second payment scheduled to be received on August 23, 2022. The second payment will be received one year after the receipt of the first payment. She advised of proposed uses, including investments to improve and strengthen the City's water infrastructure, investments to expand broadband to City parks and facilities for public use, and premium pay to critical infrastructure and essential employees.

Director of Neighborhood Services Scott Mitchell, Police Chief Kim Sylvester, and Finance Director Patricia Albrecht provided additional information related to the proposed funding uses. A resolution authorizing expenditure of the City's ARPA funds will be presented for City Council consideration at the January 24, 2022 City Council meeting.

3. **Discuss items listed on tonight's City Council agenda. No action will be taken and each item will be considered during the Regular Session.**

REGULAR SESSION – Mayor Lopez Called to Order – Time 7:19 p.m.

INVOCATION AND PLEDGES OF ALLEGIANCE – Mayor Lopez

PRESENTATIONS

1A. Mary Louise Nicholson – Tarrant County Clerk

Tarrant County Clerk Mary Louise Nicholson presented a book to Library Director Chantele Hancock which serves as a historical record detailing how the Coronavirus Pandemic affected Tarrant County during 2020. Local elected officials, historians, and photographers contributed to the locally printed hardbound book.

1B. Citizen Appearances/Public Comments

Citizen comments emailed to Lindsay Wells (lwells@richlandhills.com) on an item either listed on this agenda or not listed on this agenda will be heard at this time. Citizens in attendance at the meeting who have signed a card to speak to the City Council will also 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.

Jason Butz, 2712 Willow Park, Richland Hills, expressed his appreciation to the City Council for their efforts and dedication to the City in 2021.

CONSENT AGENDA

2A. Approve minutes from the December 13, 2021 City Council Regular Meeting

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Estep to approve the consent agenda.

Motion carried by a vote of 4-0.

PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS

- 3A. **Held a Public Hearing and approved Ordinance 1439-21, a zoning change on the property described as Popplewell, S Survey Abstract 1241 Tract 1E, Tarrant County, Texas otherwise known as 7100 Baker Boulevard, Richland Hills, Texas 76118 and Greenfield Subdivision-RchInd Lots 4, 5, 6 and 7, Tarrant County, Texas otherwise known as 3209 Ash Park Drive, Richland Hills, Texas 76118 from Mixed Use (MX) to Planned Development No. 2021-**

0639 with MF-2 multiple family residential medium density uses and with certain modifications to the Code of Ordinances

Assistant to the City Manager Logan Thatcher presented the item to the City Council and advised that the Skorburg Company has applied for a zoning change from Mixed Use (MX) to Planned Development (PD) on the property located at 7100 Baker Boulevard and 3209 Ash Park Drive to be called Baker Landing. The Planning and Zoning Commission held a public hearing on September 28, 2021, and voted 3-0 to recommend approval of the zoning change.

Following discussions with City staff related to questions and concerns raised during the Planning and Zoning Commission meeting, the developer is now proposing to build a 69-unit multi-family townhome community on the site. Changes to the original proposal include decreasing the density from 80 units to 69 (11.4 units per acre to 10 units per acre), increasing the minimum lot width from 20 feet to 24 feet, decreasing the minimum building width from 75 feet to 70 feet and decreasing the minimum lot size from 6,000 square feet to 5,600 square feet. These changes are considered minor modifications per the City's zoning ordinance, and do not require another review by the Planning and Zoning Commission prior to City Council consideration.

Bryan Holland, Development Partner for Skorburg Company, 8214 Winchester Drive, Suite 900, Dallas, Texas, presented the Baker Landing development to the City Council and provided additional details including building renderings, proposed home valuations, and the proposed site plan.

City Council discussed issues including a Homeowners Association and a dog park for residents.

Mr. Holland confirmed that a Homeowners Association would be created and expressed optimism for the inclusion of a dog park.

Mayor Lopez opened the public hearing at 7:47 p.m. and asked to hear from any proponents followed by opponents of the case.

Roland Goveas, 7048 Bridges Avenue, Richland Hills, expressed concern regarding overgrown brush and parking along Ash Park.

Jason Butz, 2712 Willow Park, Richland Hills, expressed his concern regarding additional stresses to public safety and street parking along Ash Park.

Travis Malone, 2641 Mimosa Park, Richland Hills, confirmed his support for the development but expressed concern regarding the parking along Ash Park.

Mayor Lopez closed the public hearing at 7:58 p.m.

Motion: Motion was made by Mayor Pro Tem Bergthold and seconded by Councilmember Knowlton to approve Ordinance 1439-21, a zoning change on the property described as Popplewell, S Survey Abstract 1241 Tract 1E,

Tarrant County, Texas otherwise known as 7100 Baker Boulevard, Richland Hills, Texas 76118 and Greenfield Subdivision-RchlnD Lots 4, 5, 6 and 7, Tarrant County, Texas otherwise known as 3209 Ash Park Drive, Richland Hills, Texas 76118 from Mixed Use (MX) to Planned Development No. 2021-0639 with MF-2 multiple family residential medium density uses and with certain modifications to the Code of Ordinances and the inclusion of a dog park as well as Homeowners Association documents to require the maintenance of front yards and common green space areas.

Motion carried by a vote of 4-0.

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

4A. Approved Resolution 548-22 calling the May 7, 2022 General Election for Mayor and Council Member, Place 2 and Place 4

City Secretary Lindsay Wells presented Resolution 548-22, ordering the May 7, 2022 General Election for Mayor and Council Member, Place 2, and Place 4 and authorized a contract with Tarrant County Elections to provide election services.

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Alvarez to approve Resolution 548-22 calling the May 7, 2022 General Election for Mayor and Council Member, Place 2 and Place 4

Motion carried by a vote of 4-0.

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS

5A. Approved Development Agreement for the Baker Landing Planned Development (PD) at 7100 Baker Boulevard and 3209 Ash Park Drive Richland Hills, Texas 76118

(Agenda Item 5A is related to Agenda Item 3A)

City Manager Edmonson advised that the Skorburg Company applied for a zoning change from Mixed Use (MX) to Planned Development (PD) on the property located at 7100 Baker Boulevard and 3209 Ash Park Drive to be called Baker Landing (Agenda Item 3A.)

As part of the proposal, the Skorburg Company is requesting City participation for the project in the amount of \$400,000, \$275,000 in reimbursements for public sewer and water improvements and \$125,000 in reimbursements for permit fees. Funding for the project is currently available in the TIF Fund. The proposed request was considered and approved by the Tax Increment Reinvestment Zone #1 (TIRZ) Board at their meeting held January 10, 2022 by a vote of 3-0.

City Manager Edmondson advised of changes made to the Development Agreement by the TIRZ Board, including lowering the required amount the Developer must expend on

public improvements from \$1,200,000 to \$1,000,000. Upon completion of the public improvements, Skorburg Company will receive \$275,000 in reimbursements and upon completion of private improvements, they will receive the remaining \$125,000.

Jason Butz, 2712 Willow Park, Richland Hills, requested additional information regarding construction timelines and compliance with the agreement.

City Manager Edmondson explained that construction must commence on public improvements by September 25, 2022, and completed within 15 months. Private improvements must be started no later than 60 days after the public improvements have been substantially completed and approved with completion required within 24 months. The developer is not entitled to reimbursement if the timelines are not met.

Motion: Motion was made by Councilmember Knowlton and seconded by Councilmember Estep to approve Development Agreement for the Baker Landing Planned Development (PD) at 7100 Baker Boulevard and 3209 Ash Park Drive Richland Hills, Texas 76118 with amendments and additional language as approved by the Board of the Tax Increment Reinvestment Zone #1.

Motion carried by a vote of 4-0.

5B. Approved award of bid for street, curb and gutter repair unit price contract to Reliable Paving, Inc.

Director of Neighborhood Services Scott Mitchell advised that staff has been utilizing private vendors to complete some projects traditionally completed by Public Works staff. Staff created a unit price contract for routine pavement work such as permanent street patching, curb and gutter replacement, and small area pavement repairs. The City utilizes similar contracts from other government entities and, as the primary contract holder, would allow other agencies to utilize this contract as well.

Four bids were received, and they ranged from a high bid of \$2,188,552 to a low bid of \$675,645. Reliable Paving, Inc. was the low bidder. Based on the bids received, references provided, and previous experience with the City, staff recommends awarding the contract to Reliable Paving, Inc. through September 30, 2022, with the intent to bid a new unit price contract for FY 2023 should the program prove to be successful.

The services covered by this contract are not intended to replace the normal maintenance activities of the Public Works' crews (crack sealing, small pothole repair, water line cleaning, small water main break/leak repair, sewer line back-ups and spot repairs, etc.)

Motion: Motion was made by Mayor Pro Tem Bergthold and seconded by Councilmember Knowlton to award street, curb and gutter repair unit price contract to Reliable Paving, Inc.

Motion carried by a vote of 4-0.

OTHER ITEMS FOR CONSIDERATION

6A. None

REPORTS & DISCUSSIONS

7A. None

COMMUNITY INTEREST ITEMS

- 8. Mayor Pro Tem Bergthold advised of several upcoming events:
 - Through January 15, 2022, The Link Membership Sale;
 - Thursday, January 13, 2022,
 - Senior Lunch Bunch, The Link, 12:00 to 1:00 p.m.;
 - Tarrant County Food Pantry, The Link Parking Lot, 5:30 to 7:00 p.m.;
 - Library Lab, Children’s Area Inside Library, 6:30 to 7:00 p.m.
 - Thursday, January 20, 2022, Evening Storytime, Children’s Area Inside Library, 6:30 to 7:00 p.m.; and
 - Friday, February 11, 2022, Parents Night Out, The Link, 6:00 to 9:00 p.m.

- 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).**

None

10. **A motion was made by Mayor Pro Tem Bergthold and seconded by Councilmember Knowlton to adjourn.**

Motion carried by a vote of 4-0.

There being no further business to come before the City Council, Mayor Lopez declared the meeting adjourned at 8:19 p.m.

ATTEST:

APPROVED:

Lindsay Wells, City Secretary

Edward Lopez, Mayor