

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
FEBRUARY 28, 2022
MINUTES**

Roll Call:

Council present

Edward Lopez, Mayor
Douglas Knowlton, Place 1
Curtis A. Bergthold, Mayor Pro Tem
Javier Alvarez, Place 4
G.W. Estep, Place 5

Council absent

Stacey L. Morse, Place 2

Staff present

Candice Edmondson, City Manager
Lindsay Wells, City Secretary
James Donovan, City Attorney

CITY COUNCIL WORK SESSION – 6:30 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). 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 items listed on tonight's City Council agenda. No action will be taken and each item will be considered during the Regular Session.**
- 3A. ***Approved Resolution No. 550-22 to participate in the 48th Year Community Development Block Grant (CDBG) Program. PUBLIC HEARING***

Director of Neighborhood Services Scott Mitchell presented Resolution No. 550-22 authorizing the City to participate in the 48th Year Community Development Block Grant (CDBG) Program. The proposed project is for the replacement of the sanitary sewer main along the 2800 to 3000 blocks of Elm Park, between Pine Park Drive and the end of the line north of Oak Park Drive. The project will consist of replacing approximately 1400 linear feet of 6 inch sanitary sewer main pipe with 8 inch pipe, 4 manholes and approximately 38 service connections.

The Tarrant County funding allotment for the 48th Year CDBG program is estimated to be between \$145,000 to \$175,000. Any additional funds would come from the FY 2022 Utility Fund Budget for wastewater system improvements. The City's contribution is for the cost

of engineering for the project (estimated at \$20,000), as well as any costs above the allocated grant amount.

Discussion ensued regarding the possibility of multiyear project planning for CDBG projects.

4A. *Approved Resolution No. 551-22 authorizing the City Manager to execute Global Opioid Settlement documents relating to the Endo Pharmaceutical Companies and the Teva Pharmaceutical Companies.*

Police Chief Kimberly Sylvester advised that on May 13, 2020 the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund approving the allocation of any and all opioid settlement funds within the State based on the Texas Term Sheet. Subdivisions were asked to join the settlement agreement to maximize the funds made available by the opioid settlements. On November 8, 2021, the City Council approved Resolution No. 545-21 authorizing the City Manager to execute a Global Opioid Settlement with opioid manufacturer Johnson and Johnson (J&J) and pharmaceutical distributors: AmerisourceBergen, Cardinal Health, and McKesson. Chief Sylvester advised that Resolution No. 551-22 is a negotiated settlement agreement with Endo and Teva Pharmaceuticals, resolving litigation and potential litigation and adding additional settlement funds to the Texas Opioid Abatement Fund.

Discussion ensued regarding any potential time limits on expenditures from the Texas Opioid Abatement Fund.

7A. *Richland Hills Police Department 2021 Racial Profiling Report.*

Police Chief Sylvester advised that the Sandra Bland Law requires police agencies in Texas to collect and report data on motor vehicle contacts with the public and present the findings to the governing body on an annual basis. The Department contracts annually with Dr. Alex del Carmen with DC Consulting who analyzes, reviews, conducts quarterly audits throughout the year and prepares the annual racial profiling report.

The 2021 report indicated that the Richland Hills Police Department was in compliance with all mandated requirements of the law and there were no reported concerns of the data analyzed that resulted from motor vehicle stops in 2021.

Mayor Lopez adjourned the work session at 6:56 p.m.

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

INVOCATION AND PLEDGES OF ALLEGIANCE – Mayor Edward Lopez

PRESENTATIONS**1A. Business Spotlight: LaLa Laundry**

Tommy Ung introduced his business, LaLa Laundry, located at 7060 Boulevard 26, Suite B, and expressed excitement at his business' recent opening in Richland Hills.

1B. Employee Service Awards:

City Manager Candice Edmondson announced the employee service awards and expressed congratulations to the following employees on reaching an employment milestone with the City of Richland Hills:

5 Years of Service

Recreation Supervisor Dona Roth Kinney
Recreation Facility Manager Andrew Saxon

1C. 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.

Jim Shibel, 3101 Crites Street, Richland Hills, expressed his grief at his 2-year-old grandson's recent death and requested assistance from the City to properly secure a drainage waterway behind his property to prevent possible tragedies in the future.

CONSENT AGENDA**2A. Approve minutes from the February 14, 2022 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. Approved Resolution No. 550-22 to participate in the 48th Year Community Development Block Grant (CDBG) Program. PUBLIC HEARING**

Item was discussed during the work session.

Mayor Lopez opened the public hearing at 7:16 p.m. and asked to hear from any proponents followed by opponents of the case.

Jim Shibel, 3101 Crites Street, Richland Hills, inquired if there is a website he could check for CDBG areas eligible for revitalization.

Mr. Mitchell advised that Tarrant County has that information on their website. City Manager Candice Edmondson advised that a link to Tarrant County's website will be added to the City's website for easier access.

Mayor Lopez closed the public hearing at 7:19 p.m.

Motion: Motion was made by Mayor Pro Tem Bergthold and seconded by Councilmember Knowlton to approve Resolution No. 550-22 to participate in the 48th Year Community Development Block Grant (CDBG) Program.

Motion carried by a vote of 4-0.

3B. Approved preliminary plat for the properties 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. PUBLIC HEARING

Assistant to the City Manager Logan Thatcher presented the item to the City Council and advised that the Skorburg Company has submitted a preliminary plat for consideration on a 69-unit townhome development on the property located at 7100 Baker Boulevard and 3209 Ash Park Drive to be called Baker Landing. The Planning and Zoning Commission and City Council previously approved a Planned Development for this project. Approval of the preliminary plat is the next step in the planned development process. The Planning and Zoning Commission held a public hearing at their February 22, 2022 meeting and voted 3-0 to recommend approval of the preliminary plat.

Discussion ensued regarding any changes made since previous Council discussion and a proposed dog park.

Mr. Thatcher advised that minor changes to avoid a flood zone were made and a dog park would be considered during the landscaping portion of the platting process.

Mayor Lopez opened the public hearing at 7:22 p.m. and asked to hear from any proponents followed by opponents of the case. Hearing none, Mayor Lopez closed the public hearing at 7:23 p.m.

Motion: Motion was made by Councilmember Knowlton and seconded by Mayor Pro Tem Bergthold to approve to approve a preliminary plat for 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.

Motion carried by a vote of 4-0.

3C. Approved Ordinance No. 1444-22 a Specific Use Permit for a Guest House for the property described as Lot 16, Block 5, Richland Hills Addition, Richland Hills, Texas otherwise known as 3524 Kingsbury Avenue, Richland Hills, Texas 76118 PUBLIC HEARING

Assistant to the City Manager Logan Thatcher presented the item to the City Council and advised that applicant Alejandro Penaloza is seeking a Specific Use Permit (SUP) for construction of a Guest House at 3524 Kingsbury Avenue. The structure was originally a garage and the applicant is requesting to convert the garage into a guest house by making additions including windows, a shower, and toilet. An SUP is required to have a guest house in SF-10 Zoning district. The Planning and Zoning Commission held a public hearing at their February 22, 2022 meeting and voted 4-0 to recommend approval of the specific use permit.

Applicant Alejandro Penaloza was present to address any questions.

Mayor Lopez opened the public hearing at 7:28 p.m. and asked to hear from any proponents followed by opponents of the case. Hearing none, Mayor Lopez closed the public hearing at 7:28 p.m.

Alejandro Penaloza, 3524 Kingsbury Avenue, Richland Hills, advised that he is seeking to increase the value of his property should he decide to sell in the future.

Motion: Motion was made by Councilmember Estep and seconded by Councilmember Alvarez to approve Ordinance 1444-22 a Specific Use Permit for a Guest House for the property described as Lot 16, Block 5, Richland Hills Addition, Richland Hills, Texas otherwise known as 3524 Kingsbury Avenue, Richland Hills, Texas 76118.

Motion carried by a vote of 4-0.

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

4A. Approved Resolution No. 551-22 authorizing the City Manager to execute Global Opioid Settlement documents relating to the Endo Pharmaceutical Companies and the Teva Pharmaceutical Companies

Item was discussed during the work session.

Police Chief Kimberly Sylvester provided a brief overview of the resolution and advised that the City Council approved a similar resolution in November 2021 to execute a Global

Opioid Settlement with Johnson and Johnson. Resolution No. 551-22 is a Global Opioid Settlement with Endo and Teva Pharmaceutical Companies.

Motion: Motion was made by Mayor Pro Tem Bergthold and seconded by Councilmember Knowlton approving Resolution 551-22 authorizing the City Manager to execute Global Opioid Settlement documents relating to the Endo Pharmaceutical Companies and the Teva Pharmaceutical Companies.

Motion carried by a vote of 4-0.

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS

5A. None.

OTHER ITEMS FOR CONSIDERATION

6A. None.

REPORTS & DISCUSSIONS

7A. Richland Hills Police Department 2021 Racial Profiling Report

Item was discussed during the work session.

7B. Street Improvement Projects Update

Director of Neighborhood Services Scott Mitchell provided a brief update on several road projects including a final inspection on Rosebud Lane and Vance Road, difficulties on Elm Park and Oak Park, and a paving project along Rufe Snow Drive following water line replacement. Additionally, he advised that funds remaining in the Fire Station Construction Fund have been utilized to make additional street repairs.

7C. January Department Reports

Library Director Chantele Hancock provided a brief overview of Library activities including that the library is adding additional Wi-Fi hotspots available for checkout for a total of 12.

Fire Chief Russell Shelley advised that January 2022 was the second busiest month the Fire Department has seen since they began keeping electronic records and discussed a partnership with the Red Cross and a recently completed retired flag box Eagle Scout project in the lobby of the fire station.

Finance Director Patricia Albrecht presented the financial update and advised that property tax collection is approximately 88 percent complete, and sales tax collected is on track with budgeted estimates.

COMMUNITY INTEREST ITEMS

8. Mayor Pro Tem Bergthold advised of several upcoming events:
- Early registration now open, Summer Camp Connect, The Link;
 - Thursday, March 3, 2022, Tarrant County Mobile Vaccination Clinic, Link Plaza Parking Lot, 9:00 a.m. to 4:00 p.m.;
 - Tuesday, March 8, 2022,
 - Richland Hills Book Club, Richland Hills Public Library, 11:00 a.m.;
 - Neighborhood Crime Watch Block Captain Meeting, Police Department Training Room, 6:00 to 7:30 p.m.;
 - Thursday, March 10, 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.;
 - 1st and 3rd Thursday of the month, Storytime at the library, 6:30 p.m.; and
 - 2nd and 4th Thursday of the month, Library Lab, 6:30 p.m.

EXECUTIVE SESSION

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).
- Section 551.074: Deliberation regarding Personnel Matters
- a. City Manager Annual Review

Motion: Motion was made Mayor Pro Tem Bergthold to adjourn into Executive Session and seconded by Councilmember Estep at 8:06 p.m.

Motion carried by a vote of 4-0.

Mayor Lopez reconvened the Regular Session at 10:05 p.m.

Motion: Motion was made by Councilmember Estep and seconded by Councilmember Knowlton to approve the City Manager contract and compensation as discussed in Executive Session.

Motion carried by a vote of 4-0.

ADJOURNMENT

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 10:06 p.m.

ATTEST:

APPROVED:

Lindsay Wells, City Secretary

Edward Lopez, Mayor