

**MINUTES OF  
RICHLAND HILLS CITY COUNCIL  
REGULAR MEETING  
JUNE 18, 2013**

**Mayor Agan 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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| Bill Agan  | Mayor   |
| Roland Goveas, Place 1<br>Toya Norton, Place 2<br>Robert DeSoto, Place 3<br>Beverly Williams, Place 4<br>Edward Lopez, Place 5 | Councilmembers                                  |
| Curtis Hawk<br>Linda Cantu<br>Betsy Elam   | City Manager<br>City Secretary<br>City Attorney |

with the following members absent: None, constituting a quorum, at which time the following business was transacted:

**WORK SESSION – 6:01 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). Refer to posted list attached hereto and incorporated herein.

**MOTION:** A motion was made by Councilmember Williams, and seconded by Councilmember DeSoto to go into executive Session at 6:01 p.m.

2. Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

Mayor Agan reconvened into open session at 6:24 p.m.

3. Presentation of Revenue Estimates for FY 2013-14

Barbara Mann, Finance Director, presented the revenue estimates.

## General Fund

The May 15, 2013 preliminary valuation indicates a slow recovery with overall totals. Revenue projections are estimated to show a very modest increase over current year projections.

City Manager Hawk stated the purpose was to present the revenue estimates. This item will be presented to Council once again during the budget process.

### 4. Proposed Charter Amendments

City Manager Hawk and City Attorney briefed Council on the changes to the proposed Charter amendments.

### 5. Discussion of items listed on tonight's City Council Agenda

No discussion occurred.

## **REGULAR SESSION – 7:00 P.M.**

### **CALL TO ORDER**

### **INVOCATION AND PLEDGES OF ALLEGIANCE**

The invocation was given by Councilmember Norton.

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

### **1. PRESENTATIONS & APPEARANCES**

A. Presentations – None at this time.

B. Citizen Appearances/Public Comments.

None at this time.

### **2. CONSENT AGENDA**

A. Approval of June 4, 2013 City Council Minutes.

B. Approval of Tax Assessment & Collection Contract with Tarrant County Tax Assessor/Collector and Tarrant County, and City of Richland Hills, for Tax Year 2013.

**MOTION:** A motion was made by Councilmember DeSoto, and seconded by Councilmember Norton to approve changes to minutes and approval of item #2B. Motion carried by a vote of 5-0.

### 3. PUBLIC HEARINGS AND OTHER RELATED ITEMS

- A. Conduct public hearing and consider SUP 13-13, recommendation from P&Z for a special use permit to operate a temporary/seasonal refreshment (Snow Cone) stand at 6940 Baker Blvd.

City Manager Hawk briefed Council on the SUP for 6940 Baker Blvd. This is a seasonal refreshment (Snow Cone) stand. The owners would like to operate from 1:00 p.m. – 9:00 p.m. Planning and Zoning unanimously recommended approval of the SUP for a six month period.

Mayor Agan opened the public hearing at 7:09 p.m.

There being no one to speak, Mayor Agan closed the public hearing at 7:09 p.m.

Councilmember's requested, for safety reasons, the refreshment stand moved sixty (60) feet from Baker Blvd.

Mr. Ortiz, who operates the business, stated he would place the stand where Council requested.

**MOTION:** A motion was made by Councilmember DeSoto, and seconded by Councilmember Goveas to approve with the location of the refreshment stand to be sixty (60) feet from Baker Blvd., and granting the owners to operate their business from June 18 to Sept. 30, 2013. Motion carried by a vote of 5-0. **Ord. 1250-13**

### 4. ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

- A. Ordinance No., 1249-13, Ordinance Providing for the Issuance of City of Richland Hills, Texas Combination Tax and Water and Sewer System Revenue Certificates of Obligation, Series 2013, and Ordaining Other Matters Relating to the Subject.

Boyd London, and Sarah Bedford, representatives with First Southwest Co., and Jeff Leuschel with McCall, Parkhurst & Horton, L.L.P. were present.

Ms. Bedford briefed Council on the bids received, calculation of bids and interest rates. The city will net a total of \$6,000,000 after cost, with \$3,000,000 going into waterworks and sewer system projects and \$3,000,000 going into drainage projects. The average annual debt service over twenty years is \$115,000. Ms. Bedford further stated the city received a rate at 3.14.

**MOTION:** A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 5 to 0. **Ord. 1249-13**

**5. CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS**

A. No items for Consideration.

**6. OTHER ITEMS FOR CONSIDERATION**

A. Amendments to Richland Hills Home Rule Charter.

Sec. 5.01. – Council; places, terms

The transition of the three (3) year term limits was discussed.

The following chart was submitted to Councilmember’s for their review regarding the proposed transition changes. This would allow for a quicker transition to three (3) year terms for Mayor and Council Members.

| PLACE | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
|-------|------|------|------|------|------|------|------|------|
| MAYOR | x    |      | x    |      |      | x    |      |      |
| 1     |      | x    |      |      | x    |      |      | x    |
| 2     | x    |      | x    |      |      | x    |      |      |
| 3     |      | x    |      | x    |      |      | x    |      |
| 4     | x    |      |      | x    |      |      | x    |      |
| 5     |      | x    |      |      | x    |      |      | x    |

After discussion, it was agreed by all Council Members to direct staff to draft the language for the term changes, using the chart as a guide.

City Manager advised the next step would be to adopt the ordinance, as soon as the terms are set. The charter election needs to be called prior to August 26<sup>th</sup>.

The City Attorney will draft the ordinance to call the charter election with exhibit A as the propositions, and exhibit B will be the Council adopting the proposed language in the charter.

**MOTION:** A motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to direct staff to proceed. Motion carried by a vote of 5 to 0. **Ord. 1249-13**

City Manager requested a formal recognition of the Charter Review Committee at the next regularly scheduled City Council meeting, for their many hours of work in proposing the charter amendments.

- B. Amendments to Chapter 10, Code of Ordinances, including authorization to initiate process of transitioning Keep Richland Hills Beautiful from a City board to an independent Affiliate with Keep Texas Beautiful with status as non-profit, 501(c) (3) corporation.

City Manager Hawk briefed Council on the process of the transition to Keep Richland Hills Beautiful from a City board to an independent Affiliate with Keep Texas Beautiful with status as non-profit, 501 (c) (3) corporation. As an independent Affiliate, the board can function as private citizens. They can solicit contributions, recruit members with nominal dues, and set their own by-laws. It would make them more effective as an organization.

The affiliate board can request an annual contribution from the city, and report what they would do for the contribution. If the Affiliate fails to act on their commitment, the city would consider whether to seek their services the following year.

Council members requested the City Manager initiate the process and to report what the pros and cons of the transition would be from a city board to an independent affiliate.

**MOTION:** A motion was made by Councilmember Lopez, and seconded by Councilmember Goveas to initiate the process. Motion carried by a vote of 5 to 0.

- C. Change in Library hours.

Lisa Wood, Library Director, requested the Library hours reduced by two hours per week. The request is for the Library to close at 8 p.m. on Tuesdays and Thursdays, as opposed to closing at 9 p.m. The hours of operation would be from 1:00 p.m. to 8:00 p.m. This would enable the Library staff, at current staffing levels, to provide improved library service. Reducing the library hours by two hours per week would allow for the integration of regularly scheduled staff meetings to plan for the execution of Library events, time for staff training on new equipment, software and databases without

having to pull staff out of training, or having to pay overtime, and also allow for better collection management.

Council Member Williams stated she would rather see the Library open from 12 p.m. to 8:00 p.m., instead of 1:00 p.m. to 8:00 p.m. on Tuesdays and Thursdays.

**MOTION:** A motion was made by Councilmember DeSoto, and seconded by Councilmember Norton to approve the 1:00 p.m. to 8:00 p.m. operating hours on Tuesdays and Thursdays. Motion carried by a vote of 4 to 1, with Councilmember Williams voting nay.

## 7. REPORTS & DISCUSSION ITEMS

### A. Continuation of Discussion of Work Session agenda items

Discussion of Work Session items is complete.

### B. Update on July 4<sup>th</sup> Parade & Celebration

Jeff Ritter, Chair of the Special Events Committee, updated Council Members on the July 4<sup>th</sup> parade and events.

Mr. Ritter reported the site plan has been set for the Band and the location of tents. The parade is scheduled to begin at 9 a.m. heading south on Mathews. VIP cars for City Council and Grand Marshal Oliver Pettit, have been secured, signs are secured and decorations are ready to be hung. Boy Scouts Color Guard will be leading the parade. Veterans float has been confirmed. Special Events Committee members and volunteers are meeting July 3<sup>rd</sup>, at 6 p.m. at City Hall to start decorating the buildings and floats. Event flyers are being distributed, and the June water bill will have information for anyone that would like to participate or volunteer. Tents have been reserved, the children's activities area will have a bounce house, face painting, carnival games, and the Police Department will have a fingerprinting booth. Food service has been organized. The Zack King Band will be setting up at the stage area at Diana Drive at 8 a.m.

### C. Update on SRTS Sidewalks

Michael Barnes, City Engineer, stated two of the three projects are substantially complete, with grass and clean-up needed to be done at Binion Elementary and Richland Middle School. Richland Elementary sidewalks are 50% complete. Richland Middle is under budget, with Binion over budget by \$8,000. During the course of the project, one bid item with retaining walls was

miscalculated on the engineer's part. Due to the cost of the material for the retaining wall, the project went over the budget.

There has been some interest from the community to complete the sidewalk project. Staff will look at the options for the future for completion of the area that was initially scheduled for sidewalks.

#### D. Discussion of Code Enforcement

Some ordinances may need to be amended to meet some of the needs for Code Enforcement to effectively enforce the problems in the city. Some changes are budgetary.

Bill Bell, Fire Chief, gave Council an update on code enforcement issues in the city.

The owners of the burnt building on Hwy. 26 have pulled a permit for demolition. A citation has been ordered to cut the grass and weeds at this location. According to the Fire Chief, the building should be demolished within the next two to three weeks. The property owner has been told he needs to maintain the property. The owner will pay for the demolition.

Staff is working on the vacant houses and the problems associated with these properties. Staff feels the current ordinance in place needs to be amended to allow for code enforcement officers to enforce these violations. There was also some discussion regarding the low limbs and overgrown tree branches that impede traffic in the city.

City Manager stated there is a list of ordinances that will need to be addressed to correct some of these issues. Staff will address these ordinances with Council before any changes are made. Some of these may require public hearings.

#### E. Presentation of Department Reports

There were no questions regarding the Department Reports.

#### F. Discuss calendars for Council meetings during the summer

Council Members were in agreement to schedule one (1) regular City Council meeting on July 2, and schedule a Budget Work Session on Tuesday, July 30<sup>th</sup>.

A recommendation from Council Member Goveas was to schedule a Work Session to discuss future plans for the city. City Manager stated that can be discussed at the July 30<sup>th</sup> Work Session.

A discussion regarding Chapter 10 will be scheduled before the August 2, 2013, regular City Council meeting.

## 8. COMMUNITY INTEREST ITEMS

Councilmember Williams announced the next Senior Lunch Bunch is scheduled for July 12<sup>th</sup> at the Community Center.

Lisa Wood, Library Director, presented some pictures of the remodeling project currently underway at the Library. A Council tour is planned after completion of the project.

## 9. EXECUTIVE SESSION

**A. 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). 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.**

Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

There was no Executive Session at this time.

## 10. ADJOURNMENT

There being no further business to come before Council, Mayor Agan adjourned the meeting at 9:20 p.m.

**ATTEST**

**APPROVED**

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Linda Cantu  
City Secretary

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Bill Agan  
Mayor