

**MINUTES OF THE WORK SESSION AND REGULAR MEETING  
OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS,  
HELD IN THE CITY HALL, 7301 NORTHEAST  
LOOP 820 – JANUARY 26, 2009**

**WORK SESSION**

The City Council of the City of North Richland Hills, Texas met in work session on the 26th day of January, 2009 at 6:00 p.m. in the Council Work Room prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Scott Turnage	Mayor Pro Tem, Council Place 6
	Ken Sapp	Council, Place 2
	Suzy Compton	Council Place 3
	Tim Barth	Council, Place 4
	David Whitson	Council, Place 5
	Tim Welch	Council, Place 7
Staff Members:	Larry J. Cunningham	City Manager
	Karen Bostic	Assistant City Manager
	Jimmy Perdue	Assistant City Manager
	Mike Curtis	Managing Director
	Vickie Loftice	Managing Director
	Patricia Hutson	City Secretary
	Monica Solko	Assistant City Secretary
	George Staples	City Attorney
	Mary Peters	Public Information Officer
	Elizabeth Reining	Assistant to City Manager
	John Pitstick	Director of Planning & Development
	Larry Koonce	Finance Director
	Greg VanNeiuwenhuize	Public Works Assistant Director
	Craig Hulse	Economic Development Director
	Andrew Jones	Fire Chief
	Jamie Brockway	Purchasing Manager
Absent:	John Lewis	Council, Place 1

**Call to Order**

Mayor Trevino called the work session to order at 6:00 p.m.

**A.1 Discuss Items from Regular City Council Meeting**

None.

## A.2 IR 2009-003 Discuss 2009 Federal Legislative Program

Karen Bostic, Assistant City Manager, presented a PowerPoint presentation highlighting the City's 2009 Federal Legislative positions. Council was advised that one of the items included in the agenda packet, "American Recovery and Reinvestment Plan, had been modified and updated. Council was provided with the updated information. Council was advised that as in previous years four guiding principles were used to determine positions on city-related issues expected to come forward during this legislative session. Ms. Bostic briefly highlighted the four guiding principles – local control; predictable and sufficient level of revenue to provide for our citizens; opposition to unfunded mandates; and quality of life. Council was advised that the legislative priorities were also very similar to previous years. The Internet Sales Tax priority from past years has been removed and the economic stimulus package has been added. Each of the priorities and the City's positions was briefly highlighted and discussed – American Recovery and Reinvestment Plan, Transportation, Telecommunications and Information Technology, Community Development Block Grant, Public Safety & Homeland Security, Public Safety Collective Bargaining and Immigration Reform. Council concurred with the 2009 legislative program.

## A.3 IR 2009-004 Briefing on American Recovery and Reinvestment Plan

Elizabeth Reining, Assistant to the City Manager briefed Council on the American Recovery and Reinvestment Plan. As discussed at the December 12, 2008 City Council Work Session, the City of North Richland Hills is working with the US Conference of Mayors, the National League of Cities and the National Association of Counties to submit possible projects under the American Recovery and Reinvestment Plan currently before both chambers of the US Congress. At the time of the last discussion, the City had submitted \$70,000,000 worth of projects to the US Conference of Mayors to be included in its Main Street Economic Recovery Plan. These projects ranged from street projects to housing rehabilitation to community policing programs. Since that time, the City has included additional projects with our total submission being \$680,000,000 (including the expansion of Loop 820 from IH 35W to Hwy 121).

The American Recovery and Reinvestment Plan (ARRP) differs from the proposed Main Street Economic Recovery Plan supported by the US Conference of Mayors in two distinct areas. More funding is given to states under the ARRP and different vehicles are used to provide that funding.

The Main Street Economic Recovery Plan categorized projects into ten program areas:

- Community Development Block Grants
- Energy Block Grants for Infrastructure and Green Jobs
- Transit Equipment and Infrastructure
- City Streets/Metro Roads Infrastructure

- Airport Technology and Infrastructure
- Amtrak Infrastructure
- Water and Wastewater Infrastructure
- School Modernization
- Public Housing Modernization
- Public Safety Jobs and Technology

The American Recovery and Reinvestment Plan has Five National Forums and several sub categories in each Forum. The Five National Forums are:

- Environment and Energy
- Infrastructure
- Poverty
- Crime
- Arts and Tourism

All ten of the Main Street program areas fit into the five ARRP forums. However, the subcategories of the forums are more specific. Some of the projects the City submitted under the Main Street Plan might not fit the criteria in the new Plan but there is opportunity to look at other program areas that staff did not consider before. Though the Plan details have changed, the American Recovery and Reinvestment Plan still expects to create between 3 and 4 million jobs, provide tax cuts, jumpstart the U.S. economy and prepare the nation for the 21<sup>st</sup> century. The new price tag of the Plan is \$825 billion. There were no questions from Council.

#### A.4 IR 2009-005 Social Transportation for Seniors

Vickie Loftice, Managing Director presented the item. Parks and Recreation has been working in cooperation with several organizations, including the Community Enrichment Center, United Way Northeast and the Isolated Seniors Resource Group, to establish a not-for-profit volunteer driver transportation program for seniors. The program, *Social Transportation for Seniors*, STS, is intended to reconnect seniors to the community by providing transportation for leisure and social activities. The program is unique, in that it will provide non-emergency trips with the purpose of reengaging isolated seniors back into the community. While NETS and Mid Cities Care Corps also provide transportation for seniors, medical care trips are their primary focus.

To help combat social isolation, STS will transport North Richland Hills residents, ages 62 and older, to locations within a 7-mile radius of the intersection of Mid-Cities Blvd and Davis Blvd. Qualified participants will be furnished rides for shopping, financial services, personal grooming and social activities from 8:00 a.m. - 4:00 p.m., Monday through Friday. STS is governed by a Board of Directors and is currently raising funds for the program which has an anticipated start date of late spring or early summer. While the City is not being asked to fund the project, it is requested that the program be

housed out of the Dan Echols Senior Center. The City will provide a desk, computer and phone line for the 20 hour per week employee hired by STS. All of the Council members were in favor of the program and the use of Dan Echols Senior Center.

B.0 EXECUTIVE SESSION - The City Council may enter into closed Executive Session to discuss the following as authorized by Chapter 551, Texas Government Code.

B.1 Executive Session: Pursuant to Section 551.072, Texas Government Code to deliberate the purchase, exchange or value of real property for municipal use - Western Sector of City.

Mayor Trevino announced at 6:43 p.m. that the Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, specifically Section 551.072 to deliberate the purchase, exchange or value of real property for municipal use - Western Sector of City.

C.0 Adjournment

Mayor Trevino announced at 6:55 p.m. that the Council would adjourn to the regular Council meeting.

### **REGULAR COUNCIL MEETING**

#### **A.0 CALL TO ORDER**

Mayor Trevino called the meeting to order January 26, 2009 at 7:00 p.m.

#### **ROLL CALL**

Present:	Oscar Trevino	Mayor
	Scott Turnage	Mayor Pro Tem, Council Place 6
	Ken Sapp	Council, Place 2
	Suzy Compton	Council, Place 3
	Tim Barth	Council, Place 4
	David Whitson	Council, Place 5
	Tim Welch	Council, Place 7
	Staff:	
	Larry J. Cunningham	City Manager

Karen Bostic	Assistant City Manager
Jimmy Perdue	Assistant City Manager
Mike Curtis	Managing Director
Patricia Hutson	City Secretary
Monica Solko	Assistant City Secretary
George Staples	Attorney

Absent: John Lewis Council, Place 1

**A.1  
INVOCATION**

Councilman Whitson gave the invocation.

**A.2  
PLEDGE OF ALLEGIANCE**

Councilman Whitson led the pledge of allegiance.

**A.3  
SPECIAL PRESENTATION(S) AND RECOGNITION(S)  
PROCLAMATION FOR BURN AWARENESS WEEK**

Councilman Sapp presented the Burn Awareness Week Proclamation in Support of Shriners Hospital to Clair Billington, member of Flying FEZ – Fort Worth, a support organization of the Shriners.

**A.4  
CITIZENS PRESENTATION**

None.

**A.5  
REMOVAL OF ITEM(S) FROM THE CONSENT AGENDA**

None.

**B.0**  
**APPROVAL OF CONSENT AGENDA ITEMS**  
**APPROVED**

**B.1 APPROVAL OF MINUTES OF JANUARY 12, 2009 CITY COUNCIL MEETING**

**MAYOR PRO TEM TURNAGE MOVED TO APPROVE THE CONSENT AGENDA. COUNCILWOMAN COMPTON SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

**PUBLIC HEARINGS**

**C.1**  
**GN 2009-005 PUBLIC HEARING ON AND ENACTMENT OF JUVENILE**  
**CURFEW ORDINANCE - ORDINANCE NO. 3038**  
**APPROVED**

Mayor Trevino opened the public hearing.

Jimmy Perdue, Assistant City Manager, presented the item. On July 11, 1994 the North Richland Hills City Council unanimously passed Ordinance No. 1994 adopting a curfew for juveniles. On January 9, 2006, Ordinance No. 2683 was approved extending this legislation for three years. Section 370.002 of the Local Government Code adopted by the 74<sup>th</sup> Legislature requires that before the third anniversary of the date of adoption of a juvenile curfew ordinance by a general-law municipality or a home-rule municipality shall (1) review the ordinance or order's effects on the community and on problems the ordinance or order was intended to remedy; (2) conduct public hearings on the need to continue the ordinance or order; and (3) abolish, continue, or modify the ordinance or order. The North Richland Hills Police Department has found that with the adoption of the juvenile curfew ordinance it has had a positive effect on the safety of our youth and has reduced the probability that unsupervised juveniles will become involved in crimes during late night and early morning hours. The North Richland Hills Police Department is recommending adoption of Ordinance No. 3038 defining the curfew hours as 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday until 6:00 a.m. of the following day and 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday.

Mayor Trevino called for anyone wishing to speak in favor or in opposition to come forward.

There being no one wishing to speak, Mayor Trevino closed the public hearing.

**COUNCILMAN SAPP MOVED TO APPROVE ORDINANCE No. 3038. COUNCILMAN WHITSON SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

## **PLANNING & DEVELOPMENT**

No items for this category.

## **PUBLIC WORKS**

### **E.1**

#### **PW 2009-002 APPROVE A CITY-DEVELOPER AGREEMENT WITH 6840 DAVIS, LTD. FOR FUTURE INTERSECTION IMPROVEMENTS TO DAVIS BOULEVARD AT NORTHEAST PARKWAY APPROVED**

Mr. Greg VanNieuwenhuize, Public Works Assistant Director presented the item. The City-Developer Agreement with the developer (6840 Davis, Ltd.) of the Culp Addition (Block 2: Lots 3R2 & 6 - 12) deals with the collection of the developer's proportionate share of the future construction costs of a traffic signal at the intersection of Davis Boulevard and Northeast Parkway. Presently, the developer is seeking approval of a Site Plan for only Lot 6 of Block 2. As part of the City's development process, the Public Works Department conducted a Rough Proportionality Determination (RPD) to determine if additional public infrastructure would be necessary as a consequence of the proposed development. Upon receiving the Conceptual Site Plan and the Traffic Impact Analysis (TIA), the Public Works Department provided the developer with the RPD for the entire eight (8) lot commercial subdivision.

The TIA indicates that anticipated build-out traffic volumes will require the construction of a future traffic signal at the intersection of Davis Boulevard and Northeast Parkway. The traffic signal is not needed at this time; however, several signal warrants are anticipated to be met once the entire development is constructed. The developer's responsibility per the build-out traffic volumes for the costs to design and construct the future traffic signal equates into \$52,500.00. Because the developer is requesting Site Plan approval for only one of the three (3) lots with direct access onto Northeast Parkway, staff believes that a reasonable option would be to accept the developer's share of the traffic signal improvements in two (2) equal installments of \$26,250.00. The first payment is proposed to be due at the time the first building permit is sought for one of the three (3) lots with direct access onto Northeast Parkway. The remaining payment would be due when a second lot is proposed for development, or by January 1, 2010 – whichever comes first. The traffic signal will be constructed as a Capital Improvement Project in the future.

**COUNCILMAN WELCH MOVED TO APPROVE PW 2009-002. COUNCILMAN BARTH SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

**E.2**

**PW 2009-003 AWARD A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$90,735 TO BIRKHOFF, HENDRICKS & CONWAY, L.L.P. FOR THE ODELL STREET DRAINAGE IMPROVEMENTS PROJECT (DAVIS TO SMITHFIELD)  
APPROVED**

Mr. Greg VanNieuwenhuize, Public Works Assistant Director, presented the item. Item is to consider the award of a professional services agreement for the Odell Street drainage improvements project. The City requested Requests for Statements of Qualifications in accordance with city policy and proposals were received from 32 firms. The City's selections committee reviewed and evaluated the proposals and is recommending award of the professional services agreement to Birkhoff, Hendricks & Conway, L.L.P. in an amount of \$90,735.

**COUNCILMAN WHITSON MOVED TO APPROVE PW 2009-003. COUNCILWOMAN COMPTON SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

**E.3**

**PW 2009-004 AWARD A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$164,000 TO BAIRD HAMPTON & BROWN, INC. FOR THE BRIARWOOD ESTATES DRAINAGE IMPROVEMENTS PROJECT  
APPROVED**

Mr. Greg VanNieuwenhuize, Public Works Assistant Director, presented the item. Item is to consider the award of a professional services contract for the Briarwood Estates drainage improvements project. The City requested Requests for Statements of Qualifications in accordance with city policy and proposals were received from 25 firms. The City's selections committee reviewed and evaluated the proposals and is recommending award of the professional services agreement to Baird Hampton & Brown in an amount of \$164,000.

**COUNCILMAN WELCH MOVED TO APPROVE PW 2009-004. COUNCILMAN SAPP SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

## **GENERAL ITEMS**

### **F.1**

#### **PU 2009-001 APPROVE CONTRACT FOR EMERGENCY MEDICAL DIRECTOR TO DR. ROY YAMADA APPROVED**

Mr. Andy Jones, Fire Chief, presented the item. Item is to consider the award of a contract for Emergency Medical Director. The City requested Requests for Qualifications in accordance with city policy and applications were received from 2 applicants. The City's selections committee reviewed and evaluated the applications and is recommending award of the contract to Dr. Roy Yamada. The term of the contract shall be for a period of two (2) years beginning February 1, 2009 and ending in January 31, 2011 with the option to extend the agreement for an additional two (2) years. The cost for the current contract is \$25,760 per year. Compensation for Emergency Medical Director services under the new contract shall be \$30,000 a year, paid in four (4) equal payments of \$7,500.

**MAYOR PRO TEM TURNAGE MOVED TO APPROVE THE CONTRACT FOR EMERGENCY MEDICAL DIRECTOR TO DR. ROY YAMADA. COUNCILMAN BARTH SECONDED THE MOTION.**

**MOTION TO APPROVE CARRIED 6-0.**

## **EXECUTIVE SESSION ITEMS**

### **G.1**

#### **ACTION ON ANY ITEM DISCUSSED IN EXECUTIVE SESSION LISTED ON WORK SESSION AGENDA**

No action needed.

## **INFORMATION AND REPORTS**

### **H.1**

#### **TARRANT REGIONAL TRANSPORTATION COALITION VIDEO**

A short video prepared by the Tarrant Regional Transportation Coalition (TRTC) to inform the public about the "Cannes-gestion Film Festival was shown.

## **H.2 ANNOUNCEMENTS**

Councilman Welch made the following announcements.

Iron Horse Golf Course is holding an Open House from 6 to 9 p.m. on Friday, January 30th. Bring the family by to sample the new menu and see the new model train in the C.A. Sanford Clubhouse. Iron Horse Golf Course is located at 6200 Skylark Circle. For more details, please call 817-485-6666.

The North Richland Hills Fire Department encourages you to learn CPR. Upcoming CPR classes are scheduled for February 6th and March 6th. The cost to participate is only \$25. The classes are American Heart Association approved and participants receive a certification card. To sign up or get more information, please call 817-427-6900.

The Parks & Recreation Department is hosting its annual Daddy-Daughter Valentine Dance on Saturday, February 7th. This special evening will include music, refreshments, photographs, limo rides and more. The cost is only \$8 per person. Tickets are on sale at the NRH Recreation Center. For more details, please call 817-427-6600.

Kudos Korner - Robert Raley and Brian Thomas, Public Works Utility Division. An e-mail was received from a resident thanking Robert and Brian for their immediate response in replacing a meter box lid. The resident said their follow up procedures for explaining the actions taken to resolve his concerns was most impressive.

## **H.3 ADJOURNMENT**

Mayor Trevino adjourned the meeting at 7:39 p.m.

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Oscar Trevino – Mayor

**ATTEST:**

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Patricia Hutson, City Secretary