

**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 – MAY 18, 2009**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 18th day of May, 2009 at 5:45 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
	John Lewis	Council, Place 1
	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
	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
	Chris Swartz	NRH ₂ O Manager
	Andy Kancel	Assistant Police Chief
	Greg VanNeiuwenhuize	Public Works Assistant Director
	Laury Fiorello	Assistant Finance Director
	Frank Fiorello	Technical Services Supervisor
	JoAnn Stout	Neighborhood Services Director
	Thomas Powell	Fleet Services Director
Absent:	Jimmy Perdue	Assistant City Manager

Call to Order

Mayor Trevino called the work session to order at 6:02 p.m. and invited Tom Lombard, Council Elect, Place 3 to join them in the meeting.

A.1 Discuss Items from Regular City Council Meeting

Larry Cunningham, City Manager advised that further information was needed for item F.2 (Participation in a Local Government Corporation for High Speed Rail - Resolution No. 2009-017) and that no action would be required for that item.

A.2 IR 2009-039 Update on Goal Implementation Plan

Elizabeth Reining, Assistant to the City Manager updated Council on the Goal Implementation Plan and presented a PowerPoint presentation. This is the first progress report on City Council Goals since City Council adopted the new Strategic Plan last month and attended the Goals Work Session in January. Action items were created following the Goals Work Session to quantify progress towards meeting Council Goals and Objectives. The current Strategic Plan adopted 193 action items. Each action item is identified as continuing, complete, in progress or not started. Continuing action items are items that have no beginning or end but need constant attention. Most of the action items that have not been started are action items that were initially identified in January.

- **111 items are continuing.** Important action items that are continuing include: Continue to focus the Preventative Street Maintenance Program on concentrated areas of deteriorated streets in the City's neighborhoods; Continue proactive approach to the Crime Free Multi Housing program recruitment; and, Continue BIG program
- **5 items are complete.** Important action items completed include: Develop multi-department task force to address issues that arise in aging neighborhoods
- **50 items are in progress.** Important action items in progress include: Complete the TOD Code and apply for Sustainable Development grants from NCTCOG; Expand TIF #1; Develop multiyear Neighborhood Revitalization Plan with initial pilot project in specific neighborhood area south of Loop 820; Initiate Rental Housing Inspection Program for single family homes; Seek upgrade of credit rating with Moody's Investors; Evaluate new electronic and internet based communications tools and implement those found to be practical and effective for the City; Design and construct the Recreation Center; and, Decide future of the Food Lion
- **27 items are not started.** Important action items not started include: Hold community meetings for residents in targeted areas of neighborhood revitalization; Develop a comprehensive strategy for foreclosed homes; and, Bury utilities along the North Richland Hills' side of Blvd. 26

The action items under Revitalize Residential Neighborhoods include:

- Continue funding sidewalk replacement/construction program-**Continuing**
- Implement the Fossil Creek Area Revitalization Project-**In Progress**
- Continue to focus the Preventive Street Maintenance Program on concentrated areas of deteriorated streets in the City's neighborhoods-**Continuing**

- Continue aesthetic enhancements to the City's ground and elevated water storage tanks-**Continuing**
- Implement a fire hydrant painting program to enhance the appearance of the City's fire hydrants. -**Continuing**
- Develop multiyear Neighborhood Revitalization Plan with initial pilot project in a specific neighborhood area south of Loop 820-**In Progress**
- Identify landscaping and intersection improvements at Rufe Snow Drive and Glenview Drive-**In Progress**
- Develop multi-departmental task force to address issues that arise in aging neighborhoods-**Completed**
- Continue Neighborhood Improvement Program-**Continuing**
- Continue to seek CDBG funding-**Continuing**
- Develop a comprehensive strategy for foreclosed homes-**Not Started**

A.3 IR 2009-038 Update on State Legislation

Karen Bostic, Assistant City Manager updated Council on various bills being tracked by the City during the 81st legislative session. Ms. Bostic highlighted the status of the following bills:

- HB 9 & SB 855 – Transportation Funding (TLOTA)
- HB 2639 – Red Light Camera Prohibition
- HB 300 – TxDOT Sunset
- HB 5 & SB 544 – Statewide Smoking Ban
- HB 980 & HB 1376 – Sales Tax Allocation Changes (Place of Business)
- HB 3222 & SB 1947 – Joint TIFs
- SB 700 – Rollback Rate Changes (Property Taxes)
- SB 792 & HB 2879 – Sales Tax – Special Districts
- SB 1570 – High Speed Rail

A.4 IR 2009-049 Housing Survey Results

JoAnn Stout, Director of Neighborhood Services updated Council on the Housing Survey Results. The Neighborhood Services Department has completed the 2008 Housing Survey. This survey is intended to identify new and aging structures within the city, with a focus on substandard housing conditions.

The rating standards used to determine the condition of the structures were:

#1 (Yellow) – new construction within the last 3-5 years.

#2 (Green) - Construction which appears to be after 1970, which has a well maintained exterior with only annual maintenance needed.

#3 (Blue) - Construction that appears to be prior to 1970, which due to the age of the structure is classified as a #3 or there are minor repairs that need attention.

#4 (Red) - Substandard conditions in which significant repairs are needed.

Neighborhood Services personnel have made significant progress in addressing these substandard structures. Through the data collected in the housing survey the ability to properly identify substandard conditions and assist in bringing these structures into compliance has been greatly enhanced. With the possibility of offering the Exterior Remodeling Incentives to homeowners, staff is confident that this will also aid in bringing more structures up to code.

A.5 Adjournment

Mayor Trevino announced at 6:28 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 May 18, 2009 at 7:00 p.m.

ROLL CALL

Present:	Oscar Trevino	Mayor
	Scott Turnage	Mayor Pro Tem, Council, Place 6
	John Lewis	Council, Place 1
	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
Mike Curtis	Managing Director
Vickie Loftice	Managing Director
Patricia Hutson	City Secretary

Monica Solko
George Staples

Assistant City Secretary
Attorney

Absent:

Jimmy Perdue

Assistant City Manager

**A.1
INVOCATION**

Councilman Whitson gave the invocation.

**A.2
PLEDGE OF ALLEGIANCE**

Councilman Whitson led the pledge of allegiance.

**A.3
GN 2009-030 OATH OF OFFICE**

Mayor Trevino announced that the candidates for the May 9, 2009 General Election were unopposed and in accordance with State Law were declared elected to office by Council at the March 23, 2009 City Council Meeting. The newly elected officials were required by the Election law to wait until May 18 to take their oath of office. Mayor Trevino called for Place 1 John Lewis to come forward for his oath of office.

Ron and Sean Lewis administered the oath of office to John Lewis.

Mayor Trevino introduced former Council members in the audience and presented a plaque to Councilwoman Compton recognizing her service to the City as Council Member Place 3.

Paula Lombard administered the oath of office to Tom Lombard. Councilman Lombard took his place at the Council dais.

Mayor Trevino called for Place 5 David Whitson to come forward for his oath of office.

Patricia Hutson, City Secretary administered the oath of office to David Whitson.

Mayor Trevino called for Place 7 Tim Welch to come forward for his oath of office.

Donna Welch administered the oath of office to Tim Welch.

A.4
SPECIAL PRESENTATION(S) AND RECOGNITION(S)
RECOGNITION OF YARD OF THE MONTH AWARDS PRESENTED BY
COUNCILMAN BARTH

Jay Garner, Keep NRH Beautiful Commission Member and Councilman Barth recognized the following yard of the month recipients for May: DeWitt Smith, 4029 Diamond Loch East; Evalyn Lochridge, 4913 Reynolds Road; Cindy Hayes, 6617 Meadow Ridge Ct.; Charles Huber, 6200 Abbott Avenue; Shannan McPherson, 8616 Nichols Way; James and Christine Smith, 7121 Four Sixes Ranch Road; Larry Lebahn, 7624 Ford Drive; Kathy D. Scribner, 6745 Ridgewood Drive; Mike & Linda Galligan, 8305 Beverly Drive. North Richland Hills Baptist Church, 6955 Boulevard 26, was recognized as the May Business Landscape Winner.

A.5
SPECIAL PRESENTATION(S) AND RECOGNITION(S)
PROCLAMATION RECOGNIZING JOHN PITSTICK AS RECIPIENT OF THE 2009
COMMUNITY BUILDER AWARD FOR SMITHFIELD MASONIC LODGE #455
PRESENTED BY COUNCILMAN SAPP

Councilman Sapp and Billy Campbell of Masonic Lodge #455 presented a proclamation and award honoring John Pitstick, Director of Planning and Development as the 2009 Community Builder Award and thanked him for his service to the community.

RECESS AND BACK TO ORDER

Mayor Trevino recessed the meeting at 7:48 p.m. and called the meeting back to order at 7:57 p.m. with all members present as recorded.

ROLL CALL

Present:	Oscar Trevino	Mayor
	Scott Turnage	Mayor Pro Tem, Council, Place 6
	John H. Lewis	Council, Place 1
	Ken Sapp	Council, Place 2
	Tom Lombard	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
	Mike Curtis	Managing Director
	Vickie Loftice	Managing Director
	Patricia Hutson	City Secretary
	Monica Solko	Assistant City Secretary
	George Staples	Attorney
Absent:	Jimmy Perdue	Assistant City Manager

**A.6
CITIZENS PRESENTATION**

None.

**A.7
REMOVAL OF ITEM(S) FROM THE CONSENT AGENDA**

None.

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

- B.1 APPROVAL OF MINUTES OF MAY 11, 2009 CITY COUNCIL MEETING**
- B.2 PW 2009-014 APPROVE AN INTERLOCAL AGREEMENT WITH TARRANT COUNTY FOR THE MAINTENANCE OF NORTH TARRANT PARKWAY (1800 FEET WEST OF DAVIS BOULEVARD TO 2900 FEET WEST OF SMITHFIELD ROAD)**
- B.3 PU 2009-021 AWARD BID # 09-022 FOR AQUATIC CHEMICALS TO FSTI INC. IN AN AMOUNT NOT TO EXCEED \$62,150 AND VALLEY SOLVENTS & CHEMICALS IN AN AMOUNT NOT TO EXCEED \$3,780**

COUNCILMAN LOMBARD MOVED TO APPROVE THE CONSENT AGENDA. COUNCILMAN SAPP SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

PUBLIC HEARINGS

C.1

TR 2009-01 PUBLIC HEARING AND CONSIDERATION OF AMENDMENTS TO THE NORTH RICHLAND HILLS ZONING ORDINANCE. AMENDMENTS INCLUDE: 1) ADDING A NEW SUBSECTION (G) "PROHIBITED FENCING MATERIAL" TO SECTION 118-873, 2) AMENDING SUBSECTION (A) "ROOF-MOUNTED MECHANICAL EQUIPMENT" IN SECTION 118-877, AND 3) AMENDING TABLE IN SECTION 118-394 "LOT AND AREA REQUIREMENTS" IN THE O-1 OFFICE DISTRICT - ORDINANCE NO. 3052
APPROVED

Mayor Trevino opened the public hearing and called on Eric Wilhite to present the item.

Eric Wilhite, Chief Planner summarized the item. Zoning case TR-2009-01 is a Public Hearing to consider three amendments to the North Richland Hills Zoning Ordinance Section 118.

- 1) Section 118-873(g), added section "Prohibited fencing material."
- 2) Section 118-877(a), "Mechanical equipment screening for nonresidential uses and nonresidential zoning"
- 3) Section 118-394, "Lot and area requirements." Amending the requirements for O-1 (office) zoning district.

The Planning and Zoning Commission recommended approval by a 5-0 vote. Staff recommends approval of Ordinance No. 3052.

Mayor Trevino called for anyone wishing to speak for or against the request to come forward.

There being no one wishing to speak, Mayor Trevino closed the public hearing and called for the motion.

COUNCILMAN LEWIS MOVED TO APPROVE ORDINANCE No. 3052. COUNCILMAN BARTH SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

PLANNING & DEVELOPMENT

D.0

Items to follow do not require a public hearing

There are no items for this category.

PUBLIC WORKS

E.1

PW 2009-015 APPROVE A PROFESSIONAL SERVICE AGREEMENT WITH THE RJN GROUP, INC. FOR THE SANITARY SEWER ASSESSMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$280,000

APPROVED

Jimmy Cates, Public Works Operations Manager summarized the item. The item is to consider the award of a professional services contract for the sanitary sewer assessment project Phase I in the southern portion of the City. The City requested Requests for Qualifications (RFQ's) in accordance with city policy and qualifications were received from 10 firms. The City's selections committee reviewed and evaluated the proposals and is recommending award of the professional service agreement to RJN Group, Inc. in an amount not to exceed \$280,000.

COUNCILMAN WELCH MOVED TO APPROVE PW 2009-015. COUNCILMAN LOMBARD SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

E.2

PW 2009-016 APPROVE INTERLOCAL AGREEMENT WITH THE CITIES OF NORTH RICHLAND HILLS, FORT WORTH, RICHLAND HILLS AND HALTOM CITY FOR THE DESIGN AND CONSTRUCTION OF THE BIG FOSSIL CREEK WASTEWATER OUTFALL SYSTEM IMPROVEMENTS AND THE TEMPORARY MAINTENANCE OF THE EXISTING WASTEWATER OUTFALL SYSTEM

APPROVED

Mike Curtis, Managing Director summarized the item. The purpose of the Interlocal Agreement between the cities of North Richland Hills, Fort Worth, Richland Hills, and Haltom City is to address two issues:

1. The design and construction of a new Big Fossil Creek Outfall Main.
2. The Operation and Maintenance (O&M) of the existing system until the new outfall main is completed.

The interlocal agreement outlines the responsibilities of the four cities for the engineering, right-of-way acquisition, construction and project management for a new Big Fossil Creek Wastewater Outfall project. The cost allocation for each city is based

on the percent of flow being contributed to the system by each city. The City of Fort Worth is requiring each city to be responsible to get its flow into the new outfall main. The City of Fort Worth will administer all phases (design, right-of-way, and construction) for this project and the other three cities will reimburse Fort Worth based on the percentages outlined in the agreement.

COUNCILMAN WELCH MOVED TO APPROVE PW 2009-016. COUNCILMAN WHITSON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

GENERAL ITEMS

F.1

GN 2009-031 ELECTION OF MAYOR PRO TEM APPROVED

Mayor Trevino announced that the Charter states that the Mayor Pro Tem shall be selected from the seven council members at the first regular meeting following the City's general election. The regular meeting for May 25 was rescheduled to May 18 because of the Memorial Day holiday. Since the May 18 meeting is essentially a regular meeting, it is recommended that Council proceed with electing a Mayor Pro Tem at this Council meeting.

Mayor Trevino called for nominations for Mayor Pro Tem.

COUNCILMAN WELCH RENOMINATED COUNCILMAN TURNAGE TO A SECOND TERM AS MAYOR PRO TEM. COUNCILMAN LEWIS NOMINATED COUNCILMAN SAPP AS MAYOR PRO TEM.

Mayor Trevino closed nominations and called for the vote on the nomination of Councilman Turnage.

NOMINATION TO ELECT COUNCILMAN TURNAGE AS MAYOR PRO TEM CARRIED 5-2, COUNCILMAN LEWIS AND COUNCILMAN SAPP VOTING AGAINST.

F.2

GN 2009-032 RESCINDING RESOLUTION 2009-015 AND APPROVING PARTICIPATION IN A LOCAL GOVERNMENT CORPORATION FOR HIGH SPEED RAIL - RESOLUTION NO. 2009-017 POSTPONED

Mayor Trevino announced that the item F.2 would be postponed awaiting further information.

F.3

**GN 2009-033 AUTHORIZE THE CANCELLATION OF PO # 078785 TO GULF COAST
AMERICAN LAFRANCE
APPROVED**

Thomas Powell, Director of Fleet Services presented the item. The purchase of this Custom Rescue Pumper was originally approved by the City Council on May 14, 2007. Purchase Order # 078785 was issued on May 16, 2007 to Gulf Coast American LaFrance in the amount of \$491,865.00. In accordance with the bid documents and specifications, the original delivery date for the American LaFrance Custom Pumper was to be 340 days after the issuance date of the Purchase Order. The original delivery date would have been April 20, 2008. After the pre-construction conference was held on August 1, 2007, the delivery date was revised to June 1, 2008. On January 28, 2008, American LaFrance filed for Chapter 11 Bankruptcy protection. Following that legal action on March 7, 2008, the projected delivery date was once again pushed back to December of 2008. The delivery did not occur in December of 2008 as projected, and in fact, the construction of the North Richland Hills Custom Rescue Pumper has yet to be started. Repeated requests by the City of North Richland Hills throughout this process have failed to obtain either a definitive construction start date or a final delivery date for this apparatus. Staff recommends cancellation of purchase order to Gulf Coast American LaFrance.

MAYOR PRO TEM TURNAGE MOVED TO APPROVE GN 2009-033. COUNCILMAN WHITSON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

F.4

**GN 2009-034 AMEND EXISTING CONTRACT WITH REDFLEX TRAFFIC SYSTEMS
TO ALLOW FOR A 90 TERMINATION CLAUSE
APPROVED**

Mayor Trevino announced that items F.4 and F.5 were related and asked Assistant Chief Kancel to present both items.

Andy Kancel, Assistant Chief of Police presented item F.4. The City of North Richland Hills entered into a contract with Redflex Traffic Systems, Inc. for the installation and operation of an automatic traffic signal enforcement program on December 11, 2006. The original contract was for a three year term. Because of the effectiveness of the

program, the City is interested in extending the term of the contract with the addition of a right to terminate without cause upon 90 day written notice clause. This amendment will provide the City some protection from future legislative or operational changes that may occur but cannot be predicted

Assistant Chief Kancel presented item F.5. Again, the original contract was for a three year term which would allow the contract to expire on April 30, 2010. Staff is recommending extending the term of the contract through all three (3) additional renewal periods. The contract will expire on April 30, 2013.

COUNCILMAN BARTH MOVED TO APPROVE GN 2009-034. COUNCILMAN LOMBARD SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

**F.5
GN 2009-035 EXTENSION OF CONTRACT WITH REDFLEX TRAFFIC SYSTEMS,
INC.
APPROVED**

Andy Kancel, Assistant Police Chief presented item F.5 with item F.4.

COUNCILMAN WELCH MOVED TO APPROVE GN 2009-035. COUNCILMAN WHITSON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 7-0.

**EXECUTIVE SESSION ITEMS
G.0**

No items for this category.

INFORMATION AND REPORTS

**H.1
ANNOUNCEMENTS**

Councilman Welch made the following announcements.

City Hall and other non-emergency City offices will be closed on Monday, May 25th, for the Memorial Day Holiday. Garbage and recycling service will not be affected. NRH2O and Iron Horse Golf Course will remain open for the holiday.

Residents are invited to be a part of the planning process for the new NRH Recreation Center. This project is in the early stages of planning and officials are seeking input from the public on recreation uses and development priorities. The next public input meeting is scheduled from 6:30 p.m. to 8 p.m. on May 26th here in the City Council Chambers. Citizens who are interested in this project are encouraged to attend. For more information visit the City's web site at nrhtx.com or call 817-427-6620.

The North Richland Hills Public Library invites area residents to enjoy a free concert by Flutasia on Thursday, May 28 at 7 p.m. Flutasia was founded in 1991 to provide an opportunity for area flutists to perform together. Their May 28th performance is entitled "*British Invasion*" and will feature popular songs from the *Beatles* and other British groups. For more information about this free concert or other library events, call 817-427-6814.

Kudos Korner - Debbie York, Neighborhood Services Department – An email was received from a resident thanking Debbie for the tremendous work she does. The resident's daughter attends Walker Creek Elementary and was one of the winners for the Recycle More Art contest. She wanted to express her appreciation to Debbie for organizing the program and involving the students of the public schools. Their daughter is constantly reminding them to "Reduce, Reuse and Recycle". She thanked Debbie and the entire Neighborhood Services Department for all they do to make NRH such a fantastic place to live.

H.2 ADJOURNMENT

Mayor Trevino announced that due to holiday there would not be a City Council Meeting on May 25th and adjourned the meeting at 8:38 p.m.

Oscar Trevino – Mayor

ATTEST:

Patricia Hutson, City Secretary