

**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 – NOVEMBER 9, 2009**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 9th day of November 2009 at 5:30 p.m. in the Council Work Room prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	John Lewis	Council, Place 1
	Ken Sapp	Council, Place 2
	Tom Lombard	Council, Place 3
	Tim Barth	Council, Place 4
	David Whitson	Council, Place 5
Staff Members:	Mark Hindman	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
	Betsy Elam	Attorney
	Mary Peters	Public Information Officer
	Elizabeth Reining	Assistant to City Manager
	John Pitstick	Director of Planning & Development
	Larry Koonce	Finance Director
	Greg VanNieuwenhuize	Assistant Public Works Director
	Mike Hamlin	Assistant Police Chief
	Eric Wilhite	Chief Planner
	Patrick Hillis	Human Resources Director
	Craig Hulse	Economic Development Director
	Thomas Powell	Director of Fleet Services
	Andy Jones	Fire Chief
	Jimmy Cates	Public Works Operations Manager
	Sean Hughes	Emergency Management Coordinator
	Kirk Marcum	Assistant Fire Chief/Fire Marshal
	Chris Swartz	NRH2O Park Manager
	Patrick Hillis	Human Resources Director
	Eric Wilhite	Chief Planner
	Jamie Brockway	Purchasing Manager
	Sharon Davis	Parks and Recreation Assistant Director
	Bill Thorton	Parks and Recreation Assistant Director
	Craig Hulse	Economic Development Director
	Mark Mills	Budget Director
	Mike Hamlin	Assistant Police Chief

Absent: Scott Turnage Mayor Pro Tem, Council, Place 6
 Tim Welch Council, Place 7

Call to Order

Mayor Trevino called the work session to order at 5:30 p.m.

A.1 Discuss Items from Regular City Council Meeting

None.

A.2 IR 2009-113 BIG Program Update and Business Eligibility Feedback

Craig Hulse, Economic Development Director, updated Council on the Business Improvement and Growth (BIG) program and business eligibility feedback. Since the launch of the program in January of 2009, the following activity has taken place:

- 60 total applications handed out (10 since October 1, 2009)
- 13 applications submitted
- 7 completing the bid process
- 6 commencing construction
- 4 completed projects

To date, \$33,000 of BIG Program funds have been granted toward overall projects costing \$147,000, a 450% return.

Currently only businesses along Boulevard 26, Davis Boulevard, and Rufe Snow south of Mid Cities are eligible for the program. The Economic Development Department would like Council's consideration to add Glenview Drive and Bedford-Eules Road north of Loop 820 into the program. The consensus was to move forward with this change to the program and bring back to Council at a later date for final approval.

A.3 IR 2009-114 Update on Gas Well Sites and Proposed Gas Pipelines

John Pitstick, Planning and Development Director, presented a PowerPoint presentation updating Council on gas well sites and proposed gas pipelines. North Richland Hills currently has four gas well sites including Graham, Morrow Stevens, Birdville Independent School District (BISD), and Tarrant County College District (TCCD). Chesapeake Energy controls all existing gas well sites located in North Richland Hills. Staff has issued a total of 12 gas well permits with 3 gas wells in production, 7 gas wells drilled currently awaiting pipeline construction and 2 gas well permits pending drilling. Staff anticipates a few more gas well sites to be established within the community with most of these well sites accommodating multiple wells. Staff plans to return to Council with revisions to the gas ordinance, pipeline agreements and pipeline construction.

Revisions include:

- Gas Ordinance
 - Clarify fees for right of way use
 - Required to be based on cost of service for administration, plan review and inspections
 - \$2.35 per linear foot X 20 years = \$47 per linear foot
 - 20 year pipeline right of way use agreement
- Pipeline agreements
 - Pipeline right of way agreements approved in area clusters
 - Separate pipeline license agreements for City owned properties with specific stipulations and fees
- Pipeline Construction
 - City license agreements approved in first quarter 2010
 - Construction anticipated mid to late 2010

A.4 IR 2009-112 Continue Review of Recreation Center Facility Components and Site Plan

This item is a continuation of work session Item IR 2009-107 from the October 26, 2009 City Council Work Session Meeting.

Vickie Loftice, Managing Director, gave a brief review of the following:

1. Recreation Center Components
2. Conceptual Site Plan
3. Council Approval of the Addition of Senior Services
4. Method of Funding the Additional Space (\$2.5 million)
5. Sustainable Design and LEED Certification

Ms. Loftice introduced Dwayne Brinkley with Brinkley Sargent Architects to continue the presentation. Mr. Brinkley explained LEED certification and the process and levels of certifying a facility. After brief discussion and questions by the Council, the consensus was to move forward with the LEED certification, method of funding, senior services and recreation center components.

A.5 IR 2009-115 NRH2O 2009 End of Season Report and Future Planning

Chris Swartz, NRH2O Manager, presented a PowerPoint presentation outlining the 2009 End of Season Report and briefed Council of future plans for the park. Highlights of the report included:

The 2009 Season Report -Attendance:

- 2009 Park attendance – 231,379
- 2008 Park attendance – 233,654

- Attendance decrease
 - Weather at Strategic Times

The 2009 Season Report - Financial Performance:

- \$3.85 million – Unaudited park revenues
 - Slight decrease to last year
- \$3.3 million – Unaudited park expenses
 - Increase to last year
 - Includes Indirect Cost Transfer of \$112,783
 - Includes Allocation Expenses of \$140,787

The 2009-Season Report - Season Pass Sales:

- Number of passes sold decreased 12 percent
 - 2009 Sales – 10,768
 - 2008 Sales – 12,838
- Promotions focused on discounts and entertainment packages

The 2009 Season Report - Marketing:

- Media Coverage – Radio / Television
 - Channel 5
 - NOHM mentioned NRH₂O
 - Beachside Bay project
 - Job fairs
 - Season opening coverage
 - Discounts
 - Heat advisories
 - Channel 11
 - Polar Plunge
 - Job fairs
 - Hosting Sounds of Spring
 - Channel 8
 - Polar Plunge
 - Channel 21
 - Job fairs
 - Fort Worth Star Telegram
 - Beachside Bay project
 - Job fairs
 - Dive-In Movie listings
 - Birthday Party
- Website
 - 6,458 online ticket purchases (Down 35 percent)
 - 3,974 season passes sold (Down 7 percent)
- E-mail
 - Over 165,000 emails
 - Open rate was at 28 percent
- Social Media

- Multiple sites
 - Twitter
 - Facebook
 - MySpace
- Over 1,200 combined followers
- Multiple methods to reach guests
 - Computer
 - Smartphone (iPhone, Blackberry)
 - Text message capable phone
- Special Events
 - Birthday Celebration
 - Dive-In Movies
 - “An iPod an Hour” Giveaway Day
 - Father’s Day
 - Splash Bash
 - Fireworks
 - Safety Day
 - Texas Brahmas

The 2009 Season Report - Donations

- Over 700 Organizations, 1,400 Tickets
 - Schools
 - Churches
 - Charities
 - Businesses
- More than 40 BSD schools, North Richland Hills Churches and North Richland Hills Businesses

The 2009 Season Report - Group Sales:

- Accounts for 17 percent of park revenue
- Accounts for 17 percent of park attendance
- Suffered from
 - Reduced corporate spending
 - “Crypto fatigue” from last season with daycares
 - Traditional groups cannibalized by park discounting

The 2009 Season Report - Revenue Operations:

- Aquatics
 - Audits / In-service
 - 206 lifeguards licensed
- Maintenance
 - Green Extreme Audit / Rehabilitation
 - Nozzle pads replaced
 - All seams re-caulked
 - Added Ultraviolet Systems to all swimming pool systems

The 2009 Season Report - Survey Results:

- How Many Hours Did You Stay Today?
 - 5.5
- How Many People Came With You?
 - 4.9
- How Would You Rate NRH₂O's Attractions and Facilities?
 - 4.6 out of 5
- How Would You Rate NRH₂O's Guest Service and Courtesy?
 - 4.65 out of 5
- How Would You Rate NRH₂O's Quality of Concessions?
 - 4.4 out of 5
- Whose idea was it to visit?
 - Dad 2.06%
 - Mom 4.91%
 - Children 5.85%
 - Family 51.42%
 - Friends 30.54%
 - Other 5.22%
- Where are you from?
 - NRH – 28.41%
 - Fort Worth – 10.20%
 - Not from the Areas – 7.20%
 - Keller – 9.26%
 - Hurst – 7.69%
 - Bedford – 3.61%
 - Colleyville – 7.69%
 - Watauga – 4.40%
 - Haltom City – 3.45%
 - Grapevine – 5.81%
- Will You Recommend NRH₂O to a Friend?
 - Yes – 98.58%
- Will You Visit NRH₂O Again?
 - Yes – 98.89%

At the end of the report, Mr. Swartz presented a PowerPoint presentation of potential rides for the park. There were no questions from Council.

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 Discuss Land Acquisition in Southwest Portion of City

- B.2 Executive Session: Pursuant to Section 551.071 Texas Government Code for Consultation with Attorney regarding Litigation: Equal Employment Opportunity Commission v. City of North Richland Hills 3:08-CV-01358
- B.3 Executive Session: Pursuant to Section 551.071 Texas Government Code to Confer with Attorney to Deliberate Settlement Offer on Home Town Urban Partners, Ltd. v. City of North Richland Hills
- B.4 Executive Session: Pursuant to Section 551.071 Texas Government Code for Consultation with Attorney on Threatened Litigation from Arcadia Realty Concerning Home Town Development
- B.5 Executive Session: Pursuant to Section 551.071 Texas Government Code for Consultation with Attorney regarding Litigation: Arcadia Land Partners 25 Ltd., et al vs. City of North Richland Hills

Mayor Trevino announced at 6:50 p.m. that the Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, specifically Section 551.072 to discuss land acquisition in southwest portion of City and Section 551.071 to consult with Attorney regarding litigation on Equal Employment Opportunity Commission v. City of North Richland Hills, to deliberate settlement offer on Home Town Urban Partners, Ltd. v. City of North Richland Hills, on threatened litigation from Arcadia Realty concerning Home Town Development and litigation on Arcadia Land Partners 25 Ltd. et al v. City of North Richland Hills.

C.0 Adjournment

Mayor Trevino recessed the Executive Session at 7:05 p.m. and announced that Council would adjourn to the Regular Session and following the Regular Session would reconvene into Executive Session.

REGULAR COUNCIL MEETING

**A.0
CALL TO ORDER**

Mayor Trevino called the meeting to order November 9, 2009 at 7:10 p.m.

ROLL CALL

Present:	Oscar Trevino	Mayor
	John Lewis	Council, Place 1
	Ken Sapp	Council, Place 2

Tom Lombard	Council, Place 3
Tim Barth	Council, Place 4
David Whitson	Council, Place 5

Staff:	
Mark Hindman	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
Betsy Elam	Attorney

Absent:	Scott Turnage	Mayor Pro Tem, Council, Place 6
	Tim Welch	Council, Place 7

**A.1
INVOCATION**

Councilman Barth gave the invocation.

**A.2
PLEDGE OF ALLEGIANCE**

Councilman Barth led the pledge of allegiance.

**A.3
SPECIAL PRESENTATION(S) AND RECOGNITION(S) -**

No items for this category.

**A.4
CITIZENS PRESENTATION**

David Decker, 6100 Holiday Lane, expressed his concern with the loud speaker system at Fort Worth Christian School. Mayor Trevino asked Mark Hindman, City Manager to look into the matter.

**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 OCTOBER 26, 2009 COUNCIL MEETING**
- B.2 PU 2009-034 AWARD BID NO.10-004 FOR THE WALKER CREEK CHANNEL DREDGING PROJECT TO 2L CONSTRUCTION IN THE AMOUNT OF \$90,201.00**
- B.3 PU 2009-035 AWARD BID NO. 10-005 FOR THE STREET SUB-GRADE STABILIZATION PROJECT TO RELIABLE PAVING IN THE AMOUNT OF \$53,792.04**
- B.4 PU 2009-043 AWARD BID NO. 10-003 FOR THE MISCELLANEOUS CONCRETE IMPROVEMENT ANNUAL CONTRACT TO HARD KOUNTRY CONCRETE**
- B.5 PU 2009-036 AUTHORIZE PAYMENT TO MOTOROLA IN THE AMOUNT OF \$351,935.21 FOR RADIO MAINTENANCE AGREEMENT**
- B.6 PU 2009-037 AUTHORIZE INTER-LOCAL PURCHASING AGREEMENT WITH THE CITY OF SOUTHLAKE**
- B.7 FP 2008-10 CONSIDERATION OF A REQUEST FROM JB & JB DEVELOPMENT, FLP TO APPROVE A FINAL PLAT OF LOTS 1-5, BLOCK 1, PRECINCT LINE OFFICE PARK ADDITION (LOCATED IN THE 6500 BLOCK OF PRECINCT LINE ROAD - 3.196 ACRES.)**
- B.8 PW 2009-045 APPROVE AMENDMENT NO. 2 TO THE INTERLOCAL AGREEMENT FOR DESIGN SERVICES FOR THE NORTH TARRANT PARKWAY STREET IMPROVEMENTS PROJECT**
- B.9 PW 2009-044 APPROVE A BUDGET REVISION AND RECOMMEND AWARD OF BID FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY PROJECT: CHARLES STREET OFFSITE DRAINAGE IMPROVEMENTS TO CANARY CONSTRUCTION, INC. IN THE AMOUNT OF \$64,895.88 - RESOLUTION NO. 2009-034**
- B.10 GN 2009-082 APPROVAL OF NEW COMMITTEE MEMBERS TO THE YOUTH ADVISORY COMMITTEE**

B.11 GN 2009-084 CONSIDER ACCEPTANCE OF A 2009 HOMELAND SECURITY GRANT #2009-SS-T9-0064 IN THE AMOUNT OF \$11,883.08 FOR COMMUNITY EMERGENCY RESPONSE TEAM (CERT) TRAINING AND EQUIPMENT

B.12 GN 2009-086 GRAFFITI ORDINANCE UPDATE TO REFLECT CURRENT TEXAS LAW - ORDINANCE NO. 3080

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

MOTION TO APPROVE CARRIED 5-0.

PUBLIC HEARINGS

C.1

ZC 2009-06 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM DAVID THORNE FOR A ZONING CHANGE FROM AG (AGRICULTURAL) TO R-1-S (SPECIAL SINGLE FAMILY) ON TRACT 7B, ABSTRACT 1055 (LOCATED AT 6525 CRANE ROAD - 2.437 ACRES.) - ORDINANCE NO. 3078
APPROVED

Mayor Trevino opened the public hearing and called on the applicant to come forward.

Ernest Hedgecoth, 5701 C Midway Road, Haltom City, with Ernest Hedgecoth Consulting Engineers came forward representing Mr. Thorne. The rezoning request is to split the property into two lots and build a single family residence on one lot. He was available to answer any questions the Council might have.

Eric Wilhite, Chief Planner, summarized the item. The applicant, David Thorne, represented by Ernest Hedgcoth, is requesting a zoning change on a 2.437 acre parcel from AG (agricultural) to R-1-S (special single family). The purpose of the zoning change request is to bring the property into a residential zoning district classification in order to construct a new single-family residence on the property. In order to construct a single-family residential structure on the property both zoning and platting are required. The property will subsequently be sub-divided into two lots (with the final plat running concurrently with this zoning change request). Both lots will be over one (1) acre and meet the R-1-S zoning district lot size requirement. The Planning and Zoning Commission recommended approval by a 6-0 vote.

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 ZC 2009-06; ORDINANCE No. 3078. COUNCILMAN LOMBARD SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

C.2

**ZC 2009-09 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM CHARLES PAUL FOR A ZONING CHANGE FROM AG (AGRICULTURAL) TO R-1-S (SPECIAL SINGLE FAMILY) ON TRACT 1B09, ABSTRACT 1266 (LOCATED AT 7408 CONTINENTAL TRAIL - 2.27 ACRES.) - ORDINANCE NO. 3079
APPROVED**

Mayor Trevino opened the public hearing and called on the applicant to come forward.

Charles Paul, 7408 Continental Trail, came forward. The property was built in 1970 without a garage, in order to build a garage rezoning is required. He was available to answer any questions the Council might have.

Eric Wilhite, Chief Planner, summarized the item. The applicant and property owner Charles Paul is requesting a zoning change on a 2.27 acre parcel from AG (agricultural) to R-1-S (special single family). Mr. Paul currently has a residence on this property. Mr. Paul's intentions are to make improvements to the existing residential structure by adding an attached garage. Zoning regulations for this type of expansion require the property to be zoned to residential and properly platted. R-1-S zoning requires the lot acreage to be at least one (1) acre. The Planning & Zoning Commission recommended approval by a 6-0 vote.

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 WHITSON MOVED TO APPROVE ZC 2009-09; ORDINANCE No. 3079. COUNCILMAN BARTH SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

PLANNING & DEVELOPMENT

D.1

FP 2009-04 CONSIDERATION OF A REQUEST FROM DAVID THORNE TO APPROVE A FINAL PLAT OF LOT 1, BLOCK 1, THORNE ADDITION (LOCATED AT 6525 CRANE ROAD - 1.009 ACRES.)

APPROVED

Mr. Eric Wilhite, Chief Planner, presented the item. The property owner, David Thorne, is requesting approval of a final plat for a 1.009 acre lot. The final plat request will only include one of two lots that were recently included in the preliminary plat for the Thorne Addition which was recently approved by the Planning and Zoning Commission. The portion not being final plated is the area to the north. This preliminary platted lot will be final platted at a future date. The platting of this property will bring it into conformance with subdivision regulations prior to constructing a new single-family residence. This property also requires the property to be rezoned for residential uses. A zoning change request is running concurrently with this final plat request. The Planning and Zoning Commission recommended approval by a 6-0 vote.

COUNCILMAN BARTH MOVED TO APPROVE FP 2009-04. COUNCILMAN LOMBARD SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

D.2

FP 2009-05 CONSIDERATION OF A REQUEST FROM CHARLES PAUL TO APPROVE A FINAL PLAT OF LOT 1, BLOCK 1, PAUL ADDITION AND APPROVE DEVELOPER AGREEMENT SUBJECT TO RECEIPT OF TITLE POLICY GUARANTEEING DEVELOPER'S SECURITY FOR PROPORTIONALITY (LOCATED AT 7408 CONTINENTAL TRAIL - 2.27 ACRES.)

APPROVED

Eric Wilhite, Chief Planner, summarized the item. The applicant, Charles Paul, is requesting approval of a Final Plat for a 2.27 acre tract. Several of the tracts along Continental Trail are similar to this tract and have never been platted or zoned into a residential zoning classification. In order to construct an addition of a garage to the existing residential structure that Mr. Paul resides in, the tract must be platted. The property has a zoning change request running concurrently with this final plat request. The proposed plat meets the lot width and the minimum lot square footage required for the R-1-S zoning district. The City Engineer has determined that the developer will be responsible for the cost of constructing 285 linear feet of curb and gutter, and 126 square yards of concrete sidewalk. The cost for these improvements was determined to be \$8,443.00 which is the property owner's proportionate share of the proposed development. The developer has requested that he not pay these future improvement costs at this time. Instead is requesting a developer agreement subject to receipt of title policy guaranteeing developer's security for the infrastructure costs. The Planning and Zoning Commission recommended approval by a 6-0 vote.

COUNCILMAN SAPP MOVED TO APPROVE FP 2009-05 INCLUDING THE REQUIREMENT FOR ROUGH PROPORTIONALITY. COUNCILMAN LOMBARD SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

PUBLIC WORKS

E.1

PW 2009-043 APPROVE CONTRACT AMENDMENT NO. 1 TO THE ENGINEERING AGREEMENT WITH KIMLEY-HORN & ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$79,500.00 FOR THE NORTH TARRANT PARKWAY PROJECT APPROVED

Mike Curtis, Managing Director, summarized the item. Kimley-Horn and Associates ("KHA") has submitted a contract amendment to address the additional tasks needed to complete design services for this project. Staff is also recommending that the contract amendment include additional funding for Construction Phase services due to the size of the project. The North Tarrant Parkway project is currently in the bidding phase, with a Bid Opening expected in mid-December. Construction is anticipated to begin in early 2010.

COUNCILMAN LOMBARD MOVED TO APPROVE PW 2009-043. COUNCILMAN WHITSON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

GENERAL ITEMS

F.1

PU 2009-038 AWARD BID NO. 09-044 FOR THE TRAFFIC SIGNALIZATION AT HOLIDAY LANE/CHAPMAN ROAD/MEADOW ROAD INTERSECTION TO INDEPENDENT UTILITY CONSTRUCTION IN THE AMOUNT OF \$205,831.05 APPROVED

Jimmy Cates, Public Works Operations Manager, summarized the item. The item is to consider the award of bid for the traffic signalization for the intersections of Holiday Lane, Chapman Road, and Meadow Road. The City requested bids in accordance with city policy and bids were received from 2 firms. Staff and the City's consultant reviewed and evaluated the bids and is recommending award of bid to Independent Utility Construction in the amount of \$205,831.05.

COUNCILMAN LEWIS MOVED TO APPROVE PU 2009-038. COUNCILMAN BARTH SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

F.2

**PU 2009-042 AWARD BID NO. 10-006 FOR THE BIG FOSSIL CREEK SEWER LINE
PROJECT TO JACKSON CONSTRUCTION IN THE AMOUNT OF \$99,000
APPROVED**

Jimmy Cates, Public Works Operations Manager, summarized the item. The item is to consider the award of bid for the Big Fossil Creek sewer line project located inside Iron Horse Golf Course. The City requested bids in accordance with city policy and bids were received from 8 firms. Staff reviewed and evaluated the bids and is recommending award of bid to Jackson Construction in an amount of \$99,000.

COUNCILMAN LOMBARD MOVED TO APPROVE PU 2009-042. COUNCILMAN WHITSON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

F.3

**PU 2009-039 APPROVE THE PURCHASE OF A FRAZER AMBULANCE FROM
KNAPP CHEVROLET IN THE AMOUNT OF \$171,500
APPROVED**

Thomas Powell, Fleet Services Director, summarized the item. The item is for Council to consider the purchase of a Frazer ambulance which will replace a 1999 Marque ambulance. The new ambulance will be the frontline unit at Station #3 and a 2002 year model Frazer will become a reserve unit. In May 2009, City staff applied for an Environmental Protection Agency (EPA) Clean Diesel Grant to help offset the cost of the ambulance. The City of North Richland Hills was included as a co-applicant on a large grant application submitted by the North Central Texas Council of Governments (NCTCOG). The City has received notification from the NCTCOG of being awarded \$61,250. The NCTCOG is currently working on the interlocal agreement which will be presented at a future City Council meeting. Staff is recommending the purchase of a Frazer ambulance from Knapp Chevrolet in the amount of \$171,500. The funding source for this ambulance will be certificates of obligation to be issued in 2010 in the amount of \$245,000. The total budgeted amount of \$245,000 includes additional emergency equipment to be purchased separately during the time the new ambulance is being built. Frazer has scheduled a mid December delivery date.

COUNCILMAN BARTH MOVED TO APPROVE PU 2009-039. COUNCILMAN SAPP SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

F.4

**PU 2009-040 APPROVE THE PURCHASE OF A KME RESCUE PUMPER FIRE
ENGINE TO GULF COAST EMERGENCY VEHICLES IN THE AMOUNT OF \$564,742**

**AND AMEND THE FISCAL YEAR 2009/2010 CAPITAL IMPROVEMENT PROJECT
BUDGET
APPROVED**

Thomas Powell, Fleet Services Director, presented the item. The item is for Council to consider the purchase of a KME Rescue Pumper Fire Engine which will replace a 1987 fire engine. In May 2009, City staff applied for an Environmental Protection Agency (EPA) Clean Diesel Grant to help offset the cost of the fire engine. The City of North Richland Hills was included as a co-applicant on a large grant application submitted by the North Central Texas Council of Governments (NCTCOG). The City has received notification from the NCTCOG of being awarded \$127,500. The NCTCOG is currently working on the interlocal agreement which will be presented at a future City Council meeting. The City requested quotes in accordance with city policy and proposals were received from three firms. Staff reviewed the quotes and found that the lowest quote did not meet the specification in several categories. Staff is recommending the purchase of the KME Rescue Pumper from Gulf Coast Emergency Vehicles in the amount of \$564,724 and to amend the 2009-10 Capital Improvement Project Budget.

COUNCILMAN BARTH MOVED TO APPROVE PU 2009-049. COUNCILMAN LEWIS SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

F.5

**PU 2009-041 APPROVE THE TRADE IN OF CITY-OWNED PISTOLS TOWARDS THE
PURCHASE OF NEW GLOCK PISTOLS AND RELATED EQUIPMENT FROM
GT DISTRIBUTORS
APPROVED**

Jimmy Perdue, Assistant City Manager, presented the item. In the 2008/2009 budget year, a study was conducted regarding the type of pistols used by Police Department personnel. The study concluded with a recommendation to transition all sworn officers of the Police Department, Municipal Court and Fire Department to the new Glock service pistol. The Police Department has negotiated an agreement with G.T. Distributors, Austin, Texas through the Local Government Purchasing Cooperative. G.T. Distributors has submitted an offer to purchase the entire inventory of pistols for \$86,195.00. These funds will be received in the form of credit to be applied towards the \$86,195.00 purchase of 138 new Glock pistols and all associated equipment to accommodate this transition.

COUNCILMAN WHITSON MOVED TO APPROVE PU 2009-041; TRADE IN OF CITY-OWNED PISTOLS TOWARDS THE PURCHASE OF NEW GLOCK PISTOLS AND RELATED EQUIPMENT FROM G.T. DISTRIBUTORS. COUNCILMAN LOMBARD SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

F.6

**GN 2009-085 APPROVE AN ECONOMIC DEVELOPMENT AGREEMENT WITH
PRESTIGE AMERITECH, L.T.D. FOR 7201 IRON HORSE BOULEVARD
APPROVED**

Craig Hulse, Economic Development Director, presented the item. To meet current demands and future growth, Prestige Ameritech identified 7201 Iron Horse along with six other properties for possible relocation. In order to 'win over' their business, City staff proposed various incentives to ease the financial burden and costs associated with their relocation. Staff recommends an Economic Development Agreement with Prestige Ameritech, LTD for 7201 Iron Horse Boulevard.

COUNCILMAN WHITSON MOVED TO APPROVE GN 2009-085; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH PRESTIGE AMERITECH, LTD. COUNCILMAN SAPP SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

F.7

**GN 2009-083 CAST BALLOT FOR TARRANT APPRAISAL DISTRICT BOARD OF
DIRECTORS - RESOLUTION NO. 2009-035
APPROVED**

Mark Mills, Budget Director, presented the item. The official ballot for nominees to serve as directors of the five-member board was received and distributed to Council in an Informal Report on October 30, 2009. North Richland Hills has been allocated 41 votes, which may be cast collectively or separately for any nominee(s) on the official ballot. Votes cast for persons not listed on the ballot will not be considered. A complete list of nominees on the official ballot is as follows:

- Mr. John Austin
- Mr. Tommy Brown
- Mr. John Fegan
- Mr. Michael Glaspie
- Mr. Gaspare LaDuca
- Mr. John Molyneaux
- Mr. Joe Potthoff

COUNCILMAN LOMBARD MOVED TO NOMINATE TOMMY BROWN FOR TARRANT APPRAISAL DISTRICT BOARD ALLOCATING ALL 41 VOTES; RESOLUTION No. 2009-035. COUNCILMAN WHITSON SECONDED THE NOMINATION.

MOTION TO APPROVE CARRIED 5-0.

**F.8
GN 2009-087 APPROVE NAMING RECOMMENDATION FOR THE NEW PARK
LOCATED ON GRAND AVENUE - RESOLUTION NO. 2009-036
APPROVED**

Councilman Barth, Chair of the Nominating Committee, briefly spoke on the possible names that were discussed during the Nominating Committee Meeting. Vickie Loftice, Managing Director, summarized the item. The Naming Board met and reviewed possible names for the new park located on Grand Avenue across from the Library. The park is under construction and will be completed by the end of January 2010. The Nominating Committee is recommending the park be named "Stormy Plaza".

**COUNCILMAN BARTH MOVED TO APPROVE GN 2009-087, RESOLUTION No. 2009-036.
COUNCILMAN LOMBARD SECONDED THE MOTION.**

MOTION TO APPROVE CARRIED 5-0.

EXECUTIVE SESSION ITEMS

G.1

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

B.1 Land Acquisition Southwest portion of the City

Mr. Craig Hulse, Economic Development Director, presented the item. Staff recommends authorization for the City Manager to purchase .95 acres of land located at 5036 Rufe Snow, in the amount of \$800,000, and to enter into an Economic Development Agreement with Gridiron Capital, LLC.

COUNCILMAN WHITSON MOVED TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR PURCHASE OF THE PROPERTY AT 5036 RUFÉ SNOW AND FOR THE MARKETING OF THIS AND ADJACENT CITY OWNED PROPERTY. COUNCILMAN BARTH SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 5-0.

INFORMATION AND REPORTS

H.1

ANNOUNCEMENTS

~~Mayor Pro Tem Turnage~~ Councilman Lombard ¹ made the following announcements.

Keep NRH Beautiful is partnering with the BISD Clothes Connection and Cornerstone Assistance Network to provide warm coats and blankets for those in need in our community this winter. Please clean out your closets and drop off your extra winter coats and blankets at the NRH Neighborhood Services Department, located at 7200-C Dick Fisher Drive South. Donations will be accepted through November 13th. For more information, please call 817-427-6650.

The Night of Holiday Magic volunteer coordinator is now accepting volunteer applications for our 2009 holiday event which will be held from 4 p.m. to 8 p.m. on Saturday, December 5th. More than 200 volunteers are needed to ensure Night of Holiday Magic runs smoothly. To volunteer or get more information, please contact Elizabeth Reining at 817-427-6015.

North Richland Hills City Hall and other non-emergency offices will be closed on Thursday and Friday, November 26th and 27th for the Thanksgiving holiday. Duncan Disposal will not provide garbage and recycling collections on Thanksgiving Day. Thursday's collections will be made on Friday and Friday's collections will be made on Saturday.

The November 23rd City Council Meeting has been cancelled. The next City Council Meeting will be held on Monday, December 13.

Kudos Korner - Wesley Millsap and Lucio Valdez, Public Works Utility Division, An e-mail was received from a resident thanking City staff for responding promptly to her water problem. Wesley and Lucio were at her house less than 24 hours after she contacted the City. They quickly measured the water pressure and answered all of her questions. They were very professional and provided excellent service, the resident said.

RECESS TO EXECUTIVE SESSION

Mayor Trevino announced at 8:11 p.m. that Council would convene into Executive Session in the Council Work Room pursuant to the provisions of the following sections of the Texas Government Code, Chapter 551, Texas Government Code, specifically Section 551.071 to consult with Attorney regarding litigation on Equal Employment Opportunity Commission v. City of North Richland Hills, to deliberate settlement offer on Home Town Urban Partners, Ltd. v. City of North Richland Hills, on threatened litigation from Arcadia Realty concerning Home Town Development and litigation on Arcadia Land Partners 25 Ltd. et al v. City of North Richland Hills. Any action needed as a result of Executive Session will be taken following the Executive Session in the Council Workroom and the Council meeting will be adjourned in the Council Work Room.

¹ Amended at the December 14, 2009 City Council Meeting.

**H.2
ADJOURNMENT**

Mayor Trevino adjourned the Executive Session at 9:11 p.m. and reconvened the regular session in open meeting. Mayor Trevino announced there was no action required from Executive Session and adjourned the meeting at 9:11 p.m.

Oscar Trevino – Mayor

ATTEST:

Patricia Hutson, City Secretary