

# Memorandum

To: Honorable Mayor Bill Agan and members of the Richland Hills City Council  
From: Linda Cantu, City Secretary  
Date: May 29, 2013  
Subject: Minutes 5-21-2013

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**City Council Action Requested:**

Consider approval of May 21, 2013 City Council Minutes

**Background Information:**

Attachment - Minutes

**Board/Citizen Input:**

N/A

**Financial Impact:**

N/A

**Staff Contacts:**

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**MINUTES OF  
RICHLAND HILLS CITY COUNCIL  
REGULAR MEETING  
May 21, 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.**

Bill Agan	Mayor
Roland Goveas, Place 1 Toya Norton, Place 2 Robert De Soto, Place 3 Beverly Williams, Place 4 Edward Lopez, Place 5	Councilmembers
Curtis Hawk Linda Cantu Steve Wood	City Manager City Secretary City Attorney

**WORK SESSION – 6:00 PM**

Mayor Agan announced an Executive Session at 6 p.m.

Mayor Agan adjourned into Executive Session at 6:01 p.m.

1. Discussion regarding city facilities.
2. Discussion regarding city owned properties.
3. 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.
4. Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.
5. Discussion of items listed on tonight's City Council Agenda.

**REGULAR SESSION – 7:00 PM**

## **CALL TO ORDER**

## **INVOCATION AND PLEDGES OF ALLEGIANCE**

The invocation was given by Councilmember Norton.

Mayor Agan led the Pledge of Allegiance to the United States and Texas flags.

### **1. OATH OF OFFICE & PRESENTATIONS**

#### **A. Administer Oath of Office to City Council Members**

City Secretary Linda Cantu, administered Oath of Office to Council Member Roland Goveas, Place 1, Council Member Robert DeSoto, Place 3, and Council Member Edward Lopez, Place 5.

#### **B. Proclamations – None at this time**

#### **C. Presentations – Employee Service Award to Linda Cowart**

Mayor Agan presented Finance/Accounting Office Clerk, Linda Cowart a ten-year service award certificate and pin.

#### **D. Citizen Appearances/Public Comments**

Sylvia Cervantes, 2720 Birch Park Dr., introduced herself as the new representative with the T board. Ms. Cervantes requested Council address the lack of parking spaces at the TRE station in the near future.

### **2. CONSENT AGENDA**

#### **A. Approval of May 7, 2013 Minutes.**

City Manager Hawk requested three (3) additional items added to the Consent Agenda for consideration:

Item No. 4C - Ordinance #1248-13, Atmos Rate Review Mechanism;

Item No. 5B - Oil and Gas Lease with Chesapeake Energy for property located at the southwest corner of Booth Calloway Road and Evergreen Road;

Item No. 6D - Amendments to Community Center Reservation Fee Schedule.

**MOTION:** A motion was made by Councilmember Williams, and seconded by

Councilmember DeSoto to approve the addition of the three (3) items to the Consent Agenda. Motion carried by a vote of 5-0.

**MOTION:** A motion was made by Councilmember Williams, and seconded by Councilmember DeSoto to approve the minutes and additional items. Motion carried by a vote of 5-0.

### 3. PUBLIC HEARINGS AND OTHER RELATED ITEMS

Eric Strong, Assistant City Manager, briefed Council Members on the site plan for 7500 Baker Blvd.

The proposed site for 7500 Baker Blvd., consist of landscaping, a monument sign to be erected near the entrance, and fencing along the front that will consist of rod iron and masonry columns. The same fencing will be placed inside the lot for storage of materials. The outside entrance of the building will have a remodeled façade, with white limestone and ABC's red, white, and blue color scheme. The inside of the building will have a showroom to showcase the products. A curb cut has been proposed off Wesley Way.

There is a pad site on the northwest corner at Wesley Way and Baker Blvd.

Tim Walker, Branch Manager, ABC Supply Co., Inc. in Fort Worth, briefed Council on the operations of the company. ABC will use the property for building product sales, distribution and warehousing with an office for display, sales and administration. Mr. Walker presented a five (5) year sales tax spreadsheet. A five (5) year average consists of:

Sales	Sales Tax	# of Associates	Payroll Dollars
\$32, 100,000	\$2, 330,000	25.6	\$2,097,000

- A. Public hearing regarding change of zoning request of property located at 7500 Baker Blvd.

Mayor Agan opened the Public Hearing.

Speaker: Sylvia Cervantes, 2720 Birch Park Dr., questioned whether the city would have use of the parking lot for the July 4<sup>th</sup> festivities.

Councilmember's stated the parking lot is no longer used for the July 4<sup>th</sup> parade and festivities.

There being no one else to speak, Mayor Agan closed the Public Hearing.

B. Change of zoning request for property located at 7500 Baker Blvd.

Erica Craycraft, representative with Freese and Nichols, went over the proposed site plan as follows:

1. The landscaped area adjacent to Baker Blvd will be expanded, irrigated, and built up as a berm with shrubs.
2. Fencing along the north and west sides will be as shown in the exhibit (masonry columns with ironwork fencing). Fencing along the east side may be chain link. Any fencing used in the rear of the property will be as shown on the exhibit. All fencing will be 8' high.
3. The front façade will remain as-is, except for white limestone covering the showroom area façade.
4. The northern-most gate in the outdoor storage area will be moved south near the light pole.
5. Any trucks parked overnight will be inside the building or within the screened-in area; no trucks will be parked in the parking lot overnight.
6. Dumpsters will be located behind the buildings.
7. When the pad site is ready to be developed, it will be evaluated under the zoning standards at that time (i.e., the pad site is not vested with the existing zoning regulations).

**MOTION:** A motion was made by Councilmember Lopez, and seconded by Councilmember Goveas to approve the site plan as discussed and as Ms. Craycraft outlined. Motion carried by a vote of 5-0.

Eric Strong, Asst. City Manager, briefed Council on the zoning and permitted uses.

Council Member Goveas read the following as approved uses:

**Main site:**

No outside storage is permitted except for Building Material Sales (by-right), and Storage and Warehousing Establishment/Warehousing and Freight Office and Storage (by SUP only).

- All C-2 uses, plus the following uses
- Veterinarian Hospital (without outside pens)
- Department Store/Auto Repair
- Farm Machinery and Implement Sales and Service
- Building Material Sales
- Catering Establishment
- Ceramic Products with kiln
- Hotel
- Motel
- Rental yard, Domestic Goods

- Restaurant, Drive-in/Drive-thru
- Electrical Equipment Assembly
- Manufacturing Facility (Light)
- Scientific and Precision Instruments Manufacturing
- Storage and Warehousing Establishment – (note that an SUP would be required for outside storage)
- Warehousing and Freight Office and Storage- (note that an SUP would be required for outside storage)
- Auto Parts and Accessory Sales
- Electronics Manufacturing

**Pad site:**

- Auto Car Wash- Full Service
- Auto Parts and Accessory Sales
- Department Store/Auto Repair
- Fuel Sales/Restaurant
- Fuel Sales/with or without Restaurant
- Bakery or Retail Confectionery
- Bakery or Wholesale Candy
- Building Material Sales
- Convenience Store, with or without fuel sales
- Copy Shop
- Factory Outlet, Retail or Wholesale Store
- Office Machine Sales and Service
- Office Supply Store
- Paint and Wallpaper Store
- Pharmacy
- Restaurant
- Restaurant, Drive-in/Drive-thru
- Restaurant with Alcohol

Eric Strong, Asst. City Manager, advised Planning and Zoning unanimously recommended approval.

**MOTION:** A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to approve the zoning changes as discussed with the listed uses included in the official minutes. Motion carried by a vote of 5-0.

- C. Public Hearing regarding change of zoning request of property located at 6400 Baker Blvd.

Eric Strong, Asst. City Manager, briefed Council on the request from the applicant, Terry Latham, to re-zone property located at 6400 Baker Blvd. from

C-1 to C-2. Mr. Strong stated the property fits in that category. Staff recommends the change. Planning and Zoning approved the request.

Mayor Agan opened the Public Hearing.

There being no one to speak, Mayor Agan closed the Public Hearing.

D. Change of zoning request for property located at 6400 Baker Blvd.

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

E. Public Hearing regarding a re-plat for the property located at 6908 Blvd. 26.

Eric Strong, Asst. City Manager, stated the owner of 6908 Blvd. 26, Fidel Villasana, Metcar, submitted application to re-plat two lots into one. The Planning and Zoning Commission unanimously recommended the approval.

Mayor Agan opened the Public Hearing.

There being no one to speak, Mayor Agan closed the Public Hearing.

F. Re-plat for the property located at 6908 Blvd. 26.

**MOTION:** A motion was made by Councilmember DeSoto, and seconded by Councilmember Goveas to approve the re-plat for the property at 6908 Blvd. 26. Motion carried by a vote of 5-0.

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

David Jefferson, Tarrant County Public Health Environmental Manager, briefed Council on the state rules and regulations regarding inspections for food establishments, and updated fee schedule. Tarrant County follows the State of Texas regulations.

Food Program Fee Schedule-

Food Store	
<5000 sq. ft.	\$200
>5000 sq. ft.	\$300
Food Service	
<500 sq. ft.	\$100
>500 - <1500 sq. ft.	\$150

Re-inspection Fee  
Required re-inspection        \$75

- A. **Ordinance #1246-13** updating rules and regulations with Tarrant County for Health Inspections.

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

- B. **Ordinance #1247-13** updating rules and regulations with Tarrant County for public pool inspections.

Mr. Jefferson, briefed Council on the State regulations regarding the type of drain covers in commercial pools. This regulation covers Hotel, Motel, Home Owners Associations, Municipal pools or Splash park pools.

Swimming Pool Spa & Interactive Water Feature Fee Schedule-

Plan Review and opening inspection	\$150
Annual Permit	\$250
Required re-inspection	\$75

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

- C. **Ordinance #1248-13** regarding Atmos Rate Review Mechanism.

This item was approved under Consent Agenda.

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

- A. Amendment of Redflex agreement modifying scope of services for red light cameras.

City Manager Hawk requested this item tabled to the June 4, 2013 Regular City Council Meeting.

**MOTION:** A motion was made by Councilmember Williams, and seconded by Councilmember DeSoto to table this item to the June 4, 2013 meeting. Motion carried by a vote of 5-0.

- B. Oil & Gas Lease with Chesapeake Energy for property located at the southwest corner of Booth Calloway Road and Evergreen Road.

This item was approved under Consent Agenda.

## 6. OTHER ITEMS FOR CONSIDERATION

### A. Appointment of Mayor Pro Tem.

**MOTION:** A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to re-appoint Councilmember Edward Lopez as Mayor pro tem. Motion carried by a vote of 5-0.

### B. Amendments to Chapter 10, Code of Ordinances.

Recommendation was made to schedule a Work Session for July 16, 2013 to Discuss Amendments to Chapter 10, Code of Ordinances.

**MOTION:** A motion was made by Councilmember Williams, and seconded by Councilmember Goveas to table this item to the second meeting in July. Motion carried by a vote of 5-0.

### C. Phase two of Public Works facilities improvements.

Eric Strong, Assistant City Manager briefed Council on Phase II of the improvements to the Public Works building that includes workstations for the Administrative Assistant, the Foreman's offices, a computer station, six (6) chairs, three (3) filing cabinets, and the purchase of office furniture for the reception area. The total improvements are in the amount of \$10,816.

The remaining improvements to be addressed are the Superintendents and Directors office upgrades. Total remaining funds available is approximately \$7,000.

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

### D. Amendments to Community Center Reservation Fee Schedule

City Manager Hawk briefed Council on the Community Center and Pavilion Reservation application and amending fee schedule. The fee schedule has not changed since September 9, 2008, but will be reviewed during the proposed budget. There have been events that benefit the community by city staff, city board members and members of City Council that would be exempt from rent or deposit. Staff's recommendation is in the best interest of the City of Richland

Hills and the community to extend the exemption in Section 5 of the Facility Rental policy to these city officials.

This item was approved under Consent Agenda Items.

E. Seek Request for Qualifications (RFQ) of Architect for Design of Community Activity/Conference Center.

City Manager Hawk stated the city has been purchasing property between the Community Center to Baker Blvd. with the intent of constructing a new facility that can be used by the community as an activity and conference center.

The Council will need to begin the process of selecting an architect to work with the Council Members and staff to design such a facility. The next step is to prepare a request for qualifications to send to architects and architectural firms who have experience in designing these types of facilities. After completion of the RFQ staff will bring it back to the Council for review prior to dissemination.

City staff requested permission to develop the Requests for Qualifications (RFQ).

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

## 7. REPORTS & DISCUSSION ITEMS

### A. 2012 Annual Crime Report.

Police Chief Childress addressed the following:

- Officer generated calls- 7,942  
Citizen generated calls- 16,830  
911 Calls - 1,840
- Part 1 Crime
  - Robbery - 4
  - Aggravated assault - 7
  - Burglary – Residential – 23; Non Residential - 34
  - Burglary of Vehicle – 10 of the 59 reported involved forced entry
  - Theft/Auto Theft - 25
- Historical Crime Statistics  
11.9% drop in crime from 2011 to 2012
- Part 1 Crime by Grid  
10 of the 59 Vehicle burglaries involved forced entry
- Theft decreased by 1.6%
- Adult arrest comparison
  - White – 142
  - Black – 59

Hispanic – 89  
Asian – 1  
Other – 9

- Juvenile Detentions – 27
- Accidents Investigated- 158 Calls, 23% decrease
- Drugs and Alcohol – increase due to more officers on the street
- Family Violence – 51% increase – many factors for the increase. Crime Liaison officer does encourage more reporting.

There were no questions from Council Members regarding the Crime Report.

B. Presentation of Department Reports.

City Manager Hawk stated the Department Reports are on the web site for Council's review.

C. Possible Amendments to Richland Hills Home Rule Charter.

City Manager Hawk stated there is a draft of the propositions with a total of eight (8) for Council's review. These would be presented in the next two Council meetings.

D. Calendar for Proposed FY 2013-14 Annual Budget.

City Manager Hawk briefed Council on the proposed budget calendar and requested Council review the calendar with dates to make certain the dates will work for all Council Members.

E. Interlocal Agreement with BISD on Security and other issues.

Police Chief Childress has been working with Chiefs in other cities concerning security in the schools. Once a determination is made who will work security, an agreement will be brought back to Council for review.

Council Member Lopez requested action taken from Executive Session to be presented at this time.

**MOTION:** A motion was made by Councilmember Lopez, and seconded by Councilmember Goveas to authorize the City Manager to put up for sale the following city owned properties due to tax foreclosure: 3123 Ash Park; 2828 Birch Park; 3209 Kingsbury.  
Motion carried by a vote of 5-0

City Manager Hawk addressed the need for security and additional space needed at the Community Development office at 3201A Diana Drive. Two fire fighters are now working part time in the code enforcement department, and with the addition of the Public Works Director's office located in this building, some re-modeling will be done in the near future.

## 8. COMMUNITY INTEREST ITEMS

One hundred thirty (130) completed comprehensive plan surveys have been returned.

Senior Lunch Bunch is scheduled for June 14<sup>th</sup>.

Garden plots are still available at Richland Hills Christian Church.

Park in the Dark information is available on the city website.

## 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.

No Executive Session at this time.

## 10. ADJOURNMENT

There being no further business to come before the City Council, Mayor Agan declared the meeting adjourned at 9:49 p.m.

### ATTEST

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Linda Cantu  
City Secretary

### APPROVED

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Bill Agan  
Mayor