

**Office of the City Manager**

City of Richland Hills, Texas

## Memorandum

**To:** Honorable Mayor Bill Agan and members of the Richland Hills City Council  
**From:** Curtis E. Hawk, City Manager  
**Date:** January 21, 2014  
**Subject:** Amendments to Chapter 10, "Boards, Committees, Commissions," Article VI, "Keep Richland Hills Beautiful Commission," Richland Hills Municipal Code (City Code of Ordinances).

---

### **City Council Action Requested:**

Consider Ordinance 1261-14, Amendments to Chapter 10, "Boards, Committees, Commissions," Article VI, "Keep Richland Hills Beautiful Commission," Richland Hills Code of Ordinances, and minor changes to general provisions in various sections to correct inconsistencies resulting from the amended ordinance provisions.

### **Background Information:**

On October 1, 2013 City Council approved Ordinance 1255-13 which made numerous changes to Chapter 10, "Boards, Committees, Commissions," of the Richland Hills Code of Ordinances. The amendments to Chapter 10 contained in Ordinance 1255-13 had been discussed with City Council over a period of many months. The amendments did not cover Article VI, "Keep Richland Hills Beautiful Commission." This item was discussed with City Council at the regular meeting of the Council on Tuesday, January 7, 2014. The following is an excerpt from the agenda item that was before Council at the last meeting.

#### *Keep Richland Hills Beautiful Commission.*

*For a number of months prior to approval of the October 1, 2013 amendments to Chapter 10, City Council and staff discussed transitioning Keep Richland Hills Beautiful (KRHB) from a City board to an independent Affiliate with Keep Texas Beautiful with status as non-profit, 501 (c) (3) corporation. The thought at the time was that this would eventually benefit KRHB in that it would not have the restrictions that by state law and*

Memo to Council  
Amending Chapter 10, Code of Ordinances  
January 21, 2014 Council Meeting  
Page 2 of 3

*City Charter are placed on a city board, and KRHB could independently solicit tax deductible donations.*

*At the August 6, 2013 Council meeting, City Council authorized the City Manager to start the process of transitioning Keep Richland Hills Beautiful as a 501 (c) (3) corporation, with the City assisting KRHB in setting up its by-laws and with filing paperwork with the state as a non-profit corporation and the IRS as a tax exempt organization. For a number of reasons this approach has run into complications, for example, the need for names of the members of the corporation, need for a business address, etc., that have become problematic.*

*It appears apparent that Keep Richland Hills Beautiful can best function and accomplish its goals and objectives as an ongoing affiliate with KTB and KAB if it receives city staff and funding support. An alternative to the idea previously presented to Council would be to continue to pursue status as a non-profit corporation and a separate IRS tax exempt organization (the City is already tax exempt), but to restructure the organization of the board something along the lines of the Animal Shelter Board ...Or, it could be some other combination of membership, but the City would be the named business address, and the board members would be ad hoc (meaning appointed because of specific criteria, the position they hold, represent, etc., and not personally liable for membership).*

In keeping with the discussion of Chapter 10 at the January 7<sup>th</sup> meeting, staff has drafted the provisions of Article VI, "Keep Richland Hills Beautiful Commission," to where the board will be structured somewhat along the lines of the Animal Shelter Board, with the board members appointed by City Council, and will eventually operate as a 501 (c) (3) non-profit corporation under the City's umbrella.

In addition to the changes to Chapter 10, Article VI, "Keep Richland Hills Beautiful Commission," in preparing the changes to Chapter 10 for submittal to the Municipal Code Corporation (Municode), we have noticed several minor word inconsistencies that can be easily corrected. These have also been included in Ordinance 1261-14.

Staff will go over these changes with Council during the meeting.

**Board/Citizen Input:**

The proposed amendments have been drafted in accordance with Council's direction.

Memo to Council  
Amending Chapter 10, Code of Ordinances  
January 21, 2014 Council Meeting  
Page 3 of 3

**Financial Impact:**

N/A

**Staff Contacts:**

Curtis E. Hawk, City Manager  
817-616-3806  
[chawk@richlandhills.com](mailto:chawk@richlandhills.com)

Attachment: Ordinance No. 1261-14  
Outline of final Chapter 10 changes