

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING AGENDA
AND JOINT PUBLIC MEETING WITH
PLANNING AND ZONING COMMISSION
MAY 6, 2014
CITY HALL, 3200 DIANA DRIVE**

The Work Session and Regular Session are open to the public. If Executive Session is required, it will be held in the Council Conference Room, and is closed to the public. Please note that although the council will generally consider the items on the agenda in the order shown below, the Council may elect to re-order items in order to accommodate the needs of the council, city staff, presenters, or the public generally. Therefore, members of the public interested in any agenda item are encouraged to be in attendance at the start of the meeting.

WORK SESSION – 6:00 PM

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

REGULAR SESSION – 7:00 PM

CALL TO ORDER

INVOCATION AND PLEDGES OF ALLEGIANCE

1. PRESENTATIONS

- A. Citizen Appearances/Public Comments.
(Citizens who have signed a card to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the city staff and City Council members are prevented from discussion of the subject and may respond only with statements of factual information or existing city policy. Public comment will not be taken on items that the Council has previously considered in a public hearing.)
- B. Proclamation declaring Motorcycle Safety and Awareness Month

2. CONSENT AGENDA

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the consent agenda items, unless a Councilmember or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. Approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff recommendations.

- A. Approval of minutes of April 15, 2014 Regular City Council Meeting,

3. JOINT PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS

- A. Presentation and discussion regarding Proposed Comprehensive Plan, Zoning Ordinance and Supplementary Ordinances.
- B. Planning & Zoning Commission discussion and action regarding recommendation of adoption of the new 2014 Comprehensive Plan.
- C. City Council discussion and action regarding adoption of the new 2014 Comprehensive Plan.
- D. Planning & Zoning Commission discussion and action regarding recommendation of adoption of the new Zoning Ordinance, Zoning Map, and Supplementary Ordinances (Landscaping, Screening/Fencing, Parking, Nonresidential Development Standards, and Residential Development Standards), replacing in its entirety the existing Zoning Ordinance (Chapter 90), existing Zoning Map, and Landscaping Ordinance (Chapter 48).
- E. City Council discussion and action regarding adoption of the new Zoning Ordinance, Zoning Map, and Supplementary Ordinances (Landscaping, Screening/Fencing, Parking, Nonresidential Development Standards, and Residential Development Standards), replacing in its entirety the existing Zoning Ordinance (Chapter 90), existing Zoning Map, and Landscaping Ordinance (Chapter 48).
- F. Planning and Zoning Commission adjourns
- G. Public Hearing and consideration of an amendment to the Planned Unit Development Plan of Lots 9,10, and 11, Block 2, of the Willman Addition to allow a mini-warehouse facility within the PUD located at 7410 Blvd. 26 and Willman Ave.

4. ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

- A. Ordinance 1265-14 amending chapter 34 of the Richland Hills Code of Ordinances by declaring certain swimming pools, fences, trees, tarps and junk to be public nuisances
- B. Ordinance 1266-14 amending chapter 34 of the Richland Hills Code of Ordinances by prohibiting automobile sales in certain areas within the city
- C. Ordinance 1267-14 amending chapter 34 of the Richland Hills Code of Ordinances by regulating certain vehicles within the city
- D. Ordinance 1268-14 amending chapter 34 of the Richland Hills Code of Ordinances providing for the abatement of nuisances within the city and the authority to file a lien in certain cases
- E. Ordinance 1269-14 amending chapter 14 of the Richland Hills Code of Ordinances by adding a new article "Boarded-Up Buildings and Structures"
- F. Ordinance 1270-14 amending chapter 58 of the Richland Hills Code of Ordinances by revising regulations for garage sales
- G. Ordinance 1271-14 amending the Richland Hills Code of Ordinances by regulating the use of Electronic Vaping Devices (E-Cigarettes)

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

- A. No items

6. OTHER ITEMS FOR CONSIDERATION

- A. No items

7. REPORTS & DISCUSSION

- A. Discussion Regarding Crime Control Prevention District Reauthorization
- B. Update on various City Projects

8. COMMUNITY INTEREST ITEMS

This is a standing item on the agenda of every regular meeting of the City Council. (The Texas Open Meetings Act effective September 1, 2009, provides that “a quorum of the city council may receive from municipal staff, and a member of the governing body may make, a report regarding items of community interest during a council meeting without having given notice of the subject of the report, provided no action is taken or discussed.” The Open Meetings Act does not allow Council to discuss an item concerning pending City Council business unless it is specifically, appropriately posted on the agenda.) An “item of community interest” includes the following:

- information regarding holiday schedules;
- honorary recognitions of city officials, employees, or other citizens;
- reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by a city official or city employee; and
- announcements involving imminent public health and safety threats to the city.

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.**

Reconvene into open session for possible action resulting from any items posted and legaly discussed in Executive Session.

10. ADJOURNMENT

EXECUTIVE SESSION: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, executive session may be held under one or more of Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, 413.183 (f) and 418.106 (d) & (e), either at the end of the Regular Session or at any time during the meeting on any item on the agenda if a need arises for the City Council to seek advice from the City Attorney or otherwise convene in closed session as permitted by such sections of the Open Meetings Act. The City Council may take action on any agenda item listed for executive session consideration upon reconvening in open session. Please refer to agenda for the items posted. The sections referenced above are generally described as follows:

Section 551.071: Consultation with Attorney

The City Council may conduct a private consultation with its attorney when the City Council seeks the advice of its attorney concerning any item on this agenda, about pending and contemplated litigation, or a settlement offer, or on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Chapter 551.

1. Michael Malone o/b/o Lisbeth Malone
2. Relocation expenses related to enforcement of Substandard Building Ordinance

Section 551.072: Deliberation regarding real property:

The City Council may conduct a closed meeting to deliberate the purchase, exchange, lease or value of real property.

1. Property located at 3271 Matthews Drive.
2. Acquisition of Easements for Kingsbury Interceptor Project

Section 551.073: Deliberation regarding Prospective Gift or Donation

The City Council may conduct a closed meeting to deliberate a negotiated contract for a prospective gift or donation to the City.

Section 551.074: Deliberation regarding Personnel Matters

The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officers, including the City Manager, City Secretary, City Attorney, Municipal Judge and non-advisory city boards and commission members. A complete list of the city boards and commissions and the membership of those boards and commissions is on file in the City Secretary's Office.

1. City Secretary

Section 551.076: Deliberation regarding Security Devices

The City Council may deliberate the deployment, or specific occasions for implementation of security personnel or devices.

Section 551.087: Deliberation regarding Economic Development Negotiations

The City Council may discuss or deliberate regarding commercial or financial information received from a business prospect that the city seeks to have locate, stay or expand in or near the city and which the City is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect; particularly, discussion with economic development specialist regarding potential economic incentive agreement for development of real property.

Section 418.183(f): Texas Disaster Act

The City Council may deliberate information: (1) for purposes of preventing, investigating, or responding to an act of terrorism or related criminal activity and involving emergency response providers, their staffing, contact information and tactical plans; (2) that relates to the risk or vulnerability of persons or property, including infrastructure, to an act of terrorism; (3) that relates to the assembly of

an explosive weapon, the location of a material that may be used in a chemical, biological or radioactive weapon, or unpublished information pertaining to vaccines or devices to detect biological agents or toxins; (4) that relates to details of the encryption codes or security keys for a public communication system; (5) that relates to a terrorism-related report to an agency of the United States; (6) that relates to technical details of particular vulnerabilities of critical infrastructure to an act of terrorism; (7) that relates to information regarding security measures or security systems intended to protect public and private property from an act of terrorism; or (8) any other topic subject to discussion in closed session pursuant to the Texas Disaster Act.

Section 418.106(d) & (e): Local Meetings to Discuss Emergency Management Plans regarding Pipeline Safety

The City Council may discuss emergency management plans providing for disaster mitigation, preparedness, response and recovery in executive session when those plans contain sensitive information relating to critical infrastructure or facilities, and the safety or security of the infrastructures or facilities could be jeopardized by disclosure of the emergency management plan.