

**Office of the City Secretary**

## Memorandum

To: Honorable Mayor Bill Agan and members of the Richland Hills City Council  
From: Cathy Bourg, City Secretary  
Date: January 20, 2015  
Subject: Minutes from the January 6, 2015 regular City Council meeting

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**City Council Action Requested:**

Consider approval of the January 6, 2015 regular City Council meeting minutes.

**Background Information:**

Attachment – January 6, 2015 Draft Minutes

**Board/Citizen Input:**

N/A

**Financial Impact:**

N/A

**Staff Contacts:**

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**RICHLAND HILLS CITY COUNCIL  
REGULAR MEETING  
January 6, 2015  
DRAFT MINUTES**

Roll Call:

Council present:

Bill Agan, Mayor  
Roland Goveas, Place 1  
Allison Barrette, Place 2  
Robert DeSoto, Place 3  
Beverly Williams, Place 4  
Edward Lopez, Place 5

Council Absent:

Staff

Eric Strong, City Manager  
Cathy Bourg, City Secretary  
Betsy Elam, City Attorney

**WORK SESSION – Mayor Agan Called to Order – Time 6:00 p.m.**

- 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.**

**Motion:** Motion was made by Councilmember Williams, and seconded by Councilmember DeSoto to convene into executive session. Time: 6:01

Motion carried by a vote of 5-0.

- 2. Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.**

Mayor Agan reconvened into open session at 6:59 p.m.

- 3. Discussion of Items listed on tonight's City Council Agenda**

None

**REGULAR SESSION – Mayor, Bill Agan Called to Order – Time 7:00 p.m.**

**Invocation** – Mayor Bill Agan

**Pledge of Allegiance – Led by Councilmember DeSoto**

**PRESENTATIONS**

**1A. Presentation of 5 year Service Award to Jessica Carrion, Investigator with the Richland Hills Police Department and presentation of 5 year Service Award to William Bell, Fire Chief with the Richland Hills Fire Department.**

Mayor Bill Agan presented a 5 year Service Award to Jessica Carrion, Investigator with the Richland Hills Police Department.

Mayor Bill Agan presented a 5 year Service Award to William Bell, Fire Chief with the Richland Hills Fire Department.

**1B. Citizen Appearances/Public Comments.**

None

**AGENDA**

**2A. Approval of minutes of December 2, 2014 Regular City Council Meeting.**

**Motion:** Motion was made by Councilmember DeSoto, and seconded by Councilmember Goveas to approve the consent agenda item.

Motion carried by a vote of 4-0. Councilmember Williams abstained

**PUBLIC HEARING, MEETINGS, AND OTHER RELATED ITEMS**

**3A. Annual Budget Public Forum**

City Manager Strong stated, per the City Charter, in January, the City Council will hold a Public Forum for the express purpose of obtaining citizen comments on items they would like to see included or considered in the upcoming for the upcoming year.

There were no citizen comments.

**ORDINANCES, RESOLUTIONS, AND OTHER RELATED ITEMS**

**4A. Consider Ordinance 1286-14, amending Chapter 38 “Fire Prevention and Protection” by updating the Fire Code to allow Above Ground Fuel Tanks in Commercial Districts with discretion of the Fire Marshal.**

Eric Strong, City Manager presented to council ordinance 1286-14, amending Chapter 38 “Fire Prevention and Protection” by updating the Fire Code to allow Above Ground

Fuel Tanks in Commercial Districts with discretion of the Fire Marshal. Staff's recommendation would be to deny the ordinance. This item was discussed at the December 2, 2014 meeting. Currently, the Fire Prevention and Protection Ordinance, Article II. – Fire Code, Sec. 38-33 only allows above ground fuel tanks in industrial zoned areas and areas zoned for retail fuel sales. Staff has received a request from a business for above ground fuel tanks in a light commercial zoning district. Over the last month, staff has researched neighboring cities and evaluating the request. Staff's recommendation would be to deny the request.

**Motion:** Motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to deny.

Motion carried by a vote of 5-0.

**4B. Consideration of Resolution 443-15 regarding legislation passed that affects composition of the Board of Directors of the Fort Worth Transportation Authority.**

Eric Strong, City Manager presented to council Resolution 443-15 regarding legislation passed that affects composition of the Board of Directors of the Fort Worth Transportation Authority. The member cities of the Authority are: the City of Fort Worth, the City of Richland Hills, and the City of Blue Mound. Historically, the board consisted of nine board members; eight from the primary city of Fort Worth and one would be appointed by the Tarrant County Commissioners Court and would have to be a resident of Richland Hills or Blue Mound. In the last legislative session, there was legislation passed that we did not know about, that changed the way the board was made up. The change allows, in addition to the member cities to have representation on the board, it allows for any city having a contract with the Transportation Authority to be represented on the board, in that one seat. Previously, council approved resolution 435-14, requesting that all future appointments by the Tarrant County Commissioners Court to the T Executive Board be made with primary consideration being given to residents of member cities. City Manager Strong, read aloud the following proposed resolution for council's consideration:

A RESOLUTION OF THE RICHLAND HILLS CITY COUNCIL REQUESTING THAT THE TEXAS STATE LEGISLATURE REPEAL LEGISLATION WHICH WAS PASSED BASED ON INCORRECT TESTIMONY AND WHICH DAMAGED MEMBER CITIES OF THE FORT WORTH REGIONAL TRANSPORTATION AUTHORITY AND LOOKS FOR MORE COMPREHENSIVE REFORM TO THE TEXAS TRANSPORTATION CODE AS IT RELATES TO REGIONAL TRANSPORTATION AUTHORITIES.

WHEREAS, on March 26<sup>th</sup>, 2013, proposed legislation was introduced to the Texas House of Representatives Committee on Transportation which is known as House Bill 2536; and

WHEREAS, House Bill 2536 allowed for membership on the Board of Directors of the Fort Worth Transportation Authority from residents of non-member cities; and

WHEREAS, Testimony was provided to the Committee on Transportation from a representative from the City Council of the City of Fort Worth, in which the City of Fort Worth council representative was asked if the county and other member communities had been consulted with and agreed with the provisions of House Bill 2536; and

WHEREAS, in the testimony to the Committee on Transportation, City of Fort Worth City Council representative affirmed that the other member communities had been consulted with, that there was coordination amongst the communities and the other communities supported House Bill 2536; and

WHEREAS, the City of Richland Hills is a member city of the Fort Worth Transportation Authority; and

WHEREAS, the City of Richland Hills had no knowledge of this legislation until after it was passed and there was no consultation, coordination or agreement from the City of Richland Hills in regards to this legislation either before or after its proposal or passage; and

WHEREAS, the incorrect testimony provided at this hearing helped to influence the ultimate passage of the legislation and significantly misrepresented the Richland Hills stance on this legislation; and

WHEREAS, this change in legislation was proposed not by a regional transportation authority, but rather by a single member city of one of the regional transportation authorities; and

WHEREAS, voters in Richland Hills have previously voted to be a member of the Fort Worth Transportation Authority, yet this legislation significantly changes the terms of the membership which citizens voted upon; and

WHEREAS, The City of Richland Hills is now represented in part by a representative of a non-member city who has the ability to vote on issues that affect Richland Hills and the services that are received by Richland Hills residents from the Regional Transportation Authority; and

WHEREAS, Richland Hills views this legislation change as a missed opportunity to fix more comprehensive issues with the Transportation Code as it relates to regional transportation authorities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF RICHLAND HILLS AS FOLLOWS:

SECTION 1: The City Council of Richland Hills respectfully requests that the Texas State House of Representatives and the Texas Senate reconsider this legislation which has damaged Richland Hills residents and changed the terms by which the City of Richland Hills joined the Fort Worth Transportation Authority, without any consent or knowledge of the legislation by the City of Richland Hills.

SECTION 2: The City Council of Richland Hills respectfully requests that that the Texas State House of Representatives and the Texas Senate take this opportunity to revisit the Transportation Code and look for more comprehensive reform which solves issues with the regional transportation legislation.

**Motion:** Motion was made by Councilmember Lopez, and seconded by Councilmember Williams to approve.

Motion carried by a vote of 5-0.

## **CONTRACTS, AGREEMENTS, BID AWARDS, AND OTHER RELATED ITEMS**

**5A. None at this time.**

## **OTHER ITEMS FOR CONSIDERATION**

**6A. None at this time.**

## **REPORTS AND DISCUSSION**

**7A. Update on various projects, including but not limited to:**

- a. Green Ribbon projects
- b. Baker Boulevard Improvements
- c. Matthews and Kingsbury Interceptor Projects
- d. Utility Rate Study Project
- e. Community Recreation Center Project
- f. Parks Planning Project

Eric Strong, City Manager presented to council an update on various projects and budget objectives for fiscal year 2014-2015.

## **COMMUNITY INTEREST ITEMS**

**8. Community Interest**

- Wal-Mart Grand Opening, January 7, 2015 at 7:30 a.m., doors open at 8:00 a.m.
- Lunch Bunch Thursday, January 9, 2015 at Noon
- Thank you to staff for the success of the Christmas Tree Lighting

## **EXECUTIVE SESSION**

**9. 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.**

None

**ADJOURNMENT**

- 10. A motion was made by Councilmember Lopez, and seconded by Councilmember DeSoto to adjourn.**

There being no further business to come before the City Council, Mayor Agan declared the meeting adjourned at 7:35 p.m.

**ATTEST**

**APPROVED**

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Cathy Bourg, City Secretary

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Bill Agan, Mayor