

**RICHLAND HILLS CITY COUNCIL  
REGULAR MEETING  
SEPTEMBER 25, 2023  
MINUTES**

Roll Call:

Council present

Edward Lopez, Mayor  
G.W. Estep, Mayor Pro Tem  
Douglas Knowlton, Place 1  
Travis Malone, Place 2  
Theresa Bledsoe, Place 3  
Javier Alvarez, Place 4  
Roland Goveas, Place 6

Council absent

Staff present

Candice Edmondson, City Manager  
Lindsay Rawlinson, City Secretary  
James Donovan, City Attorney

**CITY COUNCIL WORK SESSION – 6:02 PM**

1. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, 418.183(f) and 418.106(d) & (e). 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.
  1. Section 551.074: Deliberation regarding Personnel Matters
    - a) Board and Commission Appointments
    - b) 75<sup>th</sup> Anniversary Committee Appointments

**Motion:** Motion was made by Councilmember Knowlton and seconded by Councilmember Goveas to adjourn into Executive Session at 6:02 p.m.

Motion carried by a vote of 7-0.

Mayor Lopez reconvened into open session at 6:49 p.m.

2. **Discuss items listed on tonight's City Council agenda. No action will be taken and each item will be considered during the Regular Session.**

None.

Mayor Lopez adjourned the work session at 6:49 p.m.

**REGULAR SESSION – Mayor Lopez Called to Order – Time 7:00 p.m.**

**INVOCATION AND PLEDGES OF ALLEGIANCE – Mayor Lopez**

**PRESENTATIONS**

**1A. Texas Night Out Proclamation**

Mayor Lopez read a proclamation declaring October 3, 2023 as “Texas Night Out” in Richland Hills and presented it to Police Chief Kimberly Sylvester.

**1B. Fire Prevention Week Proclamation**

Mayor Lopez read a proclamation declaring October 8-14, 2023 as “Fire Prevention Week” in Richland Hills and presented it to Fire Chief Russell Shelley.

**1C. Code Compliance Month Proclamation**

Mayor Lopez read a proclamation declaring October 2023 as “Code Compliance Month” in Richland Hills and presented it to Code Compliance Officers Melissa Scheuttig and Catherine Fullenwider.

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

Kathy Spradlin, 3316 Henry Drive, Richland Hills, inquired about a fence near her property that will be discussed at the September 26, 2023 Planning and Zoning Commission meeting. Additionally, she inquired about charities performing work in the City.

Joyce Fiaccone, 3800 Labadie, Richland Hills, expressed concern regarding an open utility grate near the intersection of Handley-Ederville Road and Latham Drive.

Curtis Bergthold, 3641 Scruggs Drive, Richland Hills, expressed concern regarding an accessory building recently installed next to a daycare center along Highway 26.

**CONSENT AGENDA**

**2A. Approved minutes from the September 11, 2023 City Council Regular Meeting**

**2B. Excused the absence of Councilmember Javier Alvarez from the September 11, 2023 regular City Council meeting**

**Motion:** Motion was made by Councilmember Malone and seconded by Mayor Pro Tem Estep to approve the consent agenda.

Motion carried by a vote of 7-0.

### **PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS**

#### **3A. Approved Ordinance 1483-23 approving and adopting an amended budget for Fiscal Year 2023 PUBLIC HEARING**

City Manager Candice Edmondson advised that on September 26, 2022, the City Council adopted the Fiscal Year 2022-2023 (FY 2023) Budget. During FY 2023, there were revenue and expenditure/transfer items that occurred that necessitate an amendment to the total budgeted General Fund, Utility Fund, Capital Projects Fund, Vehicle Replacement Fund, and Crime Control Prevention District Fund revenues and expenditures/transfers and the Hotel Occupancy Tax Fund revenues. In the Drainage Utility Fund, Richland Hills Development Corporation Fund, and Strategic Initiative Fund there is no change to the total adopted budget only revisions within fund line-item budget amounts. The Exhibit in Ordinance 1483-23 details every amendment.

Mayor Lopez opened the public hearing at 7:30 p.m. and asked to hear from any proponents followed by opponents of the budget.

Hearing none, Mayor Lopez closed the public hearing at 7:30 p.m.

**Motion:** Motion was made by Councilmember Knowlton and seconded by Mayor Pro Tem Estep to approve Ordinance No. 1483-23 approving and adopting an amended budget for Fiscal Year 2023.

Motion carried by a vote of 7-0.

#### **3B. Approved and Adopted the Fiscal Year 2024 Crime Control and Prevention District (CCPD) Budget PUBLIC HEARING**

City Manager Candice Edmondson presented the item to the City Council and advised that the Fiscal Year 2023 Crime Control and Prevention District (CCPD) Budget includes estimated revenues in the amount of \$1,887,848 and estimated expenses in the amount of \$2,013,744. The budget also includes a 1 STEP (three percent) salary increase for sworn police personnel, \$19,506 for additional ticket writers, \$4,750 for the Spillman solicitor's module, \$81,228 for HVAC improvements and \$130,000 for roof screening at the law enforcement center. A transfer to the vehicle replacement fund in the amount of \$192,828 is also included for the procurement and maintenance of police department vehicles. At the end of Fiscal Year 2024, staff projects an ending fund balance of \$1,060,267. Additionally, the FY 2024 CCPD Budget was approved by the Crime Control and Prevention District at their August 28, 2023 meeting by a vote of 7-0.

Mayor Lopez opened the public hearing at 7:34 p.m. and asked to hear from any proponents followed by opponents of the budget.

Hearing none, Mayor Lopez closed the public hearing at 7:35 p.m.

**Motion:** Motion was made by Councilmember Malone and seconded by Councilmember Knowlton to approve and adopt the Fiscal Year 2024 Crime Control and Prevention District Budget.

Motion carried by a vote of 7-0.

**3C. Approved Ordinance 1459-22 approving and adopting the Fiscal Year 2023 Budget and Multi-Year Capital Improvement Program.**

City Manager Candice Edmondson presented the item to the City Council and advised that the budget summarizes the plan of municipal operations and capital projects for the fiscal year that begins October 1, 2023. The proposed budget was presented in detail during City Council Work Sessions on August 14 and August 28, and a public hearing was held on September 11, 2023. The proposed budget consists of 19 different funds. The FY 2024 Budget includes estimated revenues at \$25,639,331 and expenditures (including transfers) of \$29,474,477, which is a 2.63 percent decrease in revenues and a 10.72 percent decrease in expenditures over the FY 2023 Adopted Budget. The FY 2024 budget is based off a recommended tax rate of \$0.522689 which is \$0.016196 cents lower than the current tax rate.

The proposed FY 2024 Budget includes funding for Council and resident priorities identified in the citizen survey, strategic plan and previous budget discussions. Those priorities include:

- Comprehensive Plan updates
- Grant research & writing services
- Website enhancements
- Street improvements
- Retaining a high-quality workforce
- Infrastructure improvements & maintenance
- Street sweeping
- Traffic enforcement (Traffic Officer)

Mayor Lopez expressed his appreciation to staff and expressed confidence in the budget and budget process overall thanks to the input from the citizen survey and the strategic plan.

Mayor Lopez opened the public hearing at 7:55 p.m. and asked to hear from any proponents of the case followed by opponents of the budget.

Hearing none, Mayor Lopez closed the public hearing at 7:55 p.m.

**Motion:** Motion was made by Mayor Pro Tem Estep and seconded by Councilmember Bledsoe to approve Ordinance 1484-23 approving and

adopting the Fiscal Year 2024 Budget and Multi-Year Capital Improvement Program

Motion carried by a vote of 7-0.

## **ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS**

### **4A. Approved Ordinance 1485-23 setting and approving the Fiscal Year 2024 Tax Rate**

City Manager Candice Edmondson advised that at the August 14, 2023 Council meeting, she presented the proposed FY 2024 General Fund Budget that included a proposed ad valorem tax rate of \$0.522689 per hundred dollars of valuation. Additionally, Council approved the Fiscal Year 2024 /Tax Year 2023 Certified Tax Roll and reviewed the 2023 Tax Rate Calculation Worksheet. Per the attached 2023 Tax Rate Calculation Worksheet, the calculated No-New-Revenue Rate (formerly known as the Effective Tax Rate) is \$0.459704/\$100.

As the proposed tax rate of \$0.522689 is greater than the No-New-Revenue Rate of \$0.459704, a public hearing was required prior to tax rate adoption. The tax rate public hearing was held on September 11, 2023.

The proposed FY 2024 ad valorem tax rate is lower than the current FY 2023 ad valorem tax rate of \$0.538885 by \$0.016196 cents. The FY 2024 allocation of the tax rate is \$0.361700 for Operations and Maintenance that funds General Fund operations and \$0.160989 for Interest and Sinking that funds debt service payments, for a total ad valorem tax rate of \$0.522689.

**Motion:** Motion was made by Councilmember Bledsoe and seconded by Councilmember Malone to approve Ordinance 1485-23, and that the property tax rate be increased by the adoption of a tax rate of \$0.522689, which is effectively a 13.7 percent increase in the tax rate.

Motion carried by a vote of 7-0.

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

### **5A. Approved Agreement for Use of Hotel Motel Revenue between the City of Richland Hills and CN Churchill II LLC**

During the September 11, 2023 City Council meeting, Council discussed extending the Agreement for Use of Hotel Motel Revenue between the City of Richland Hills and CN Churchill II LLC. Based on Council feedback, the City Attorney prepared an amended agreement with the following revisions:

- CN Churchill III LLC has been removed from the agreement following the sale of the La Quinta Inn & Suites. The new agreement will be between the City of Richland Hills and CN Churchill II LLC only.
- The term of the agreement will be for one year and shall automatically renew for two additional one-year terms on the anniversary date of the Effective Date unless terminated by the City.
- The Tax Revenue Grant has been changed from a lump sum rate of \$55,000 to an amount not to exceed 20 percent of the total hotel occupancy tax collected from the Fairfield Inn & Suites (Hotel) in the prior fiscal year. The grant will be paid by the City between November 1<sup>st</sup> and December 1<sup>st</sup> of the current fiscal year.

The City Manager has spoken to hotel operator, Sanjiv Melwani, about the proposed revisions. Mr. Melwani is agreeable to most of the changes but requested City Council consider increasing the Tax Revenue Grant's not to exceed value from 20 percent to 30 percent.

Discussion ensued regarding the contract terms and conditions.

**Motion:** Motion was made by Councilmember Goveas and seconded by Councilmember Knowlton to approve Agreement for Use of Hotel Motel Revenue between the City of Richland Hills and CN Churchill II LLC`.

Motion carried by a vote of 6-0.

**5B. Approved Memorandum of Understanding for Citywide Solid Waste Collection and Recycling Services between the City of Richland Hills and Allied Waste Services of Fort Worth, LLC dba Republic Services**

City Manager Candice Edmondson advised that following the September 11, 2023 City Council meeting, Council directed staff to work with Republic Services to draft a Memorandum of Understanding (MOU) to better clarify the relationship and contract requirements between the City of Richland Hills and Republic Services.

Ms. Edmondson clarified language in the MOU related to bulk pickup including replacing the term "debris" with "construction debris" and what is considered acceptable waste during regular service and bulk pickup service.

Discussion ensued regarding tree limbs, what is considered loose brush and bulky waste.

Republic Services Municipal Services Manager Jeri Harwell answered several questions from Council and provided additional details regarding the necessity of cutting bundles of branches and tree limbs down to four foot sections.

Discussion further ensued and additional language and clarification was added to the MOU providing additional details for tree stumps, tree limbs, and construction debris.

**Motion:** Motion was made by Councilmember Goveas and seconded by Mayor Pro Tem Estep to approve the Memorandum of Understanding between the City of Richland Hills and Republic Services as amended.

The vote was as follows:

For: Mayor Lopez, Mayor Pro Tem Estep, and Councilmembers Knowlton, Bledsoe, Alvarez, and Goveas

Against: Councilmember Malone

Motion carried by a vote of 6-1.

### **OTHER ITEMS FOR CONSIDERATION**

#### **6A. Ratified vote approving the Fiscal Year 2024 Tax Rate**

**Motion:** Motion was made by Councilmember Knowlton and seconded by Councilmember Bledsoe to ratify the vote approving the Fiscal Year 2024 Tax Rate.

Motion carried by a vote of 7-0.

#### **6B. Consider appointments to Boards and Commissions**

**Motion:** Motion was made by Councilmember Malone and seconded by Councilmember Goveas to reappoint Dr. William Anderson to Place 1, Kay Fisk to Place 3, and Kris Freudiger to Place 5 to the Animal Shelter Advisory Board for a two-year term.

Motion carried by a vote of 7-0.

**Motion:** Motion was made by Councilmember Knowlton and seconded by Councilmember Malone to reappoint Kenneth Keating to Place 1 of the Planning and Zoning Commission for a two-year term.

Motion carried by a vote of 7-0.

**Motion:** Motion was made by Councilmember Bledsoe and seconded by Councilmember Malone to reappoint Jackson Durham to Place 3 of the Planning and Zoning Commission for a two-year term.

Motion carried by a vote of 7-0.

**Motion:** Motion was made by Mayor Pro Tem Estep and seconded by Councilmember Malone to reappoint Kelle Jones to Place 5 of the Planning and Zoning Commission for a two-year term.

Motion carried by a vote of 7-0.

Mayor Lopez advised of vacancies on the Planning and Zoning Commission and the Zoning Board of Adjustment in the alternate positions and those places can be filled at any time. He encouraged citizens to get involved and volunteer.

**6C. Consider appointments to the Richland Hills 75<sup>th</sup> Anniversary Committee**

**Motion:** Motion was made by Councilmember Malone and seconded by Councilmember Bledsoe to appoint Shirley Goodman, Jennifer Hartzke, Susan Himes, and Natalie Howe to the 75<sup>th</sup> Anniversary Committee.

Motion carried by a vote of 7-0.

**Motion:** Motion was made by Councilmember Goveas and seconded by Councilmember Bledsoe to appoint Nelda Stroder, Nancy Arent, Diane Barrette, and Deborah Rodgers to the 75<sup>th</sup> Anniversary Committee.

Motion carried by a vote of 7-0.

**Motion:** Motion was made by Councilmember Alvarez and seconded by Councilmember Bledsoe to appoint Anne Bruton, Jenny Clark, and Bill Garretson to the 75<sup>th</sup> Anniversary Committee.

Motion carried by a vote of 7-0.

**Motion:** Motion was made by Mayor Lopez and seconded by Councilmember Bledsoe to appoint Joyce Fiaccone to the 75<sup>th</sup> Anniversary Committee.

Motion carried by a vote of 7-0.

**REPORTS & DISCUSSIONS**

**7A. Street Improvement Update**

Director of Public Works and Capital Projects Kip Dernovich presented the street improvement update and advised that work on Dover Lane is scheduled for completion by September 28, 2023. He provided an update on road projects on Magnolia Park and the intersection of Handley Ederville Road and Burns.



**7B. August Department Reports**

Director of Public Works and Capital Projects Kip Dernovich provided a brief recap of Public Works activities in the month of August including pothole repairs made.

Fire Chief Russell Shelley provided the Fire Department update and advised of response times, training, and a fire in August.

Assistant to the City Manager Logan Thatcher presented the Development update and advised of new businesses and permits issued.

**COMMUNITY INTEREST ITEMS**

8. Mayor Pro Tem Estep advised of several upcoming events:

- Tuesday, October 10, 2023, Richland Hills Literary Club, Public Library, 6:30 p.m.;
- Thursday, October 12, 2023,
  - Senior Lunch Bunch and Bingo, The Link, 12:00 to 2:00 p.m.;
  - Tarrant County Food Pantry, The Link parking lot, 5:30 to 7:00 p.m.; and
- Solar Eclipse September, celebrating the October 16 solar eclipse, Public Library;
- Every Thursday, Coffee Talk, Public Library, 10:00 to 11:30 a.m.;

**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).

None.

**ADJOURNMENT**

10. A motion was made by Councilmember Goveas and seconded by Mayor Pro Tem Estep to adjourn.

Motion carried by a vote of 7-0.

There being no further business to come before the City Council, Mayor Lopez declared the meeting adjourned at 9:43 p.m.

**ATTEST:**

**APPROVED:**

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Lindsay Rawlinson, City Secretary

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Edward Lopez, Mayor