

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING AGENDA
APRIL 8, 2024
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, they 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.

CITY COUNCIL WORK SESSION – 6:30 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.**
 - a. Section 551.072: Deliberation regarding real property
2721 Handley Ederville Road, Richland Hills, TX
2525 Handley Ederville Road, Richland Hills, TX
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.

REGULAR SESSION – 7:00 PM

CALL TO ORDER

INVOCATION AND PLEDGES OF ALLEGIANCE

1. PRESENTATIONS

- A. Animal Control Appreciation Week Proclamation
- B. National Library Week Proclamation
- C. Employee Service Award
 - Firefighter/Paramedic Bryan Brindley – 5 years
 - Senior Accountant Bernadette Gendron – 5 years
 - Youth Services Librarian Miranda Hawkins – 5 years
 - Utility Billing Administrator Terri White – 10 years
- D. Recognition of Richland High School Cross Country Team
- E. Citizen Appearances/Public Comments

Citizen comments emailed to Lindsay Rawlinson (lrawlinson@richlandhills.com) on an item either listed on this agenda or not listed on this agenda will be heard at this time. Citizens in attendance at the meeting who have signed a card to speak to the City Council will also 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.

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 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. Approve minutes from the March 25, 2024 City Council Regular Meeting

3. PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS

- A. None

4. ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

- A. None

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

- A. None

6. OTHER ITEMS FOR CONSIDERATION

- A. Consider funding request from Serving Our Seniors (SOS) for technology and building enhancements

7. REPORTS & DISCUSSIONS

- A. Water Meter Replacement Project Report
- B. Discuss Ordinance 1496-24 amending Article IV “Code of Ethics” of Chapter 2 “Administration” in its entirety to adopt a Code of Ethics applicable to all Elected and Appointed Officials of the City

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

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.**

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

10. ADJOURNMENT

CERTIFICATE

I hereby certify that the above agenda was posted on this the 5th day of April 2024 by 12:30 p.m., on the official bulletin board at the Richland Hills City Hall, 3200 Diana Drive, Richland Hills, Texas, pursuant to the Texas Government Code, Chapter 551.

Lindsay Rawlinson

Lindsay Rawlinson
City Secretary



ACCESSIBILITY STATEMENT

The Facility is wheelchair accessible. If you plan to attend this public meeting and have a disability that requires special arrangements, please notify the City Secretary 48 hours in advance at (817) 616-3810 and reasonable accommodations will be made to assist you.

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: Lindsay Rawlinson, City Secretary

Date: April 8, 2024

Subject: Presentation of Animal Control Appreciation Week Proclamation

Agenda Item:

Presentation of Animal Control Appreciation Week Proclamation

Background Information:

In recognition of “Animal Control Appreciation Week”, Mayor Lopez will present a Proclamation to Animal Control Officer Kay Fisk.

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

Animal Control Appreciation Week Proclamation

Council Action Requested:

Presentation of Animal Control Appreciation Week Proclamation

Proclamation



WHEREAS, the National Animal Care & Control Association has designated the second week of April each year as National Animal Control Officer Appreciation Week; and

WHEREAS, Animal Control Officers are dedicated to helping pets and people in the community every day; and

WHEREAS, every day, Animal Control Officers put themselves in potentially dangerous situations by protecting people from dangerous animals and seek justice in cases of abused, neglected and abandoned animals by conducting humane investigations and protect the welfare of helpless animals and pets from injury, disease, and starvation; and

WHEREAS, Animal Control Officers provide the essential functions of enforcing State Laws pertaining to animal care along with City Animal Regulations, and protecting the public from diseases such as rabies, and educating the public on the proper care of our community's pets; and

WHEREAS, Richland Hills recognizes the Animal Control Officers for the many dedicated and long hours of service they perform in providing the highest and most efficient level of customer service to the residents of our community.

NOW, THEREFORE, BE IT RESOLVED, that I, Edward Lopez, Mayor of the City of Richland Hills, Texas do hereby proclaim April 14 – 20, 2024 as:

NATIONAL ANIMAL CONTROL OFFICER APPRECIATION WEEK

in Richland Hills, Texas and encourage all citizens to join us in expressing their sincere appreciation for the service and dedication of our animal control Officers.

Mayor Edward Lopez
City of Richland Hills

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: Lindsay Rawlinson, City Secretary

Date: April 8, 2024

Subject: Presentation of National Library Week Proclamation

Agenda Item:

Presentation of National Library Week Proclamation

Background Information:

In recognition of “National Library Week”, Mayor Lopez will present a Proclamation to Richland Hills Library Director, Chantele Hancock.

The theme for National Library Week (April 7 – 13, 2024), “Ready, Set, Library!” Libraries are full of stories in a variety of formats from picture books to large print, audiobooks to ebooks, and more. But there's so much more to the story. Library programming brings communities together for entertainment, education, and connection through book clubs, storytimes, movie nights, crafting classes, and lectures. Library infrastructure advances communities, providing internet and technology access, literacy skills, and support for businesses, job seekers, and entrepreneurs.

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

National Library Week Proclamation

Council Action Requested:

Presentation of National Library Week Proclamation

Proclamation



WHEREAS, libraries provide the opportunity for everyone to pursue their passions and engage in lifelong learning, allowing them to live their best life; and

WHEREAS, libraries have long served as trusted institutions for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

WHEREAS, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all; and

WHEREAS, libraries adapt to the ever-changing needs of their communities, continually expanding their collections, services, and partnerships; and

WHEREAS, libraries play a critical role in the economic vitality of communities by providing internet and technology access, literacy skills, and support for job seekers, small businesses, and entrepreneurs; and

WHEREAS, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals;

WHEREAS, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week;

NOW THEREFORE BE IT RESOLVED, that I, Edward Lopez, Mayor of the City of Richland Hills, do hereby proclaim April 7 – 13, 2024 as National Library Week and encourage all residents to visit their library to explore the wealth of resources available.

Mayor Edward Lopez
City of Richland Hills

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: C. Russell Shelley, Fire Chief

Date: April 8, 2024

Subject: Employee Service Award

Agenda Item:

Presentation of 5-year Service Award to Firefighter/Paramedic Bryan Brindley

Background Information:

Bryan was born and raised in Brownwood, TX. He received his initial EMS certifications and his firefighter certification in the early to mid-1990's. He moved to the DFW area in 1996 and worked for various fire and EMS agencies for the next 20 years. In 2017, Bryan joined the Richland Hills Fire Department, and he has served in both full and part time capacities with our department since that time. Bryan holds the following certifications:

- TCFP Advanced Firefighter
- TCFP Driver/Operator
- TCFP Instructor 1
- TCFP Advanced Arson Investigator
- TCFP Advanced Fire Inspector
- TCFP Plans Examiner
- TCFP Hazmat Technician
- TCFP Officer 1
- Swiftwater Technician 1 and 2
- CISM Peer Counseling Certification
- TDSHS EMS Instructor
- TDSHS Paramedic
- TCOLE Basic Peace Officer

Bryan currently serves as a reserve police officer with the Lindsey, TX Police Department and as a Deputy Fire Marshal with the Kaufman County Fire Marshal's Office.

Bryan and his wife Angelia live in Weatherford, and they have six children and three grandchildren currently and a granddaughter due in April. In his free time Bryan enjoys hunting, fishing, golf, and watching his kids participate in sports. Bryan says "It has truly been a blessing to work and serve the citizens of Richland Hills. I look forward to continuing to serve this great community for years to come. This department has become an

extension of my family and I work with a great group of folks who have a shared desire to serve others.”

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

N/A

Council Action Requested:

Presentation of 5-year Service Award to Firefighter/Paramedic Bryan Brindley

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: Lindsay Rawlinson, City Secretary

Date: April 8, 2024

Subject: Employee Service Award

Agenda Item:

Presentation of 5-year Service Award to Finance/Senior Accountant Bernadette Gendron.

Background Information:

Bernadette started working for the City of Richland Hills in April of 2019 as an Accountant in the Finance Department. Previously, she has held many financial positions in banking, the helicopter industry, and the photography industry. But her most important job has been as a wife and mother raising two children and getting them through college. She loves to travel to new places and visit family in south Louisiana where she grew up.

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

N/A

Council Action Requested:

Presentation of 5-year Service Award to Finance/Senior Accountant Bernadette Gendron

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: Chantele Hancock, Library Director

Date: April 8, 2024

Subject: Employee Service Award

Agenda Item:

Presentation of 5-year Service Award to Youth Services Librarian Miranda Hawkins

Background Information:

Miranda's parents knew books would play an important role in her life when she had every word of *Goodnight Moon* memorized by the time she was two. It helped that her mom was a librarian with a long and successful career in both public and school librarianship, and that her dad defended her right to read whenever a teacher questioned the level of the books she brought to school. Their love and support paved the way for everything that came after.

Over the years, she explored a variety of interests including theater, photography, creative writing, and digital art; eventually graduating with a BA in Fine Art from Stephen F. Austin State University. While art helped her thrive, she wasn't finished with school just yet. Miranda decided to follow in her mom's footsteps and shifted almost immediately into the University of North Texas' Information Science program. A few short years later, she graduated with her MA in Library Science, ready to use her new knowledge (and her love of the written word) to help those around her.

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

N/A

Council Action Requested:

Presentation of 5-year Service Award to Youth Services Librarian Miranda Hawkins

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: Lindsay Rawlinson, City Secretary

Date: April 8, 2024

Subject: Employee Service Award

Agenda Item:

Presentation of 10-year Service Award to Utility Billing Administrator Terri White.

Background Information:

Terri White began her tenure with the City of Richland Hills on April 16, 2014, as the Utility Billing Coordinator and now holds the title of Utility Billing Administrator. In her time with the City she has also assisted with the Municipal Court as needed and holds a Level I Municipal Court Clerk certification.

In her spare time, she has fostered several injured animals from the Richland Hills Animal Shelter. She is married and has five children, three boys and two girls, and six (soon to be seven!) grandbabies.

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

N/A

Council Action Requested:

Presentation of 10-year Service Award to Utility Billing Administrator Terri White

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: Lindsay Rawlinson, City Secretary

Date: April 8, 2024

Subject: Presentation of Proclamation in Recognition of the Richland High School Cross Country Team

Agenda Item:

Presentation of Proclamation honoring the Richland High School Cross Country Team

Background Information:

In recognition of Richland High School Cross Country Team and their service and volunteerism at the Richland Hills Animal Shelter, Mayor Lopez will present a Proclamation to Richland High School Cross Country Team.

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

Proclamation honoring the Richland High School Cross Country Team

Council Action Requested:

Presentation of Proclamation honoring the Richland High School Cross Country Team

Proclamation



WHEREAS, the Richland High School Cross Country Team has chosen to visit the Richland Hills Animal Shelter several Saturdays over the last several months; and

WHEREAS, during these visits, the team “borrows” dogs from the shelter and have taken them on long, enjoyable walks and runs; and

WHEREAS, even in the bitter cold winter months, these fine young athletes have shown up for our shelter dogs who love their time with the athletes; and

WHEREAS, the spirit of community and compassion exemplified by the members of the Richland High School Cross Country Team is commendable; and

WHEREAS, their initiative to take dogs from the Richland Hills Animal Shelter on walks and runs not only promotes physical fitness but also aids in the socialization and well-being of these animals; and

WHEREAS, their selfless actions exemplify the values of empathy, kindness, and teamwork, and serve as a shining example for all.

NOW THEREFORE BE IT RESOLVED, that I, Edward Lopez, Mayor of the City of Richland Hills, do hereby proclaim April 8, 2024 as:

RICHLAND HIGH SCHOOL CROSS COUNTRY TEAM DAY

In Richland Hills for their outstanding commitment to the welfare of shelter dogs and their community. May their efforts continue to spread joy and make a positive impact on the lives of both humans and animals alike.

Mayor Edward Lopez
City of Richland Hills

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: Lindsay Rawlinson, City Secretary

Date: April 8, 2024

Subject: Minutes from the March 25, 2024 Regular City Council Meeting

Agenda Item:

Approval of minutes from the March 25, 2024 City Council Regular Meeting

Background Information:

N/A

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

March 25, 2024 Draft Minutes

Council Action Requested:

Motion to approve the minutes from the March 25, 2024 City Council Regular Meeting

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
MARCH 25, 2024
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
Roland Goveas, Place 6

Council absent

Javier Alvarez, Place 4

Staff present

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

CITY COUNCIL WORK SESSION – 6:33 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.

None.

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.**

7C. February Department Reports

Director of Planning and Development Services JP Ducay presented the Development update and advised of items including the status of the Baker Landing and Richland Crossing developments.

Library Director Chantele Hancock provided the Library update and advised that public participation at the library including visitors, program attendance, and items checked out are nearing pre-Covid numbers.

Director of Public Works and Capital Projects Kip Dernovich presented the Public Works Department update and advised that 138 potholes were repaired in February 2024 and the Animal Shelter and Latham Drainage Channel project are nearing completion.

7A. Street Improvement Projects

Director of Public Works and Capital Projects Kip Dernovich provided the street improvement projects update and advised of progress on the Magnolia Park (Mimosa Park to Rosebud Lane) street improvements as well as the timeline for FY2024 Street Design proposed timeline.

Mayor Lopez adjourned the work session at 7:01 p.m.

REGULAR SESSION – Mayor Lopez Called to Order – Time 7:02 p.m.

INVOCATION AND PLEDGES OF ALLEGIANCE – Mayor Lopez

PRESENTATIONS**1A. Business Spotlight: Elite Roofing & Solar**

Director of Planning & Development Services JP Ducay introduced Eric Medina, owner of Elite Roofing & Solar located at 6821 Baker Blvd (Suite E). They received their Certificate of Occupancy on October 11, 2023.

1B. Child Abuse Prevention Month Proclamation

Mayor Lopez read a proclamation declaring April 2024, as “Child Abuse Prevention Month” in Richland Hills and presented the proclamation to Kristin Lockwood with Alliance for Children.

Ms. Lockwood expressed her appreciation to the City Council for the proclamation and spoke briefly about the mission and goals of Alliance for Children.

1C. Employee Service Award

Firefighter/Paramedic Bryan Brindley was unable to attend the meeting to receive his 5-year service award and will be rescheduled on a future agenda.

1D. Citizen Appearances/Public Comments

John Skier, 7016 Park Place, Richland Hills, expressed his preference for the gym equipment at The Link to be on a replacement schedule and inquired about the maintenance on the newly installed generators.

CONSENT AGENDA

2A. Approved minutes from the March 11, 2024 City Council Regular Meeting

2B. Approved Tarrant County Interlocal Agreement (Norton Drive)

2C. Excused the absence of Councilmember Javier Alvarez from the March 25, 2024 regular City Council meeting

Motion: Motion was made by Councilmember Malone and seconded by Councilmember Knowlton to approve the consent agenda.

Motion carried by a vote of 6-0.

PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS**3A. Fiscal Year 2025 Budget Public Forum**

City Manager Candace Edmondson advised that the FY 2025 budget process will begin in April and, before that process begins, City Council and staff are seeking citizen input on projects or initiatives that should be considered as budget priorities for the next fiscal year.

Mary Sullivan, 2724 Spruce Park Drive, Richland Hills, inquired about installing a welcome sign on the south side of the City to provide a greater entrance to the City.

Curtis Bergthold, 3641 Scruggs Drive, Richland Hills, discussed the City's monument signs and a desire to see the new City branding, expressed the need for a full time inspector, striping of thoroughfares, a pavement sealing program, utility pipe bursting, and a grant writer.

Discussion ensued regarding funding additional fire personnel, adding the City branding to utility boxes and street signs, and public art.

Jenny Clark, 6973 Hardisty, Richland Hills, expressed the need for greater residential lighting and stated that she loves the newly painted Rena water tank.

Discussion ensued regarding lighting the water towers and changing street lights to LEDs.

Glen Terry, 2910 Spruce Park Drive, Richland Hills, expressed a preference for street sweeping to be more thorough.

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

4. None.

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS

5. None.

OTHER ITEMS FOR CONSIDERATION

6. None.

REPORTS & DISCUSSIONS**7A. Street Improvement Projects**

Item was discussed during worksession.

7B. Calloway Creek Discussion

Director of Public Works and Capital Projects Kip Dernovich presented the item to the City Council and advised that Calloway Creek is a natural stormwater drainage channel located in the Northeast corner of Richland Hills. The portion of the creek within city limits runs from the Glenview Road/Airline Road vehicle bridge to just prior to Alley Cats Entertainment in Hurst. The upstream communities of Keller and North Richland Hills discharge stormwater into the creek, as well as the downstream community of Hurst. The Army Corps of Engineers has Federal oversight of the channel, and the City of Richland Hills has maintenance responsibility for this portion of the creek.

Mr. Dernovich introduced City Engineer David Burkett who provided a presentation on the Calloway Branch system, surrounding FEMA floodplain, historical and localized flood events, and annual channel maintenance.

John Garza, 7900 Leslie Drive, Richland Hills, expressed frustration at the discussion and advised that he has spoken with the Army Corps of Engineers.

Monica Nash, 7916 Leslie Drive, Richland Hills, advised that in flooding events she cannot get to her home as the streets are impassible and wondered if retaining walls would be effective.

Vicki Hamilton, 7905 Leslie Drive, Richland Hills, presented several historical documents including a survey of the area from 1971 that showed it was not a flood zone and then an updated survey from 1985 in which the area was made part of the flood zone. Additionally, she presented a copy of a petition from 2001 in which residents requested the City to clean the creek.

Discussion ensued regarding what a clean out entails.

Keith Albee, 6908 Danele Court, Richland Hills, advised that he would like to see low cost solutions.

7C. February Department Reports

Item was discussed during worksession.

John Skier, 7016 Park Place, Richland Hills, expressed his appreciation for the Richland Hills Library and feels it is one of the best services the City provides. He would like to see additional staffing to continue to provide services.

COMMUNITY INTEREST ITEMS

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

- Monday, April 8, 2024, Total Solar Eclipse Viewing Party, The Link Plaza, 12:00 to 2:30 p.m.
- Thursday, April 11, 2024,
 - o Senior Lunch Bunch and Bingo, The Link, 12:00 to 2:00 p.m.;
 - o Tarrant County Food Pantry, The Link parking lot, 5:30 to 7:00 p.m.;
- 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 Knowlton and seconded by Councilmember Malone to adjourn.

Motion carried by a vote of 6-0.

There being no further business to come before the City Council, Mayor Lopez declared the meeting adjourned at 8:43 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Edward Lopez, Mayor

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: Candice Edmondson, City Manager

Date: April 8, 2024

Subject: Serving Our Seniors Funding Support

Agenda Item:

Consider funding request from Serving Our Seniors (SOS) for technology and building enhancements

Background Information:

Serving Our Seniors (SOS) is a non-profit organization, located in Richland Hills, with a mission to provide help, hope, and healing to our resident seniors. SOS serves eleven (11) cities in Northeast Tarrant County and focuses their efforts on three (3) programs that aim to keep seniors independent and physically and mentally well, all free of charge. These services include transportation, home repairs and social outreach.

In 2023, SOS served thirty-seven (37) households in Richland Hills. Organization volunteers provided 53 hours assisting our senior residents at a total cost (volunteer time, miles and materials) of \$25,474.

SOS is trying to improve service and efficiency with an upgraded database system and eliminating some fixed building costs. The organization is requesting a "Special Ask" of \$10,000 from each of the cities it provides services in to help with the enhancements. A letter from SOS asking for support is attached to this memo for your review.

Financial Considerations:

Sales tax collections in the General Fund are up 17% year to date over the prior year. The FY 2024 Budget included a conservative sales tax increase of 3.5%. Funding is available in the FY 2024 General Fund to provide \$10,000 to SOS for their technology and building enhancements.

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

Serving Our Seniors Letter

Council Action Requested:

Motion to approve funding request from Serving Our Seniors for technology and building enhancements in the amount of \$10,000.

Mayor Lopez,

Will you be an SOS Responder?

Serving Our Seniors (SOS) is a growing non-profit that serves the local, senior segment, of our population. SOS provides 3 programs that aim to keep seniors independent and physically and mentally well, all free of charge.

Programs include:

Transportation – round trip drives to medical/dental appointments or for quality of life needs (grocery/pharmacy/bank/voting/personal care, etc.)

Helping Hands – minor home repairs (interior/exterior), lawn and tree care, safety installs (ramps, rails, grab bars), critical appliance repair/replacement, certified techs (when work is beyond volunteer capabilities)

Social Outreach – outings (monthly luncheon, quarterly events), visiting/phone friends, monthly card program, holiday outreach (gift and food) –all aimed to reduce isolation, lack of activity and loneliness

Did you know that our senior population is growing? Right here in Northeast Tarrant County in the 11 cities we serve (Bedford, Colleyville, Euless, Grapevine, Haltom City, Hurst, Keller, North Richland Hills, Richland Hills, Southlake, Watauga), there are nearly 63,000 that are 65 or older (2020 Census data).

74% of the clients we serve have household income under \$30K/year ---- 46% have household income under \$20K/year.

79% of the clients we serve are women, most are single or widowed.

SOS is working to expand our services to more seniors, and we are looking at many opportunities to do that.

This is a “Special Ask” to help SOS become more efficient with an upgraded database system (\$85K) and to free up dollars by eliminating fixed costs (\$115K). These funds can and will allow us to do more of this needed work right here in our community.

The Request is for \$10,000

Payment can be made now via credit card, check, bank draft, stock, or cash, OR, payment can be made over 2 years if preferred.

For your convenience, a commitment form is attached. Please return the form to your contact or to SOS at: 3401 Booth Calloway Rd, Richland Hills, TX 76118.

A thank you dinner will be held early in 2024 for “SOS Responders” to this Special Ask.

Will you be an SOS Responder and help Serving Our Seniors support local seniors in need?

SOS Responder Form:

Responder Name_____

Company (if company donation)_____

Responder OR Co Address_____

Responder Phone (cell)_____

Responder email_____

Responder Commitment Amount \$10,000 OR_____

Payment Method (Circle One) CC Check Bank Draft Stock Other _____

As an SOS Responder, I commit to make the above payment by_____

OR \$_____ annually over 2 years by_____

___ Please find payment (or 1st payment) enclosed

___ I will use the org link to make payment: [Donate – Serving Our Seniors Texas](#)

Click link, scroll down and click on “Surprise Us”

In Notes section add **SOS Responder**

___ Please contact me at the above phone # for payment

Responder Signature_____

Today's Date_____

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: Kip Dernovich, Director of Public Works and Capital Projects

Date: April 8, 2024

Subject: Water Meter Replacement Project

Agenda Item:

Water Meter Replacement Project Report

Background Information:

Staff will provide a final report on the water meter replacement project.

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

N/A

Council Action Requested:

No Council Action

Memorandum

To: Honorable Mayor Edward Lopez and Richland Hills City Council Members

From: Candice Edmondson, City Manager

Date: April 8, 2024

Subject: Code of Ethics for Elected and Appointed Officials

Agenda Item:

Discuss Ordinance 1496-24 amending Article IV “Code of Ethics” of Chapter 2 “Administration” in its entirety to adopt a Code of Ethics applicable to all Elected and Appointed Officials of the City

Background Information:

Public service as a City of Richland Hills elected or appointed official or city employee is an honor. It is the policy of the City to uphold, promote, and demand the highest standards of ethical behavior from its City Council, employees, and individuals appointed to serve on the City’s boards, commissions, committees, task forces, and other appointed or elected advisory groups.

The City of Richland Hills has previously adopted ethics language included in Chapter 2, Article IV of the Code of Ordinances and in the City Charter. Both policies address the following ethical standards:

- (a) No elected or appointed officer or employee of the City shall benefit unduly by reason of his/her holding public office.
- (b) No officer or employee of the City shall have a substantial interest in the sale of any land, materials, supplies or service to the City. Any elected officer shall publicly disclose any such interest upon assumption of office or prior to consideration of any such matters.

City management has received questions in the past about additional standards of conduct that should be considered for both elected and appointed officials and city employees. Staff has worked with the City Attorney to draft an amended Code of Ethics Ordinance that provides more guidance on substantial business interests, standards of ethical conduct, disclosures of interest and penalties for ethics violations.

Staff will present the proposed ordinance to City Council during the meeting. Following Council discussion and input, staff will make any necessary changes to the ordinance and present a final policy for consideration at the April 22, 2024 City Council meeting.

Financial Considerations:

N/A

Legal Review:

The City Attorney prepared the draft ordinance.

Board/Citizen Input:

N/A

Attachments:

Proposed Code of Ethics Ordinance

Council Action Requested:

Discussion Item Only

ORDINANCE NO. 1496-24

AN ORDINANCE OF THE CITY OF RICHLAND HILLS, TEXAS, AMENDING ARTICLE IV "CODE OF ETHICS" OF CHAPTER 2 "ADMINISTRATION" IN ITS ENTIRETY TO ADOPT A CODE OF ETHICS APPLICABLE TO ALL ELECTED AND APPOINTED OFFICIALS OF THE CITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Richland Hills, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council previously adopted Ordinance No. 840-98, adopting ethics policies for City officials and employees. The ordinance was amended on January 27, 2009 via Ordinance No. 1139-09, as well as on September 13, 2011 via Ordinance No. 1208-11; and

WHEREAS, ethical considerations in the decision-making process of Richland Hills public officials are at the forefront of public scrutiny and the mere appearance of impropriety impacts the effectiveness of Richland Hills public officials; and

WHEREAS, public confidence and respect can best be promoted if Richland Hills public officials, whether paid or unpaid, whether elected or appointed, uniformly treat all citizens with courtesy, impartiality, fairness, and equality under the law and avoid both actual and potential conflicts between their private self-interest and the public trust; and

WHEREAS, the City Council finds it to be in the public interest to adopt a Code of Ethics applicable to all elected and appointed officials of the City; and

WHEREAS, the City Council finds that replacing Article IV Code of Ethics of the Richland Hills Code of Ordinances, in its entirety, is in the best interests of the citizens of the City of Richland Hills.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHLAND HILLS, TEXAS, THAT:

SECTION 1.

Article IV “Code of Ethics” of Chapter 2 “Administration” is hereby amended in its entirety to read as follows:

“Article IV Code of Ethics

Sec. 2-121 General Guide for Richland Hills Public Officials.

It is hereby declared to be the policy of the City that the proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible only to the people of the City. Governmental decisions and policies should be made in the proper channels of the governmental structure. No officer, employee, or member of any board, commission, or committee should have any interest, financial or otherwise, or engage in any business, transaction, or professional activity or incur any obligation of any nature that conflicts with the proper discharge of their duties in the public interest. Public office and public employment are positions of public trust imposing the duty of a fiduciary upon all employees and officeholders who are not to use their public position for personal gain. The public should have confidence in the integrity of its government. It is the policy of the City to uphold, promote, and demand the highest standards of ethical behavior from its Mayor, members of the City Council, employees, and individuals appointed to serve on the City’s boards, commissions, committees, task forces, and other appointed or elected advisory groups.

Sec. 2-122 Definitions.

For this Code of Ethics, the following words and phrases shall have the meanings ascribed to them by this section.

Advisory board shall mean a board, commission, or committee of the City that functions only in an advisory or study capacity.

Business entity shall mean any entity recognized by law through which business for profit is conducted, including a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, or trust.

City means the City of Richland Hills.

Employee shall mean any person employed by the City, including those individuals on a part-time basis, but such term shall not be extended to apply to any independent contractor.

Family member shall mean a person related to another person within the first degree by consanguinity or affinity, as described by Subchapter B, Chapter 573, Government Code, as amended.

Family Relationship means a relationship between a person and another person within the third-degree by consanguinity or the second-degree by affinity, as those terms are defined by Subchapter B, Chapter 573, Government Code, as amended.

Gift means a benefit offered by a person, including food, lodging, transportation, and entertainment accepted as a gift. The term does not include a benefit offered on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient.

Knowingly. A person acts knowingly, or with knowledge, concerning the nature of their conduct or to circumstances surrounding their conduct, when they are aware of the nature of their conduct or that the circumstances exist.

Officer shall mean any member of the City Council, the Planning and Zoning Commission, the Board of Adjustment and/or the Building Board of Appeals, and any member of a board, commission, or committee established by ordinance, charter, or State law who has final approval authority over any application, permit, license, or other City approvals provided, however, that no member of an advisory board shall be deemed an officer of the City.

Public servant means the Mayor, members of the City Council, the City Secretary, appointive officers, any member of a board, commission, or other voting body that is established by either branch of City government, or by this Code, and any appointee, any employee, or any individual who provides services to the City within or outside of its offices or facilities under a personal services contract.

Vendor means a person who enters or seeks to enter into a contract with the City. The term includes an agent of a vendor. The term does not include a State agency, except for Texas Correctional Industries.

Willful neglect of duty means the intentional failure of a public servant to perform the duties of their office.

Sec. 2-123 Substantial Interest.

- a) A person has a substantial interest in a business entity if the individual:
 - 1) Has a controlling interest in the business entity;
 - 2) Owns 10 percent (10%) or more of the voting stock or shares of the business entity or ownership of either 10 percent (10%) or more or \$5,000.00 or more of the fair market value of the business entity (see Section 171.002, Texas Local Government Code, as amended); or

- 3) Received funds from the business entity that exceed 10 percent (10%) of the person's gross income for the previous year (see Section 171.002, Texas Local Government Code, as amended); or
 - 4) Holds the position of member of the board of directors, or other governing board of the business entity, except as provided by paragraph (2) below; or
 - 5) Serves as an elected officer of the business entity; or
 - 6) Is an employee of the business entity; or
 - 7) Is a creditor, debtor, or guarantor of the entity for \$5,000.00 or more; or
 - 8) Has property pledged to the business entity, or is subject to a lien in favor of the business entity, for \$5,000.00 or more.
 - 9) Has a substantial interest in real property if the interest is an equitable or legal ownership interest with a fair market value of \$2,500.00 or more (see Section 171.002, Texas Local Government Code).
 - 10) Has a substantial interest under this Ordinance if the person's Family member has a substantial interest under this chapter (see Section 171.002, Texas Local Government Code).
- b) A person does not have a substantial interest in a business entity if the individual:
- 1) Holds a position as a member of the board of directors, or other governing board of a business entity; and
 - 2) Has been designated by the City Council to serve on such board; and
 - 3) Receives no financial benefit, either directly or indirectly, for their service on such board; and
 - 4) The primary nature of the business entity is either charitable, nonprofit, or governmental.

Sec. 2-124 Standards of Conduct.

- a) No City officer, employee, or advisory board member, or their spouse, shall knowingly:
- 1) Accept or solicit any gift, favor, service, or thing of value from any person, group, or business entity, including a promise of future employment, that might reasonably tend to influence them in the discharge of their official duties or that the officer, employee, or advisory board member knows or

should know is being offered with the intent to influence the officer's or employee's official conduct. This prohibition shall not apply to:

- a. An occasional non-pecuniary gift, that is not cash, and is insignificant in value; or
 - b. An award publicly presented in recognition of public service; or
 - c. Any gift that would have been offered or given to the officer employee or advisory board member, or their spouse, if they were not a City officer, employee, or advisory board member; or
 - d. Any travel and related expenses to attend ceremonial functions provided that such acceptance and attendance have been approved by the City Council prior to the occurrence of the ceremonial function.
- 2) Grant in the discharge of their official duties any improper favor, service, or thing of value to any person, group, or business entity;
 - 3) Knowingly disclose any confidential information gained in connection to the position of the officer, employee, or advisory board member concerning property, operations, policies, or affairs of the City, or use such confidential information to advance any personal interest, financial or otherwise, of such officer, employee, or advisory board member, or others. This subparagraph shall not preclude disclosure of such confidential information in connection with any investigation or proceeding regarding whether there has been a violation of the standards of conduct outlined in this article.
 - 4) Use one's position, office of employment, city facilities, personnel, equipment, or supplies to secure special privileges or exemptions for themselves or others or for the private gain of the city officer, employee, advisory board member, or their spouse.
 - 5) Engage in any exchange, purchase, or sale of property, goods, or services with the City, except:
 - a. Rendering services to the City as an officer, employee, or advisory board member;
 - b. Paying taxes, fines, utility service, or filing fees; executing and performing any developer's agreement or plat in compliance with laws and regulations applicable to any person; provided, however, if any City ordinance, rule, or regulation allows any discretion by the appropriate officers or employees of the City in the interpretation or enforcement of such ordinance, rule, or regulation, any such

discretion shall be exercised in favor of the City in connection with any such developer's agreement or plat;

- c. Advisory board members who are not otherwise officers or employees of the City, may engage in any exchange, purchase, or sale of property, goods, or services with the City, or enter into a contract with the City, provided that the board on which they are a member has no advisory function or awareness, direct or indirect, present or prospective, with respect to the transaction in which such advisory board member engages or proposes to engage.
- 6) Hold themselves out as representing the City in any capacity other than that for which they were appointed, elected, or hired.
 - 7) Engage in or accept private employment, or render a service when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair their independent judgment, in the performance of their official duties.
 - 8) Make or permit the unauthorized use of City-owned vehicles, equipment, materials, or property.
 - 9) Grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
 - 10) Conduct any business in their official capacity with the City with a business entity in which they have a substantial interest.
 - 11) Engage in any dishonest or criminal act or any other conduct prejudicial to the government of the City, or that reflects discredit upon the government of the City.
 - 12) Knowingly perform or refuse to perform any act to deliberately prevent the execution of City ordinances, rules, or regulations or the achievement of official City programs.
 - 13) Misuse or misappropriate use of City funds.
- b) No officer, advisory board member, or City employee shall knowingly represent, directly or indirectly, any person, group, or business entity:
 - 1) Before the City Council or any department, agency, board, or commission of the City;
 - 2) In any action or proceeding against the interests of the City, or in any litigation in which the City or any department, agency, board, or commission

thereof is a party; or in any action or proceeding in the municipal courts of the City that was instituted by a City officer or employee during their official duties, or a criminal proceeding in which any City officer or employee is a material witness for the prosecution.

c) Restrictions on former employees

- 1) No former City employee shall, for a period of two (2) years from the date of leaving City employment, knowingly:
 - a. Appear before any board or commission of the City in relation to any case, proceeding, or application in which they personally participated, or which was under their active consideration, during the period of their service or employment with the City.
 - b. Represent, directly or indirectly, any private person, including a former employee or any immediate family member, or any group or interest, in any action or proceeding against the interests of the City, or in any litigation in which the City or any department, agency, commission, or board thereof is a party.
 - c. Knowingly represent any private person, other than themselves, including any immediate family member, or any group or interest in any action or proceeding in the municipal court, which is instituted by a City officer or employee in the course of official duties.
 - (i). This subsection shall not be construed to deprive a former employee of the right to due process under the law, including the right to represent themselves in a court proceeding.
 - d. Have any financial interest in the sale of any land, materials, supplies, or service to the City. Any violation of this subsection with the actual or constructive knowledge of the former City employee shall render the contract voidable by the City Manager or the City Council. This subsection shall not apply to a former City employee whose employment was terminated as part of a reduction in force or to a former employee whose skills or experience are so unique that failure to contract with them would be a detriment to the City as determined by the City Manager.

d) The restrictions in this section do not prohibit the following:

- 1) A City employee, officer, or advisory board member (other than City Council), or their spouse, appearing before the City Council or a City department, agency, board or commission to represent themselves in a matter affecting their property; provided, however, that no such person, or

their spouse, shall appear before the board or commission of which they are a member; or

- 2) A City employee or officer of an employee organization appearing before the City Council or a City department, agency, board, or commission to address employment matters.

e) The restrictions in this section do not apply to business associates of officers, employees, or advisory board members, but only personally to the officers, employees, and advisory board members themselves.

Sec. 2-125 Disclosure of Interest.

a) If any City officer, employee, or advisory board member has a substantial interest in a business entity or real property involved in any decision pending before such officer, employee, or advisory board member, or the body of which they are a member, such officer, employee, or advisory board member shall disclose such interest as provided in subsection e) below and shall not, except as provided in subsection b) below, discuss the substance of the matter at any time with any other member of the board of which they are a member, or any other body that will vote on or otherwise participate in the consideration of the matter.

b) If any of the following interests or relationships are involved in any decision pending before any City officer, employee, or advisory board member, or the body of which they are a member, such officer, employee, or advisory board member must disclose such interest or relationship as provided in subsection e), but they shall be permitted to vote on and participate in the consideration of such matters listed as follows:

- 1) A decision concerning a bank or other financial institution from which the officer, employee, or advisory board member has a home mortgage, automobile loan, or other installment loan, if the loan is not currently in default, was originally for a term of more than two (2) years, and cannot be accelerated except for failure to make payments according to the terms thereof;
- 2) A decision concerning a bank or other financial institution in which the officer, employee, or advisory board member holds a savings account, checking account, or certificate of deposit, and which is fully insured by the U.S. government or an agency thereof;
- 3) A decision concerning a business entity with which the officer, employee, or advisory board member has a retail or credit card account;
- 4) A decision concerning the approval of the substitution of collateral by a City depository bank; and

- 5) A decision concerning real property in which the officer, employee, or advisory board member has a substantial interest if it is not reasonably foreseeable that such decision would have a special economic effect on the value of the property, distinguishable from the effect on the public (see Section 171.004, Texas Local Government Code, as amended).
- c) If a City Officer, Advisory Board member, or a City employee, or a family member of a City Officer, Advisory Board member, or City employee, receives one or more gifts that have a combined value of more than one hundred dollars (\$100) in the twelve (12) month period preceding the date the City executes a contract with the vendor or considers entering into a contract with the vendor, the City Officer, Advisory Board member, or City employee must disclose such gift as provided in subsection f), g) or h), as applicable, but he or she shall be permitted to vote on and participate in the consideration of such matter. This requirement shall not apply to gift(s) accepted by a City Council member, the City Manager, or a City employee if the gift is a political contribution as defined by Title 15, Election Code, or food accepted as a gift.
- d) If any of the following relationships exist between a vendor and a City Officer, Advisory Board Member, or a City employee, the City Officer, Advisory Board Manager, or City employee must disclose the relationship as provided in subsection f), g), or h) as applicable and shall not, in accordance with subsection a), discuss the substance of the matter at any time with any other member of the board of which they are a member or any other body that will vote on or otherwise participate in the consideration of the matter if:
 - 1) The City enters into a contract with a vendor, or is considering entering into a contract with a vendor, and the vendor has an employment or other business relationship with the City Officer, Advisory Board Member or City employee, or Family member of the City Officer, Advisory Board Member or City employee, resulting in the City Officer, Advisory Board Member, or City employee, or their Family member, receiving taxable income, other than investment income, that exceeds twenty five hundred dollars (\$2500.00) during the twelve (12) month period preceding the date the contract between the City and the vendor is executed, or the date the City considers entering into a contract with the vendor; or
 - 2) The City enters into a contract with a vendor, or is considering entering into a contract with a vendor, and the vendor has a Family relationship with the City Officer, Advisory Board Member, or City employee.
- e) A City Officer, City employee, or Advisory Board Member shall disclose the existence of any substantial interest in a business entity or real property involved in any decision pending before such Officer, employee, or Advisory Board Member, or the body of which they are a member. To comply with this paragraph, a City officer or Advisory Board Member shall, prior to any discussion or determination of the matter, either file an affidavit of disclosure as required by § 171.004 of the Texas Local Government Code, as

amended, or, if not so required, shall publicly disclose in the official records of the body or of the City Secretary the nature of the interest. To comply with this paragraph, a City Employee shall notify their superior, and the Director of Human Resources in writing of the nature of any substantial interest they may have in a business entity or real property which would be affected by an exercise of discretionary authority by the City Employee. The employee's superior shall assign the matter to another employee.

f) A City Council member, the City Manager, or a City employee shall disclose a relationship as defined in subsections c) and d) that exists between the City Council member, the City Manager, the City employee, or Family Member of the City Council member, City Manager, or City employee and vendor by filing a conflicts disclosure statement with the City Secretary as required by § 176.003 of the Texas Local Government Code, as amended. The disclosure statement form is available from the City Secretary. This disclosure shall be filed no later than 5:00 p.m. on the seventh (7th) business day after the date on which the City Council member, the City Manager, or the City employee becomes aware of the existence of a relationship as defined in subsections c) and d).

g) An Advisory Board Member shall disclose a relationship as defined in subsections c) and d) that exists between the Advisory Board Member, or Family member of the Advisory Board Member with a vendor by filing a written statement with the City Secretary on a form promulgated by the City Secretary for that purpose. This statement shall be filed not later than 5:00 p.m. on the seventh (7th) business day after the date on which the Advisory Board Member becomes aware of the existence of a relationship as defined in subsections c) and d).

h) An employee of the City who does not have a relationship with a vendor, as defined in subsections c) and d), shall indicate such by filing a written statement with the Director of Human Resources on a form promulgated by the Human Resources Department for that purpose.

Sec. 2-126 Penalties for Violation of Article; Forfeited Position; Exemptions; Injunctions.

a) It is not the intention of this Code of Ethics that violations be subject to criminal penalties, except where otherwise provided by State law.

b) Whenever the City Council has determined that any Officer (except for City Council members), employee, or Advisory Board Member has violated any provision of this section, such Officer, City employee, or Advisory Board Member shall be subject to discipline, including forfeiture of their office or position for all non-elected officers or employees. Nothing in this Ordinance shall be construed to prohibit such Officer, City employee, or Advisory Board Member from being elected, re-elected, reappointed, or otherwise rehired to any position forfeited under the provisions of this article.

- c) The City Council may exempt from the provisions of this section any conduct found to constitute a violation by an Officer, City employee, or Advisory Board Member if it finds that the enforcement of this article with respect to such conduct is not in the public interest.
- d) Any contract or transaction that was the subject of an official act or action of the City in which there is an interest prohibited by this article, or that involved the violation of a provision of this article, shall be voidable at the option of the City Council.
- e) Pass a resolution of censure or a recommendation of recall when the City Council finds that a serious or repeated violation of this Code has been committed intentionally by a member of the City Council.
- f) At the discretion of the City Council, the City Attorney or designee will have the power if a violation of the provisions of this article is threatened or has occurred, to bring a civil action or proceeding, at law or in equity, for a judgment enjoining any violation of the provisions of this article or requiring the relinquishment of any prohibited interest or the voiding of any such contract or transaction, taking into account the interests of the City and any third persons who may be injured thereby.

Sec. 2-128 Enforcement.

- a) The City Council and City Manager shall have the primary responsibility for the enforcement of this section. The Human Resources Office shall also have responsibility for enforcement of this article as it pertains to employee conduct. The City Council, City Manager, and Human Resources staff, as appropriate, may direct the City Attorney to investigate any apparent violation of the article. Additionally, the City Council may employ or appoint any qualified attorney to investigate any violation or series of violations of this article by one or more persons. At the direction of the City Council, the City Attorney shall have the power to investigate any complaint and to take any action on behalf of the City where such action is appropriate.
- b) Any person who believes that a violation of any portion of the article has occurred may file a complaint with the City Council, and who may then proceed as provided in paragraph a) above. However, nothing in this article shall be construed to prevent complainants from instituting direct legal action through the appropriate judicial authority.

Sec. 2-129 Advisory Opinions.

Where any Officer, City employee, or Advisory Board Member has a doubt as to the applicability of any provision of this Code to a particular situation, or as to the definition of terms used herein, they may apply to the City Attorney for an advisory opinion. The Officer, City employee or Advisory Board Member shall have the opportunity to present their interpretation of the facts at issue and of the applicability of provisions of the Code before such advisory opinion is made.

Sec. 2-130 Conclusion.

Public service as a City of Richland Hills elected or appointed official is an honor. Your voluntary service directly contributes to the quality of life in Richland Hills. Although this public service is not paid or compensated, the contributions and benefits to the Richland Hills community and its citizens are invaluable. Citizens fortunate enough to serve on boards and committees do so with pride, integrity, and with the highest of ethical standards. It is always advisable that should any member or official have a legal question concerning any of these matters that they consult with the City Attorney and, if advisable, outside counsel.

Sections 2-131 through 2-150 – Reserved.”

SECTION 2. ORDINANCE CUMULATIVE

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Richland Hills, Texas, as amended, except where the provisions of the is Ordinance are in direct conflict with the provisions of such Ordinances and such Code are hereby repealed.

SECTION 3. RESERVATION OF RIGHTS AND REMEDIES FOR ACCRUED VIOLATIONS

All rights and remedies of the City of Richland Hills are expressly saved as to any and all violations of the provisions of the City's parking regulations which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the courts.

SECTION 4. PROVISIONS SEVERABLE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

APPROVED AND ADOPTED at a regular meeting of the Richland Hills City Council on April 8, 2024, by a vote of _____ ayes, _____ nays, and _____ abstentions.

APPROVED:

THE HONORABLE MAYOR EDWARD LOPEZ

ATTEST:

LINDSAY RAWLINSON, CITY SECRETARY