



4900 River Oaks Boulevard  River Oaks, Texas  76114

Mayor  
**Herman D. Earwood**

City Council  
Mayor Pro Tem/Place 3  
**Joe Crews**

Place 1  
**JoAnn Butler**

Place 2  
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Interim Fire Chief  
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Public Works Director  
**James Hatley**

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**Mary Earwood**

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Website  
**www.riveroakstx.com**

## NOTICE TO THE PUBLIC

A REGULAR MEETING OF THE RIVER OAKS CITY COUNCIL IS SCHEDULED IN THE COUNCIL CHAMBERS LOCATED AT 4900 RIVER OAKS BLVD.; RIVER OAKS, TEXAS ON **TUESDAY**

**MARCH 26, 2013**  
**7:00 PM**

I certify that the above notice of meeting was posted on the bulletin board outside the River Oaks City Hall, 4900 River Oaks Blvd., a place that is accessible to the general public at all times, and that said notice was posted on **Friday, March 22, 2013 at 5 :00 P.M.**

MARVIN GREGORY, CITY SECRETARY

## AGENDA

1. CALL TO ORDER
2. INVOCATION
3. PLEDGE OF ALLEGIANCE TO UNITED STATES FLAG AND THE TEXAS FLAG  
**"HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE"**
4. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR:
  - POISON PREVENTION WEEK
5. **CONSENT AGENDA:** ALL ITEMS UNDER THIS SECTION ARE RECOMMENDED FOR APPROVAL FOR THE "CONSENT AGENDA". THESE ITEMS ARE OF A ROUTINE NATURE AND REQUIRE ONLY BRIEF DELIBERATION BY COUNCIL. **COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION.**
  - A. MINUTES OF REGULAR COUNCIL MEETING FEBRUARY 26, 2013
  - B. MINUTES OF COMMUNITY FORUM FEBRUARY 28, 2013
  - C. BILLS PAYABLE FOR PERIOD ENDING MARCH 12, 2013
  - D. BILLS PAYABLE FOR PERIOD ENDING MARCH 12, 2013



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E. RATIFY RESIGNATION OF **DARRELL BRACKEEN** AS THE ANIMAL CONTROL OFFICER.

F. RATIFY RESIGNATION OF **MICHAEL GONZALES** AS PATROL OFFICER IN THE POLICE DEPARTMENT.

G. RATIFY TRANSFER OF **JAMES KING** FROM BUILDING MAINTENANCE IN THE PUBLIC WORKS DEPT. TO ANIMAL CONTROL OFFICER IN POLICE DEPARTMENT.

H. RATIFY HIRING OF **TIMOTHY WHITLEY** AS PATROL OFFICER IN POLICE DEPARTMENT

I. RATIFY HIRING OF **WILLIAM PETTY** AS PATROL OFFICER IN POLICE DEPARTMENT

J. APPROVAL OF THE REVISED RULES AND PROCEDURES OF THE ZONING BOARD OF ADJUSTMENTS

6. DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

**PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:**

7. CONSIDER APPROVAL OF **RESOLUTION 761-2013** PERMITTING AN OUTSIDE SPECIAL EVENT AT 5512 RIVER OAKS BLVD. (GENESIS JUIDITSU) AS REQUESTED FOR BY ALBERT HUGHES.

8. CONSIDER APPROVAL TO INSTALL HARDIBOARD SIDING IN A RESIDENTIAL ZONING DISTRICT AT 1813 ROBERTS CUT OFF RD. AS REQUESTED BY JESUS BANDA.

9. CONSIDER APPROVAL TO INSTALL HARDIBOARD SIDING IN A RESIDENTIAL ZONING DISTRICT AT 610 HARRISDALE AVE AS REQUESTED BY SANDRA CONTRERAS.

10. CONSIDER APPROVAL OF THE AWARDING OF CONTRACT FOR WATER LINE IMPROVEMENTS FOR MEANDERING ROAD AND YALE STREET AS BID ON MARCH 8, 2013.

11. CONSIDER APPROVAL OF CHANGE ORDER ON THE WATER LINE IMPROVEMENTS FOR MEANDERING ROAD AND YALE STREET.

12. DISCUSSION AND/OR ACTION ON STAFF RECOMMENDATION TO STORM WATER TASK FORCE FOR PROFESSIONAL ENGINEERING SERVICES REGARDING DRAINAGE STUDY ON INSPIRATION LANE.

13. REQUEST OF BARB CRAFT, LEVEL 1 DIABETES INSTRUCTOR, TO PROVIDE FREE COOKING CLASSES TO APPROVED EMPLOYEES IN EXCHANGE FOR A RATE REDUCTION.



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14. CONSIDER APPROVAL OF AN OUTDOOR RENTAL AT THE COMMUNITY CENTER FOR A FUND RAISING EVENT AS REQUESTED BY PETER WINCHESTER.

15. CONSIDER APPROVAL OF AN OUTDOOR RENTAL AT THE COMMUNITY CENTER AS REQUESTED BY KRISTAL RAMOS.

16. CONSIDER APPROVAL TO AMEND THE DECEMBER 11, 2012 SUBSTANDARD BUILDING ORDER ON THE PROPERTY AT 620 WORTHVIEW DR.

17. CONSIDER ADDITIONAL COUNCIL ACTION REGARDING THE PURCHASE OF A USED 2002 FREIGHLINER GARBAGE TRUCK WITH 25-YARD LEACH PACKER APPROVED AT THE FEBRUARY 26<sup>TH</sup> COUNCIL MEETING.

**PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:**

18. **PUBLIC HEARING:** SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **604 FRONTIER ST.**

19. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **604 FRONTIER ST.** THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLOING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONS IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

20. **PUBLIC HEARING:** SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **1619 YALE ST.**

21. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **1619 YALE ST.** THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLOING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONS IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

22. **PUBLIC HEARING:** SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **809 GUSTAV ST.**

23. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **809 GUSTAV ST.** THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLOING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONS IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

**ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:**



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24. CONSIDER APPROVAL OR **RESOLUTION # 758-2013** APPROVING THE SALE OF REAL PROPERTY AT 4837 SHERWOOD DR. ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE.

25. CONSIDER APPROVAL OR **RESOLUTION # 759-2013** APPROVING THE SALE OF REAL PROPERTY AT 5523 DARTMOUTH AVE. ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE.

26. CONSIDER APPROVAL OF **ORDINANCE # 973-2013** AMENDING SECTION 13.02.113 "POLICIES" OF THE RIVER OAKS CODE OF ORDINANCES SPECIFICALLY IN 13.02.113(3) BRUSH, TREE LIMBS AND LOGS SUBSECTION (D) REGARDING COLLECTION OF OVERSIZED PILES.

27. CONSIDER APPROVAL OF **RESOLUTION # 760-2013** AMENDING RESOLUTION NUMBER 751-2013 CALLING THE MAY 11, 2013 GENERAL ELECTION; REVISING SECTION 4a "EARLY VOTING BY PERSONAL APPEARANCE" TO INCLUDE EARLY VOTING SITES ADDED DUE TO JOINT ELECTIONS WITH OTHER POLITICAL SUBDIVISIONS; AMENDING THE ELECTION ORDER AND PROVIDING FOR A REPEALING CLAUSE AND PROVIDING AN EFFECTIVE DATE.

27. *CONSIDERANDO LA APROBACION DE LA RESOLUCION # 760-2013 MODIFICANDO LA RESOLUCION NUMERO 751-2013 INVOCANDO A UNA ELECCION GENERAL PARA EL 11 DE MAYO DEL 2013; REVISANDO LA 4a SECCION "VOTACION ADELANTADA EN PERSONA" PARA INCLUIR SITIOS DE VOTACION ADELANTADA AGREGADOS DEBIDO A LAS ELECCIONES CONJUNTAS CON OTRAS SUBDIVISIONES POLITICAS; MODIFICANDO LA ORDEN DE ELECCION Y ESTABLECIENDO UNA CLAUSULA DE DEROGACION Y PROPORCIONANDO UNA FECHA EFECTIVA.*

28. CONSIDER APPROVAL OF **ORDINANCE # 974-2013** AMENDING SECTION 12.05.012 "SPECIAL STOP INTERSECTIONS" DESIGNATING THE INTERSECTION OF HARVARD AND BAYLOR AS A SPECIAL STOP INTERSECTION.

29. CONSIDER APPROVAL OF **ORDINANCE # 975-2013** AMENDING ARTICLE 8.03 "NOISE" SPECIFICALLY UNDER SECTION 8.03.008 "ERECTION, ESCAVATION, DEMOLITION, ETC., OF BUILDINGS AT NIGHT".

**STAFF REPORTS:**

30. 6-MONTH REPORT OF ECONOMIC DEVELOPMENT PROGRESS AS PRESENTED BY PAM MUNDO OF MUNDO AND ASSOCIATES.

**31. STAFF REPORT ON SUBSTANDARD PROPERTIES UNDER COUNCIL ORDER:**

- 1129 ST.EDWARDS
- 1205 CHURCHILL
- 1619 YALE
- 809 GUSTAV



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- 620 WORTHVIEW DR.

**32. REPORT ON SUBSTANDARD PROPERTIES UNDER ORDER OF BUILDING OFFICIAL:**

- 715 ISBELL
- 604 FRONTIER

**33. REPORT ON SUBSTANDARD PROPERTIES ABATED:**

- 5032 SHERWOOD

**QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:**

**34. POLICE DEPT. MONTHLY ACTIVITY REPORT** INCLUDING PATROL ACTIVITY, RESPONSE CALLS, NUMBER OF CRIMINAL INVESTIGATION CASES, WARRANTS ISSUED AND ANIMAL CONTROL CALLS INCLUDING CITATIONS ISSUED.

**35. FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE.

**36. INSPECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS** INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED.

**37. LIBRARY ACTIVITY REPORT** INCLUDING NUMBER OF BOOKS, VIDEOS, PAPERBACKS, AND INCLUDING NUMBER OF PATRON ASSISTANCE.

**38. MUNICIPAL COURT** INCLUDING COURT ACTIVITY FROM FINES, BONDS, WARRANT FEES, COURT TAXES, COURT FEES, ARREST FEES, COURT SECURITY FEES, COURT TECHNOLOGY FEES, PAYMENT PLANS, STATE COURT COSTS AND AGENCY COLLECTION FEES.

**39. PUBLIC WORKS ACTIVITY REPORT** INCLUDING ROAD REPAIRS COMPLETED, SIGNS INSTALLED, WATER PRODUCTION, WATER MAIN AND SERVICE LEAKS REPAIRED, NUMBER OF FIRE HYDRANTS AND DEAD END LINES FLUSHED, NUMBER OF SEWER OVERFLOWS AND STOPPAGES, CUBIC TONS OF SOLID WASTE COMPACTED AND PUBLIC WORKS EQUIPMENT REPAIRS.

**40. PARK BOARD ACTIVITY REPORTS** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD.

**41. COMMUNITY CENTER ACTIVITY REPORTS** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES.

**42. CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEX POOL AND CRIME SALES TAX.



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43. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES, UPCOMING PROJECTS AND BIG IMPROVEMENT GRANT APPLICATIONS.

44. **STORM WATER TASK FORCE ACTIVITY REPORT** INCLUDING ACTIONS TAKEN UNDER THE MS4 PERMIT, COMMUNITY EDUCATION AND PROMOTIONAL EVENTS REGARDING STORM WATER PREVENTION POLLUTION.

**PUBLIC FORUM:**

45. CITY COUNCIL INVITES CITIZENS TO SPEAK ON ANY TOPIC; HOWEVER, UNLESS THE ITEM IS SPECIFICALLY NOTED ON THIS AGENDA, THE CITY COUNCIL IS REQUIRED UNDER THE TEXAS OPEN MEETINGS ACT TO LIMIT ITS RESPONSE WITH A STATEMENT OF SPECIFIC FACTUAL INFORMATION, RECITING THE CITY'S EXISTING POLICY ON THAT ISSUE, OR DIRECTING THE PERSON MAKING THE INQUIRY TO VISIT WITH CITY STAFF ABOUT THE ISSUE. **NO COUNCIL DELIBERATION IS PERMITTED**

**EXECUTIVE SESSION:**

46. CONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE: THE COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSION(S) FROM TIME TO TIME ON ANY POSTED AGENDA ITEM TO RECEIVE ADVICE FROM ITS ATTORNEY AS PERMITTED BY LAW DURING THIS MEETING. THE COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

- a. Section 551.071 Pending or contemplated litigation or to seek advice from attorney: **Advice from City Attorney regarding possible litigation on substandard property at 1205 Churchill Rd. Advice from City Attorney regarding possible litigation on February 6, 2013 jail incident.**
- b. Section 551.072 Discussion regarding possible sale, lease or acquisition of real estate:
- c. Section 551.074 Personnel matters – To deliberate the appointment, employment, evaluation, reassignment of duties, discipline or dismissal of a Public Officer or Employee or to hear a compliant or charge against an Officer or Employee.
- d. Section 551.076 Deliberation regarding security devices

**RECONVENE:**

47. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

**ADJOURN:**

48. ADJOURN

This facility is wheelchair accessible and accessible parking spaces are available in front of City Hall. Please contact City Hall at 817-626-5421 if you have any questions or additional needs.