



4900 River Oaks Boulevard River Oaks, Texas 76114

Mayor
Herman D. Earwood

City Council

Mayor Pro-Tem-Place 2
Steve Holland

Place 1
JoAnn Butler

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Bruce Scott

Place 4
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City Secretary
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Jennifer Neathery

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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**

NOVEMBER 27, 2018
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 **Tuesday, November 20, 2018 at 6:00 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:
 - STATEMENT OF APPOINTED OFFICIAL AND OATH OF OFFICE FOR APPOINTING GREG STOCKTON AS THE RIVER OAKS FIRE CHIEF.
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. APPROVE MINUTES OF NOVEMBER 13, 2018 COUNCIL MEETING
 - B. APPROVE MINUTES OF NOVEMBER 15, 2018 SPECIAL CALLED COUNCIL MEETING
 - C. APPROVE BILLS PAYABLE FOR PERIOD ENDING NOVEMBER 27, 2018 (FY 2019)
 - D. APPROVE STORM WATER FUND 4TH QUARTER FY 2018 REPORT (JULY 1-SEPT. 30, 2018)
 - E. APPROVE DELINQUENT TAX COLLECTION REPORT FROM LINEBARGER FOR PERIOD JULY-SEPTEMBER 2018.



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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

7. CONSIDER REQUEST OF ROMAN OBIEDO JR. TO REIMBURSE HIM FOR THE DELINQUENT CHARGES ON THE WATER ACCOUNT FOR UNFORGIVEN TATTOO AT 5165 RIVER OAKS BLVD. THAT HAD TO PAID BEFORE SERVICE COULD BE CONNECTED.

8. CONSIDER REQUEST TO REIMBURSE RENTAL CHARGES FOR MPS SHARING AND CARING BENEFIT HELD ON NOVEMBER 17TH AND TO WAIVE FUTURE RENTAL FEES FOR HOLDING THE MPS BENEFIT IN COMMUNITY CENTER.

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

9. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE PROPOSED REQUEST REGARDING THE APPLICATION APPROVAL FOR A SPECIFIC USE PERMIT AT **5444 RIVER OAKS BLVD.** AS REQUESTED BY **CHINA EXPRESS** FOR THE SALE OF ALCOHOLIC BEVERAGES (BEER ONLY) IN ACCORDANCE TO SECTION 23A.G.3.J FOR OFF-PREMISE CONSUMPTION (CONVENIENCE STORE) PURSUANT TO ZONING ORDINANCE 1158-2017 AS ADOPTED AND AS AMENDED. **(ZONING CASE # SUP 2018-0003).**

10. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF REQUEST OF **CHINA EXPRESS** REGARDING THE APPLICATION APPROVAL FOR A SPECIFIC USE PERMIT AT **5444 RIVER OAKS BLVD.** AS REQUESTED BY CHINA EXPRESS FOR THE SALE OF ALCOHOLIC BEVERAGES (BEER ONLY) IN ACCORDANCE TO SECTION 23A.G.3.J FOR OFF-PREMISE CONSUMPTION (CONVENIENCE STORE) PURSUANT TO ZONING ORDINANCE 1158-2017 AS ADOPTED AND AS AMENDED. **(ZONING CASE # SUP 2018-0003).**

11. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY AMENDING CHAPTER 10 "SUBDIVISIONS" IN ORDER TO ADOPT AN UPDATED SUBDIVISION ORDINANCE AND REPEALING THE FORMER SECTIONS OF CHAPTER 10 IN CONFLICT THEREOF. **(ZONING CASE # 2018-0004).**

12. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF **ORDINANCE # 1209-2018** TO AMEND CHAPTER 10 "SUBDIVISIONS" IN ORDER TO ADOPT AN UPDATED SUBDIVISION ORDINANCE AND REPEALING THE FORMER SECTIONS OF CHAPTER 10 IN CONFLICT THEREOF. **(ZONING CASE # 2018-0004).**

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

13. CONSIDER APPROVAL OF **RESOLUTION # 949-2018** PURSUANT TO SECTION 19E "OUTSIDE SPECIAL EVENTS PERMITTING" OF THE CITY'S COMPREHENSIVE ZONING ORDINANCE AUTHORIZING AN OUTSIDE SPECIAL EVENT (CHRISTMAS FESTIVAL) TO BE PERMITTED ON THE COMMUNITY CENTER PROPERTY AT 5300 BLACKSTONE DR. FOR THE CITY'S ANNUAL CHRISTMAS EVENT THAT INCLUDES THE CHRISTMAS TREE LIGHTING AND ARRIVAL OF SANTA CLAUS; AND PROVIDING AN EFFECTIVE DATE.

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14. CONSIDER APPROVAL OF **ORDINANCE # 1210-2018** AMENDING CHAPTER 3 "BUILDING REGULATIONS" OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED BY AMENDING ARTICLE 3.12 "SIGNS" REPEALING 3.12.038(5) "PORTABLE SIGN", SECTION 3.12.038 (6) "TEMPORARY BANNERS" AND SECTION 3.12.038(7) "TEMPORARY PLACARD SIGNS" AS BEING TEMPORARY SIGNS EXEMPT FROM PERMITTING; REVISING AND INCORPORATING PORTABLE SIGNAGE AND TEMPORARY PLACARD SIGNS INTO SECTION 3.12.037 "TEMPORARY SIGNS REQUIRING PERMIT" AS SECTION 3.12.037 (5) "PORTABLE SIGN" AND SECTION 3.12.037 (6) "TEMPORARY PLACARD SIGNS".

STAFF REPORTS:

15. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1617 HILLSIDE
- 1605 MONTROSE

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

17. **FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE AND FIRE TRAINING EXERCISES.

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

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

20. **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.

21. **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.

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

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

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



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25. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES, UPCOMING PROJECTS AND REPORTING FROM WARD & ASSOCIATES, CONSULTANT, ON ECONOMIC DEVELOPMENT.

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

27. **EMERGENCY MANAGEMENT ACTIVITY REPORT** INCLUDING POLICIES, PROCEDURES AND INFORMATION PERTAINING TO EMERGENCY MANAGEMENT PLANNING.

PUBLIC FORUM:

28. 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:

29. 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:
- b. Section 551.072 deliberation regarding real property; a governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
- 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 complaint or charge against an Officer or Employee.
- d. Section 551.076 Deliberation regarding security devices.

RECONVENE:

30. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

ADJOURN:

31. ADJOURNMENT

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.