



4900 River Oaks Boulevard  River Oaks, Texas  76114

Mayor  
**Herman D. Earwood**

Mayor Pro Tem  
**JoAnn Gordon**

City Council  
Place 1  
**JoAnn Butler**  
Place 2  
**Steve Holland**

Place 3  
**Joe Crews**

Place 4  
**R. R. "Bob" Minter**

City Secretary  
**Marvin Gregory**

Fire Chief  
**Ron Short**

Police Chief  
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## NOTICE TO THE PUBLIC

A REGULAR MEETING OF THE RIVER OAKS CITY COUNCIL IS SCHEDULED IN THE RIVER OAKS CITY COUNCIL CHAMBERS, 4900 RIVER OAKS BLVD. ON TUESDAY

**FEBRUARY 28, 2012**  
**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, February 24, 2012 at 2:15 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) BY MAYOR:

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.

- A. MINUTES OF REGULAR COUNCIL MEETING FEBRUARY 14, 2012
- B. BILLS PAYABLE FOR PERIOD ENDING FEBRUARY 28, 2012
- C. APPROVAL OF MAYOR'S RECOMMENDATION TO ACCEPT THE RESIGNATION OF MITCHELL MOLINAR AS HEAVY EQUIPMENT OPERATOR IN THE PUBLIC WORKS DEPARTMENT
- D. APPROVAL OF MAYOR'S RECOMMENDATION TO HIRE STANLEY JOHNSON AS HEAVY EQUIPMENT OPERATOR IN THE PUBLIC WORKS DEPARTMENT
- E. APPROVAL OF CONTRACT FOR CERTIFICATION PAY WITH LOURDES TORRES FOR TCLEOSE BILINGUAL CERTIFICATION

6. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION:** COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION.

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

7. CONSIDER APPROVAL TO HOLD AN ESTATE SALE WITH SPECIAL CONDITIONS AT 1400 LONG (KATHERINE WILSON) AS PRESENTED BY NANCY TOOMBS

8. DISCUSSION AND/OR ACTION ON BRIEFING BY MEDSTAR ON CONDUCTING A PILOT PROGRAM USING SPECIALLY TRAINED NURSES IN A 9-1-1 COMMUNICATIONS CENTER.

9. CONSIDER APPROVAL OF THE IESI TX CORPORATION 2012 RATE ADJUSTMENT FOR COMMERCIAL GARBAGE SERVICE.

10. DISCUSSION AND/OR ACTION ON CHRISTMAS IN ACTION PROGRAM REPORT AS PRESENTED BY RON TOVAR.

11. CONSIDER APPROVAL OF EMERGENCY PIPE BURSTING OF THE SEWER LINE IN THE 400 BLOCK OF FRONTIER.

12. CONSIDER APPROVAL OF TEMPORARY CONSTRUCTION EASEMENT AGREEMENT WITH LAWRENCE KAYE AT 1844 INSPIRATION LANE.

13. DISCUSSION AND/OR ACTION ON COMMUNITY CENTER EVENTS AS FOLLOWS:

a. RIVER OAKS GIRL SCOUTS REQUESTING TO MEET 2 MONDAYS A MONTH. AS A CIVIC GROUP

b. EASTER EGG HUNT – MARCH 31

c. 50's SHOW – APRIL 14 – 7:30 P.M.

d. DANCE CONTEST – MAY 12 – 7:30PM

e. SPLASH DAY - LARGE WATER SLIDE – JUNE 2 - 12 NOON TO 4PM

f. ALL AMERICAN CELEBRATION LIVE ENTERTAINMENT - JUNE 30<sup>TH</sup> - BEGINS 6PM

14. UPDATE ON FIRE MERGER AS PRESENTED BY MAYOR PRO-TEM GORDON AND COUNCILMAN STEVE HOLLAND.

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

15. **PUBLIC HEARING:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE CITY'S ADOPTION OF THE MUNICIPAL DRAINAGE UTILITY SYSTEMS ACT, THE SAME BEING SUBCHAPTER C OF CHAPTER 552 OF THE TEXAS LOCAL GOVERNMENT CODE BY AMENDING THE RIVER OAKS CODE OF ORDINANCES UNDER CHAPTER 13 "UTILITIES" BY INCORPORATING ARTICLE 13.12 "STORM WATER UTILITY SYSTEM" THAT IF ADOPTED WILL ESTABLISH THE RIVER OAKS MUNICIPAL STORM WATER UTILITY SYSTEM.

16. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF **ORDINANCE # 913-2012** ADOPTING THE MUNICIPAL DRAINAGE UTILITY SYSTEMS ACT, THE SAME BEING SUBCHAPTER C OF CHAPTER 552 OF THE TEXAS LOCAL GOVERNMENT CODE BY AMENDING THE RIVER OAKS CODE OF ORDINANCES UNDER CHAPTER 13 "UTILITIES" BY INCORPORATING ARTICLE 13.12 "STORM WATER UTILITY SYSTEM" THAT WILL ESTABLISH THE RIVER OAKS MUNICIPAL STORM WATER UTILITY SYSTEM.

17. **PUBLIC HEARING:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE CITY'S ADOPTION OF THE MUNICIPAL DRAINAGE UTILITY SYSTEMS ACT, THE SAME BEING SUBCHAPTER C OF CHAPTER 552 OF THE TEXAS LOCAL GOVERNMENT CODE BY AMENDING THE RIVER OAKS CODE OF ORDINANCES UNDER CHAPTER 13 "UTILITIES" BY INCORPORATING ARTICLE 13.12 "STORM WATER UTILITY SYSTEM" ESTABLISHING STORM WATER CHARGES AND MONTHLY STORMWATER UTILITY SYSTEM FEES FOR RESIDENTIAL AND NON-RESIDENTIAL CUSTOMERS IN THE RIVER OAKS MUNICIPAL STORM WATER UTILITY SYSTEM.

18. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF **ORDINANCE # 914-2012** BY AMENDING THE RIVER OAKS CODE OF ORDINANCES UNDER CHAPTER 13 "UTILITIES" BY INCORPORATING ARTICLE 13.12 "STORM WATER UTILITY SYSTEM" ESTABLISHING STORM WATER CHARGES AND MONTHLY STORMWATER UTILITY SYSTEM FEES FOR RESIDENTIAL AND NON-RESIDENTIAL CUSTOMERS IN THE RIVER OAKS MUNICIPAL STORM WATER UTILITY SYSTEM.

**ORDINANCES / RESOLUTIONS AND OTHER ITEMS REQUIRING COUNCIL APPROVAL/ACTION:**

19. CONSIDER APPROVAL OF **ORDINANCE # 916-2012** AMENDING ARTICLE VIII, "JUNKED AND ABANDONED VEHICLES", OF CHAPTER VIII OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED; BY AMENDING THE DEFINITION OF JUNKED VEHICLE TO CONFORM TO RECENT STATUTORY AMENDMENTS.

20. CONSIDER APPROVAL OF **ORDINANCE # 917-2012** AMENDING ARTICLE 1.01, "CODE OF ORDINANCES", OF CHAPTER 1 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED BY EXPRESSLY PROVIDING CERTAIN EMPLOYEES AND HIS OR HER DESIGNEES WITH THE AUTHORITY TO ISSUE CITATIONS FOR VIOLATIONS OF THE CITY CODE.

**STAFF REPORT:**

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

- 1129 ST. EDWARDS
- 5314 ½ AMHERST
- 1205 CHURCHILL
- 1409 LAWRENCE
- 4525 ALMENA

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

- 1712 LAWTHOR

- 5414 BAYLOR
- 720 WINTERS
- 4824 SHERWOOD
- 5519 NOTRE DAME
- 1616 LAURA (VACANT)
- 4608 ALMENA
- 715 ISBELL

23. **SUBSTANDARD PROPERTIES RELEASED:**

- 1629 HILLSIDE

24. **STAFF REPORT ON DELINQUENT TAX SALE ON PROPERTY AT 1129 ST. EDWARDS.**

**QUESTIONS RELATED TO STAFF REPORTS INCLUDING:**

25. **POLICE DEPARTMENT MONTHLY ACTIVITY REPORT** INCLUDING PATROL ACTIVITY, RESPONSE CALLS, NUMBER OF CRIMINAL INVESTIGATION CASES, WARRANTS ISSUED AND ANIMAL CONTROL CALLS FOR SERVICE INCLUDING CITATIONS ISSUED.

26. **FIRE DEPARTMENT MONTHLY ACTIVITY REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE.

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

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

29. **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.

30. **PUBLIC WORKS MONTHLY 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.

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

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



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

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

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

**PUBLIC FORUM:**

36. 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:**

37. CONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE: THE COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSIONS(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 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 complaint or charge against an Officer or Employee.
- d. Section 551.076 Deliberation regarding security devices

**RECONVENE:**

38. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

**ADJOURN:**

39. 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.