



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
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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

MARCH 13, 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, March 9, 2012 at 3:00 P.M.**



MARVIN GREGORY, CITY SECRETARY

AGENDA

THE CITY COUNCIL MAY PRIOR TO CALLING THE MEETING TO ORDER ELECT FROM AMONGST ITS QUORUM OF MEMBERS THE ACTING MAYOR ONLY FOR THIS MEETING IN THE EVENT THE MAYOR AND MAYOR PRO-TEM ARE BOTH ABSENT. THE ACTING MAYOR WILL ALSO RETAIN HIS/HER VOTING RIGHTS AS A COUNCIL MEMBER.

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
 - POISON PREVENTION WEEK
 - APRIL AS RIVER OAKS CLEAN UP MONTH
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 28, 2012
 - B. BILLS PAYABLE FOR PERIOD ENDING MARCH 13, 2012

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION:** COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION.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. DRAWING TO DETERMINE THE ORDER IN, WHICH THE NAMES OF CANDIDATES ARE TO BE PRINTED ON THE BALLOT FOR THE CITY MUNICIPAL ELECTION TO BE HELD ON MAY 12, 2012.

7. RIFA PARA DETERMINAR EL ORDEN, EN EL CUAL SE IMPRIMIRAN LOS NOMBRES DE LOS CANDIDATOS EN LA TARJETA ELECTORAL, PARA LA ELECCION MUNICIPAL DE LA CIUDAD, QUE SE LLEVARA A CABO EL 12 DE MAYO DEL 2012.

8. CONSIDER APPROVAL TO EXPEND PARK DOLLAR DONATION FUNDS TO INSTALL A WINDSCREEN WITH POLY CAP FENCE GUARD AROUND THE BALL FIELDS AT MCGEE PARK.

9. CONSIDER APPROVAL TO ADJUST WATER BILL AT 603 HARRISDALE DUE TO MAJOR LEAK AS REQUESTED BY ROBERT WAGGONER AND/OR CAROL WAGGONER WELLS.

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

10. **PUBLIC HEARING:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE SIGN VARIANCE REQUEST BY Q-TEL (KINGDOM ICE) IN ORDER TO INSTALL A 50 SQUARE FEET ATTACHED SIGN INSTEAD OF THE REQUIRED 18 SQUARE FEET SIGNAGE PERMITTED ON THE 225 SQUARE FOOT ICE BUILDING LOCATED IN FRONT OF THE **PROPERTY AT 4817 RIVER OAKS BLVD.** IN VIOLATION OF SEC. 3.12.083 "ATTACHED SIGN" (D) "MAXIMUM AREA" OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED REQUIRING THAT AN ATTACHED SIGN NOT EXCEED 0.75 SQUARE FEET FOR EVERY ONE FOOT OF WIDTH OF BUILDING OR LEASE SPACE. (VA 312-005).

11. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE SIGN VARIANCE REQUEST BY Q-TEL (KINGDOM ICE) IN ORDER TO INSTALL A 50 SQUARE FEET ATTACHED SIGN INSTEAD OF THE REQUIRED 18 SQUARE FEET SIGNAGE PERMITTED ON THE 225 SQUARE FOOT ICE BUILDING LOCATED IN FRONT OF THE PROPERTY AT 4817 RIVER OAKS BLVD. IN VIOLATION OF SEC. 3.12.083 "ATTACHED SIGN" (D) "MAXIMUM AREA" OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED REQUIRING THAT AN ATTACHED SIGN NOT EXCEED 0.75 SQUARE FEET FOR EVERY ONE FOOT OF WIDTH OF BUILDING OR LEASE SPACE. (VA 312-005).

12. **ADMINISTRATIVE HEARING:** PURSUANT TO SECTION 3.07.013013 OF THE RIVER OAKS CODE OF ORDINANCES IN ORDER TO ASSESS A CIVIL PENALTY AGAINST THE PROPERTY OWNER AT **1409 LAWRENCE RD.** FOR FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BOARD PURSUANT TO [SECTION 3.07.007](#) OF THE RIVER OAKS CODE OF ORDINANCES (2006).

13. **ACTION FROM THE ADMINISTRATIVE HEARING:** CONSIDER ORDERS TO ASSESS A CIVIL PENALTY PURSUANT TO SECTION 3.07.013 AGAINST THE PROPERTY OWNER AT **1409 LAWRENCE RD.** FOR FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BOARD PURSUANT TO [SECTION 3.07.007](#) OF THE RIVER OAKS CODE OF ORDINANCES (2006).

14. **PUBLIC HEARING:** TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE ADOPTION OF THE APRIL 1, 2012 - SEPT. 30, 2012 RIVER OAKS MUNICIPAL STORM WATER

UTILITY SYSTEM OPERATING BUDGET PURSUANT TO ORDINANCE # 913-2012 AND BY ESTABLISHING FEES PURSUANT TO ORDINANCE # 914-2012.

15. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF **ORDINANCE # 918-2012** ADOPTING THE RIVER OAKS MUNICIPAL STORM WATER UTILITY SYSTEM OPERATING BUDGET FOR THE PERIOD APRIL 1, 2012 THROUGH SEPTEMBER 30, 2012.

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

16. CONSIDER APPROVAL OF **ORDINANCE # 919-2012** EXPANDING THE 2011-2012 FISCAL YEAR GENERAL FUND OPERATIONAL BUDGET FOR EXPENDITURES FROM THE PARK DOLLAR DONATION FUND AND PROVIDING AN EFFECTIVE DATE.

PUBLIC FORUM:

17. 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:

18. 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:

19. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

ADJOURN:

20. 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.