



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
Steve Holland

Place 4
Joe Ashton

Place 5
JoAnn Gordon

City Secretary
Marvin Gregory

Interim Fire Chief
Chris Hawkins

Police Chief
Avin Carter

Public Works Director
James Hatley

Library Director
Mary Earwood

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Fax
(817) 624-2154

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**

FEBRUARY 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, February 22, 2013 at 3:30 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:
 - RIVER OAKS CLEANUP MONTH APRIL 2013
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 12, 2013
 - B. BILLS PAYABLE FOR PERIOD ENDING FEBRUARY 26, 2013
 - C. RATIFY RESIGNATION OF ROSALINDA (LINDA) MALDONADO AS A SCHOOL CROSSING GUARD IN POLICE DEPARTMENT.
 - D. RATIFY HIRING OF ROBERT MOORE AS A RESERVE POLICE OFFICER



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E. APPROVAL OF EMPLOYMENT AGREEMENT WITH JOHN GIBBS FOR WATER PLANT HOUSE

F. APPROVAL OF EMPLOYMENT AGREEMENT WITH COMMUNITY CENTER CO-DIRECTORS

G. APPROVAL OF ANNUAL CERTIFICATION PAY AGREEMENTS WITH CITY EMPLOYEES

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 # 757-2013** FOR SPECIAL EVENT PERMITTING AT 4800 OHIO GARDEN ROAD. IN ORDER FOR THE RIVER OAKS UNITED METHODIST CHURCH TO HOLD A PARKING LOT SALE.

8. CONSIDER APPROVAL OF THE 2011-2012 FISCAL YEAR AUDIT REPORT AND PROPOSAL FOR THE 2012-2013 FY AUDIT AS PRESENTED BY WILLIAM SPORE, CPA.

9. CONSIDER APPROVAL OF SETTLEMENT AGREEMENT AND RELEASE BETWEEN THE CITY OF RIVER OAKS, WELLS FARGO BANK, N.A. AND AVOCENT VENTURES, L.P. REGARDING SUBSTANDARD PROPERTY AT 1205 CHURCHILL RD.

10. CONSIDER APPROVAL FOR PROFESSIONAL ENGINEERING SERVICES WITH E.S.C.M. ENGINEERING FOR RIVER OAKS BLVD. DRAINAGE IMPROVEMENTS AS RECOMMENDED BY THE STORM WATER TASK FORCE.

11. CONSIDER APPROVAL OF REQUEST BY PWD HATLEY TO AUCTION OFF PUBLIC WORKS EQUIPMENT THAT HAS BEEN TAKEN OUT OF SERVICE.

12. CONSIDER REQUEST BY KELLY HOOPER TO PURCHASE A USED 2002 LEACH TRASH TRUCK TO REPLACE UNIT G-54 IN THE CITY'S SANITATION FLEET.

13. DISCUSSION AND/OR ACTION REGARDING COUNCIL MEETINGS

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

14. **PUBLIC HEARING:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE PROPOSED *SITE PLAN APPROVAL* AND *ZONING TEXT AMENDMENT* AS REQUESTED FOR **BY KARL KLEMENT PROPERTIES D/B/A RIVER OAKS SHOPPING CENTER SPECIFICALLY AT 5500 RIVER OAKS BLVD.** IN ORDER FOR THE CITY TO CONSIDER REVISING SECTION 15.B "USE REGULATIONS" SPECIFICALLY UNDER 15B.6 OF THE RIVER OAKS ZONING ORDINANCE # 920-2012 AS CODIFIED INTO THE RIVER OAKS CODE OF ORDINANCES (2006) IN CHAPTER 14, EXHIBIT "A" CHANGING THE EXISTING USE REQUIREMENT FOR "CLEANING, DYEING AND PRESSING WORKS; LAUNDRY AND



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WASHATERIAS" BY INCREASING THE MAXIMUM ALLOWABLE FLOOR AREA FROM 3000 TO 3,220 SQUARE FEET. (ZONING CASE 2013-01).

15. **ACTION FROM PUBLIC HEARING:** CONSIDER *SITE PLAN APPROVAL* AND *ZONING TEXT AMENDMENT* AS REQUESTED FOR **BY KARL KLEMENT PROPERTIES D/B/A RIVER OAKS SHOPPING CENTER SPECIFICALLY AT 5500 RIVER OAKS BLVD.** WITH THE ADOPTION OF **ORDINANCE # 970-2013** REVISING THE USE REGULATION OF "CLEANING, DYEING AND PRESSING WORKS; LAUNDRY AND WASHATERIAS" IN SECTION 15.B "USE REGULATIONS" SPECIFICALLY UNDER 15B.6 OF THE RIVER OAKS ZONING ORDINANCE # 920 AS CODIFIED INTO THE RIVER OAKS CODE OF ORDINANCES IN CHAPTER 14, EXHIBIT "A".

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

16. CONSIDER APPROVAL OF **ORDINANCE NO. 971-2013** AMENDING THE 2012-2013 FY BUDGET FOR UNPLANNED EXPENDITURES FOR COMMUNITY CENTER BUILDING IMPROVEMENTS.

17. CONSIDER APPROVAL OF **ORDINANCE NO. 972-2013** AMENDING THE 2012-2013 FY BUDGET FOR EXPENDITURE OF COMMUNITY CENTER DOLLAR DONATIONS FOR THE INSTALLATION OF 312-FEET OF CHAIN LINK FENCING ALONG THE NORTHEAST SIDE OF THE PROPERTY.

18. CONSIDER APPROVAL OF **ORDINANCE # 973-2013** AMENDING THE 2012-2013 FY BUDGET FOR UNPLANNED EXPENDITURES IN ORDER TO PURCHASE A USED 25-YARD LEACH GARBAGE TRUCK IN THE SANITATION FLEET.

STAFF REPORTS:

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

- 1129 ST.EDWARDS
- 1205 CHURCHILL
- 1409 LAWRENCE
- 1619 YALE
- 809 GUSTAV
- 4841 SHERWOOD
- 620 WORTHVIEW DR.

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

- 715 ISBELL



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- 5032 SHERWOOD
- 604 FRONTIER

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

21. **POLICE DEPT. MONTHLY ACTIVITY REPORT** INCLUDING PATROL ACTIVITY, RESPONSE CALLS, NUMBER OF CRIMINAL INVESTIGATION CASES, WARRANTS ISSUED AND ANIMAL CONTROL CALLS INCLUDING CITATIONS ISSUED.
22. **FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE.
23. **INSPECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS** INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED.
24. **LIBRARY ACTIVITY REPORT** INCLUDING NUMBER OF BOOKS, VIDEOS, PAPERBACKS, AND INCLUDING NUMBER OF PATRON ASSISTANCE.
25. **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.
26. **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.
27. **PARK BOARD ACTIVITY REPORTS** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD.
28. **COMMUNITY CENTER ACTIVITY REPORTS** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES.
29. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEX POOL AND CRIME SALES TAX.
30. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES, UPCOMING PROJECTS AND BIG IMPROVEMENT GRANT APPLICATIONS.
31. **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:



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32. 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:

33. 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: **Advice from City Attorney regarding possible litigation on substandard property at 1205 Churchill Rd. Advice from City Attorney regarding possible litigation on Substandard Property at 1409 Lawrence Rd.**
- 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:

34. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

ADJOURN:

35. 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.