



4900 River Oaks Boulevard River Oaks, Texas 76114

Mayor
Herman D. Earwood

Mayor Pro Tem
IoAnn Gordon

City Council
Place 1
IoAnn 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
Avin Carter

Public Works Director
James Hatley

Library Director
Mary Earwood

Phone
(817) 626-5421

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 RIVER OAKS CITY COUNCIL CHAMBERS, 4900 RIVER OAKS BLVD. ON TUESDAY

MAY 8, 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 **Saturday, May 5, 2012 at 8:30 A.M.**

MARVIN GREGORY, CITY SECRETARY

FINAL AGENDA AND ADDENDUM TO 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 APRIL 24, 2012
 - B. BILLS PAYABLE FOR PERIOD ENDING MAY 8, 2012
 - C. APPROVAL OF MAYOR'S RECOMMENDATION TO HIRE A HEAVY EQUIPMENT OPERATOR
 - D. APPROVAL OF THE RESIGNATION OF JOE LOPEZ AS A HEAVY EQUIPMENT OPERATOR IN PUBLIC WORKS
 - E. APPROVAL OF **RESOLUTION # 729-2012** AUTHORIZING THE POLICE CHIEF OF THE CITY OF RIVER OAKS TO APPLY FOR REGULAR LICENSE PLATES FROM THE TEXAS DEPARTMENT OF MOTOR VEHICLES FOR USE ON EXEMPT POLICE VEHICLES OWNED AND OPERATED BY THE CITY.



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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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION:** COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION.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 OF THE 2010-2011 FISCAL YEAR AUDIT REPORT AND PROPOSAL FOR THE 2011-2012 FY AUDIT AS PRESENTED BY WILLIAM SPORE, CPA.

8. CONSIDER ACTION REGARDING CITIZEN COMPLAINT OF RENA GOING AT 5605 JAMES DR. REGARDING SUNDAY WATERING SCHEDULE AND CODE VIOLATIONS AT 5609 JAMES DR.

9. CONSIDER ACTION REGARDING COMPLAINT OF ROGER WAGGONER AT 603 HARRISDALE REGARDING WATER ACCOUNT THAT WAS FINALED ON APRIL 9, 2012.

10. CONSIDER REQUEST OF HEATHER DENTON REPRESENTING RIVER OAKS CAFÉ TO BE PERMITTED 60-DAYS FOR SPECIAL PURPOSE SIGNAGE PURSUANT TO SECTION 3.12 OF THE RIVER OAKS CODE.

11. CONSIDER APPROVAL OF REQUEST U.B. HARRINGTON TO HOLD AN ESTATE AUCTION ON RESIDENTIAL PROPERTY AT 1120 CHURCHILL.

12. CONSIDER REQUEST OF GEORGE NESSINGER TO PLACE A DONATION BOX ON THE PARKING LOT AT 5500 RIVER OAKS BLVD.

13. CONSIDER APPROVAL OF CONTRACT WITH TARRANT COUNTY TAX OFFICE FOR PROPERTY TAX COLLECTION FOR THE TAX YEAR 2012.

14. CONSIDER APPROVAL OF DRAFT CONTRACTS FOR ENTERTAINERS AND INSTRUCTORS AT THE COMMUNITY CENTER

15. CONSIDER APPROVAL TO PLACE A PORTABLE SIGN ON PUBLIC PROPERTY AT THE COMMUNITY CENTER FOR THE DANCE CAMP PURSUANT TO SECTION 3.12.131 OF THE CODE OF ORDINANCES.

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

16. **PUBLIC HEARING:** SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **1712 LAWTHOR DR.**

17. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **1712 LAWTHOR DR.** THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLORING 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.



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18. **PUBLIC HEARING:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE **FINAL DEVELOPMENT PLAT AND SITE PLAN APPROVAL** AS SUBMITTED BY CISD IN ORDER TO RENOVATE CASTLEBERRY ELEMENTARY SCHOOL PROPERTY AT 1100 ROBERTS CUT OFF RD./5210 OHIO GARDEN RD. BY BUILDING A NEW 105,290 SQUARE FOOT SCHOOL BUILDING, DEMOLISHING AND/OR RENOVATING OTHER EXISTING BUILDINGS ON THE PROPERTY PURSUANT TO DEVELOPMENT REQUIREMENTS IN "CF" COMMUNITY FACILITIES ZONING. (**ZONING CASE # PZ 2012-03**)

19. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE **FINAL DEVELOPMENT PLAT AND SITE PLAN APPROVAL** AS SUBMITTED BY CISD IN ORDER TO RENOVATE CASTLEBERRY ELEMENTARY SCHOOL PROPERTY AT 1100 ROBERTS CUT OFF RD./5210 OHIO GARDEN RD. BY BUILDING A NEW 105,290 SQUARE FOOT SCHOOL BUILDING, DEMOLISHING AND/OR RENOVATING OTHER EXISTING BUILDINGS ON THE PROPERTY PURSUANT TO DEVELOPMENT REQUIREMENTS IN "CF" COMMUNITY FACILITIES ZONING. (**ZONING CASE # PZ 2012-03**)

20. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON **SITE PLAN APPROVAL** AS SUBMITTED BY **GIGGLES THERAPY LLC** IN ORDER TO *CONSTRUCT ON THE PROPERTY AT 905 ROBERTS CUT OFF RD. A NEW 4,800 SQUARE FOOT COMMERCIAL BUILDING THAT SHALL MEET ALL DEVELOPMENT REQUIREMENTS FOR STRUCTURES CONSTRUCTED IN A "C-1" COMMERCIAL ZONING DISTRICT.* AFTERWARDS, THE EXISTING 2,488 SQUARE FOOT BUILDING ON THE PROPERTY SHALL BE DEMOLISHED AND REMOVED FROM THE PROPERTY. (**ZONING CASE # PZ 2012-04**)

21. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE **FINAL DEVELOPMENT PLAT AND SITE PLAN APPROVAL** AS SUBMITTED BY **GIGGLES THERAPY LLC** IN ORDER TO *CONSTRUCT ON THE PROPERTY AT 905 ROBERTS CUT OFF RD. A NEW 4,800 SQUARE FOOT COMMERCIAL BUILDING THAT SHALL MEET ALL DEVELOPMENT REQUIREMENTS FOR STRUCTURES CONSTRUCTED IN A "C-1" COMMERCIAL ZONING DISTRICT.* AFTERWARDS, THE EXISTING 2,488 SQUARE FOOT BUILDING ON THE PROPERTY SHALL BE DEMOLISHED AND REMOVED FROM THE PROPERTY. (**ZONING CASE # PZ 2012-04**)

22. **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 **4525 ALMENA 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).

23. **ACTION FROM THE ADMINISTRATIVE HEARING:** CONSIDER ORDERS TO ASSESS A CIVIL PENALTY PURSUANT TO SECTION 3.07.013 AGAINST THE PROPERTY OWNER AT **4525 ALMENA 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).

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



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24. CONSIDER APPROVAL OF **RESOLUTION # 728-2012** DENYING ATMOS ENERGY CORP., MID-TEX DIVISION'S ("ATMOS MID-TEX") REQUESTED RATE CHANGE.

PUBLIC FORUM:

25. 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:

26. 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 compliant or charge against an Officer or Employee.
- d. Section 551.076 Deliberation regarding security devices

RECONVENE:

27. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

ADJOURN:

28. 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.