



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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City Secretary
Marvin Gregory

Fire Chief
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Police Chief
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Public Works Director
James Hatley

Library Director
Veronica Clark

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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**

FEBRUARY 24, 2015
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 20, 2015 at 4:00 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:
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 JANUARY 27, 2015 COUNCIL MEETING
 - B. RATIFY BILLS PAYABLE FOR PERIOD ENDING FEBRUARY 10, 2015 (FY 2015)
 - C. BILLS PAYABLE FOR PERIOD ENDING FEBRUARY 24, 2015 (FY 2015)
 - D. APPROVE EMPLOYMENT CONTRACT WITH RONALD CHESTERMAN



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E. APPROVE MAYOR'S RECOMMENDATION FOR HIRING OF PUBLIC WORKS EMPLOYEE

F. APPROVE CONSULTANT AGREEMENT WITH WARD & ASSOCIATES FOR ECONOMIC DEVELOPMENT PLANNING AS RECOMMENDED BY E.D.C.

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 THE 2013-2014 FISCAL YEAR AUDIT REPORT AND PROPOSAL FOR THE 2014-2015 FY AUDIT AS PRESENTED BY WILLIAM SPORE, CPA.

8. CITIZEN REQUEST AS SUBMITTED BY TERRI L. FONTENOT TO APPEAR BEFORE THE CITY COUNCIL ADDRESSING PARKING ON PUBLIC STREETS.

9. CITIZEN REQUEST AS SUBMITTED BY TRAVIS POWELL TO APPEAR BEFORE THE CITY COUNCIL SEEKING CITY SUPPORT TO REPAIR AND MAINTAIN BMX TRAIL AT WOOLDRIDGE PARK LOCATED AT 4901 LAWTHOR DR.

10. CONSIDER APPROVAL OF REQUEST BY BILL STEPHENSON TO RENEW BUILDING PERMIT FOR THE NEW CONSTRUCTION AT 1728 INSPIRATION LANE AT THE NON-EXPIRED RATE.

11. CONSIDER APPROVAL TO AMEND THE JUNE 24, 2014 BOARD ORDERS ON **5008 SHERWOOD** TO ABATE SUBSTANDARD VIOLATIONS WITHIN 30-DAYS AND TO AMEND THE DECEMBER 9, 2014 ORDER THAT ASSESSED CIVIL PENALTIES FOR FAILURE TO COMPLY WITH THE JUNE 24, 2014 ORDERS.

12. CONSIDER APPROVAL OF **RESOLUTION 820-2015** FOR CITY MEMBERSHIP IN THE INTERLOCAL PURCHASING SYSTEM (TIPS).

13. CONSIDER APPROVAL OF THE RACIAL PROFILING REPORT AS PRESENTED BY POLICE CHIEF AVIN CARTER.

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

14. **PUBLIC HEARING:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **5008 PENROD CT.**

15. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **5008 PENROD CT.** THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLOING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONS IN ORDER TO BE BROUGHT INTO



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COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

16. PUBLIC HEARING: : IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE PROPOSED **TEXT AMENDMENT** TO COMPREHENSIVE ZONING ORDINANCE # 920-2012, AS AMENDED AND CODIFIED INTO THE RIVER OAKS CODE OF ORDINANCES (2006) UNDER CHAPTER 14, EXHIBIT A "ZONING ORDINANCE", TO:

- i. Amend Article 14.03 "Zoning and Sign Ordinances"*
- ii. Amend Section 4 "Definitions" of the River Oaks Comprehensive Zoning Ordinance*
- iii. Amend Section 20 "Parking and Vehicular Circulation Requirements" pertaining to the parking of major recreational vehicles in the front yard on concrete surfaces only.*
- iv. Amend Section 20 "Parking and Vehicular Circulation Requirements" requiring that the parking surface after the effective date of this ordinance in any required front yard in single-family zoning district shall be concrete.*
- v. Amend Section 20 "Parking and Vehicular Circulation Requirements" requiring that for a use other than a single-family use, the surface of a parking space, maneuvering area for parking, or driveway must consist of concrete, or in the alternative, may consist of hot mix asphalt paving which meets the NCTCOG specifications. The approach shall be a minimum of 10 feet or to the property line and shall be concrete.*
- vi. Amend Section 21 "Fence Regulations" in that a fence shall be constructed of metal, chain link, wood, masonry, or any other code approved material.*
- vii. Amend Section 21 "Fence Regulations" in that fences constructed of an ornamental material such as decorative wrought iron may be allowed to a height not greater than six (6) feet measured from the natural contour of the land providing it is at least 50% open and is determined to be architecturally compatible within that particular zoning district by the Building Official.*
- viii. Amend Section 21 "Fence Regulations" requiring approved screening where a lot zoned for commercial uses abuts property zoned for or used for residential uses.*
- ix. Amend Section 22 "Accessory Uses" in that the accessory building may not exceed the size of the principle structure on any individually platted residential lot and must meet all other applicable requirements for accessory buildings.*
- x. Amend Section 22 "Accessory Uses" requiring that an approved site plan pursuant to Section 25 of the Comprehensive Zoning Ordinance as a condition for approval of a building permit application for construction of all Accessory Buildings in any commercial, industrial, Multi-Family and Planned Zoning Districts.*
- xi. Amend Section 22 "Accessory Uses" in that the design and number of gasoline delivery stations or pumps be pre-approved by the City's Fire Inspector.*
- xii. Amend Section 22 "Accessory Uses" in Section 22.A "Authorized Accessory Uses" # 13.5 in that Snow cone stands previously approved by the City Council shall be permitted to operate subject to City Council approval each year for a period not to exceed 180 days unless otherwise approved by City Council.*
- xiii. Amend Section 22 "Accessory Uses" requiring that existing accessory buildings designed for residential human occupation may be used for human occupation, limited to family members as defined by this Ordinance providing they existed prior to the adoption of the zoning ordinance and are registered as a legal non-conforming structure.*



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- xiv. *Amend Sec. 25 "Site Plans required for Multi-Family, Commercial, Industrial, Planned Districts and Zone Changes" in that a person is required to submit a site plan for approval of Accessory Buildings to be constructed and expansions in excess of 25% of the accessory building size.*
- xv. *Amend Section 27A "Landscaping Requirements" in that all uses that were in existence at the time of the adoption of the Zoning Ordinance as amended which do not meet the landscape requirements will be considered legal nonconforming subject to the provisions established in Section 28 of the Zoning Ordinance as a legal nonconforming use.*
- xvi. *Amend Section 28 "Nonconformities"; "Alteration in Size of Structure" in that no such nonconforming structure may be enlarged, extended, reconstructed, repaired, or altered in a way that increases its nonconformity except as provided for in section 28 H.*

17. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF ORDINANCE # 1060-2015 of the proposed **text amendments** to Comprehensive Zoning Ordinance # 920-2012, as amended and codified into the River Oaks Code of Ordinances (2006) under Chapter 14, Exhibit A "Zoning Ordinance to:

- i. *Amend Article 14.03 "Zoning and Sign Ordinances"*
- ii. *Amend Section 4 "Definitions" of the River Oaks Comprehensive Zoning Ordinance*
- iii. *Amend Section 20 "Parking and Vehicular Circulation Requirements" pertaining to the parking of major recreational vehicles in the front yard on concrete surfaces only.*
- iv. *Amend Section 20 "Parking and Vehicular Circulation Requirements" requiring that the parking surface after the effective date of this ordinance in any required front yard in single-family zoning district shall be concrete.*
- v. *Amend Section 20 "Parking and Vehicular Circulation Requirements" requiring that for a use other than a single-family use, the surface of a parking space, maneuvering area for parking, or driveway must consist of concrete, or in the alternative, may consist of hot mix asphalt paving which meets the NCTCOG specifications. The approach shall be a minimum of 10 feet or to the property line and shall be concrete.*
- vi. *Amend Section 21 "Fence Regulations" in that a fence shall be constructed of metal, chain link, wood, masonry, or any other code approved material.*
- vii. *Amend Section 21 "Fence Regulations" in that fences constructed of an ornamental material such as decorative wrought iron may be allowed to a height not greater than six (6) feet measured from the natural contour of the land providing it is at least 50% open and is determined to be architecturally compatible within that particular zoning district by the Building Official.*
- viii. *Amend Section 21 "Fence Regulations" requiring approved screening where a lot zoned for commercial uses abuts property zoned for or used for residential uses.*
- ix. *Amend Section 22 "Accessory Uses" in that the accessory building may not exceed the size of the principle structure on any individually platted residential lot and must meet all other applicable requirements for accessory buildings.*
- x. *Amend Section 22 "Accessory Uses" requiring that an approved site plan pursuant to Section 25 of the Comprehensive Zoning Ordinance as a condition for approval of a building permit application for construction of all Accessory Buildings in any commercial, industrial, Multi-Family and Planned Zoning Districts.*



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- xiii. Amend Section 22 "Accessory Uses" requiring that existing accessory buildings designed for residential human occupation may be used for human occupation, limited to family members as defined by this Ordinance providing they existed prior to the adoption of the zoning ordinance and are registered as a legal non-conforming structure.*
- xiv. Amend Sec. 25 "Site Plans required for Multi-Family, Commercial, Industrial, Planned Districts and Zone Changes" in that a person is required to submit a site plan for approval of Accessory Buildings to be constructed and expansions in excess of 25% of the accessory building size.*
- xv. Amend Section 27A "Landscaping Requirements" in that all uses that were in existence at the time of the adoption of the Zoning Ordinance as amended which do not meet the landscape requirements will be considered legal nonconforming subject to the provisions established in Section 28 of the Zoning Ordinance as a legal nonconforming use.*
- xvi. Amend Section 28 "Nonconformities"; "Alteration in Size of Structure" in that no such nonconforming structure may be enlarged, extended, reconstructed, repaired, or altered in a way that increases its nonconformity except as provided for in section 28 H.*

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

- 18. CONSIDER APPROVAL OF ORDINANCE # 1059-2015** EXPANDING THE FY 2015 GENERAL FUND BUDGET BALANCE IN ORDER TO EXPEND FUNDS FROM THE FIRE DEPARTMENT DOLLAR DONATION FUND FOR A FIRE DEPARTMENT WEBSITE AND EMAIL ACCOUNTS.
- 19. CONSIDER APPROVAL OF ORDINANCE # 1061-2015** EXPANDING THE FY 2015 GENERAL FUND BUDGET BALANCE IN ORDER TO EXPEND ADDITIONAL FUNDS FROM COURT TECHNOLOGY TO UPGRADE CITY AND POLICE DEPARTMENT WEBSITES AND EMAIL ACCOUNTS.
- 20. CONSIDER APPROVAL OF ORDINANCE # 1062-2015** AMENDING ARTICLE 12.05, "STOPPING, STANDING AND PARKING", OF THE CITY OF RIVER OAKS CODE OF ORDINANCES (2006) BY INCORPORATING INTO SECTION 12.05.012 "SPECIAL STOP INTERSECTIONS" SUBSECTION (q) "SPECIAL STOPPING INTERSECTIONS ON SHENNA BLVD & ALMENA ROAD" OF THE CITY OF RIVER OAKS CODE OF ORDINANCES (2006) DESIGNATING LAWRENCE RD. AT SHENNA, BYRD ST. AT SHENNA AND ALMENA RD. AT LONG AVE. AS SPECIAL STOP INTERSECTIONS.

OTHER ITEMS POSSIBLY REQUIRING COUNCIL ACTION:

- 21. DISCUSSION AND/OR ACTION ON AMENDING ARTICLE A.02 "SCHEDULE OF FEES AND CHARGES INCORPORATING REDUCED FEES FOR ANNUAL INSPECTIONS FOR NON-PROFIT ORGANIZATIONS, CHURCHES AND SCHOOLS.**
- 22. DISCUSSION AND/OR ACTION ON EXTENDING COUNCIL ORDER FOR CERTIFICATE OF OCCUPANCY COMPLIANCE AT 4412 LAWRENCE RD. BY JANUARY 22, 2015.**



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STAFF REPORTS:

23. STAFF REPORT ON SUBSTANDARD PROPERTIES:

- 604 FRONTIER
- 5008 SHERWOOD
- 4412 LAWRENCE
- 1121 CAMBRIDGE
- 1709 LONG AVE.
- 817 WALTER DR.
- 1202 BANKS
- 5008 PENROD CT.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

25. FIRE DEPT. REPORT INCLUDING NUMBER OF CALLS FOR SERVICE.

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

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

28. 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.

29. 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.

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

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

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



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

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

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

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 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 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. 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.