

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JANUARY 12, 2021**

MEMBERS PRESENT:

MAYOR JOE ASHTON
MAYOR PRO TEM DARREN HOUK
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER YOLIE RODRIGUEZ

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
FIRE CHIEF RUSSELL SHELLEY
DEPUTY POLICE CHIEF CHUCK STEWART
EMERGENCY MGT JAMES MYRICK
CITY ATTORNEY BETSY ELAM
PUBLIC WORKS DIRECTOR GORDON SMITH

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Ashton called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, January 12, 2021 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Mayor Pro Tem Houk delivered the Invocation.

3. PLEDGE OF ALLEGIANCE TO UNITED STATES FLAG AND THE TEXAS FLAG

Mayor Pro Tem Houk led the Pledges of Allegiance to the United States and the Texas Flags.

4. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR.

Mayor Ashton read a proclamation "CISD School Board Appreciation Month".

5. PUBLIC TESTIMONY: CITIZENS TO SPEAK ON ANY TOPIC OR ANY AGENDA ITEM BEFORE AN DURING THE MEETING BY RAISING YOUR HAND TO BE RECOGNIZED; 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 THAT ISSUE, AND NO COUNCIL DELIBERATION IS PERMITTED FOR TOPICS NOT SPECIFICALLY LISTED ON THIS AGENDA.

NONE

6. **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. APPROVE MINUTES OF DECEMBER 8, 2020 REGULAR CALLED COUNCIL MEETING-
CM Gregory questioned and CM Holland recommended that the Minutes be amended under Public Works Activity Report (Item #22) removing the last sentence under sewer construction "We have started the project of submitting for street repaving" since it really has nothing to do with that project.
- B. APPROVAL BILLS PAYABLE FOR PERIOD ENDING JANUARY 12, 2021 (FY 2021)
- C. RATIFY BILLS PAYABLE FOR PERIOD ENDING DECEMBER 22, 2020 (FY 2021)

CM Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda Items #A-C as amended. All voted "Aye".

7. DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

NONE

PERSONAL APPEARANCES AND/OR ITEMS REQUIRING COUNCIL APPROVAL/ACTION

8. CONSIDER APPROVAL TO AWARD CONSTRUCTION CONTRACT FOR TEXAS WATER DEVELOPMENT BOARD PROJECT DWSRF #62731, PRIORITY PROJECT III, FROM ALL BIDS RECEIVED AND OPENED AT 1:00 P.M. ON JANUARY 6, 2021 IN THE RIVER OAKS COUNCIL CHAMBERS.

Trevor Truss was present. Eight bids were received and opened on January 6, 2021. Tex-Pro Construction was the low bid but after reviewing the criteria, they do not have the experience and references on similar utility type construction projects. The second lowest bid was Reytech Services in the amount of \$825,402.10 and their references did check out.

Mayor Pro Tem Houk moved, seconded by CM Claridge to approve the recommendation from the engineer to award the bid to Reytech Services in the amount of \$825,402.10. All voted "Aye".

9. CONSIDER APPROVAL TO ENTER INTO FINANCING AGREEMENT WITH GOVERNMENT CAPITAL WITH THE ADOPTION OF RESOLUTION #1034-2021 FOR CAPITAL PURCHASING IN THE GENERAL FUND AND INCLUDING THE REMAINING BALANCE AFTER REIMBURSEMENT UNDER THE TEXAS VOLKSWAGEN ENVIRONMENTAL MITIGATION GRANT PROGRAM FUNDING CONTRACTS NUMBER 582-21-21618-VW FOR PURCHASE OF A 2021 DIESEL GARBAGE TRUCK AND NUMBER 582-21-21808-VW FOR PURCHASE OF 2020 GRAPPLE TRUCK THROUGH TEXAS COMMISSION OF ENVIRONMENTAL QUALITY.

Jana Offutt with Government Capital was present. Two options are brought before the council with Option One is a 5-year annual payment of \$113,352.37 with an interest rate of 2.58% or 7-year annual payment of \$83,543.22 with an interest rate of 2.73% with no lump payment. Option Two is a 4-year annual payment of \$60,628.24 with an interest rate of 2.58% or 6-year annual payment of \$41,865.29 with an interest rate of 2.73% with a lump payment of \$311,355 at 18 months. The total price of the 2021 garbage truck with the leach rear loader and 2020 grapple

truck is \$518,677.00. The TxVEMP Grant that we will receive is \$311,355.00. We would have to finance the total price of \$518,677.00 and we can pay the balance off early. There have been delays in the grant reimbursement from the state due to the pandemic.

CM Chisholm moved, seconded by CM Holland to approve Resolution #1034-2021 with Option #1 and to give CM Gregory the authority to sign the contract with the City Attorney's approval. All voted "Aye".

10. CONSIDER APPROVAL OF REQUEST BY DARREN HOUK TO RENT THE NON-CONFORMING OFF-PREMISE SIGN ON PROPERTY OWNED AND OPERATED BY THE CITY OF RIVER OAKS LOCATED AT 920 ROBERTS CUT OFF.

Mayor Pro Tem Houk signed an affidavit to abstain from this agenda item. Mark Nobles representing Mr. Houk was present. Presented is to allow Roofing Solutions to rent the sign at 920 Roberts Cut Off which is city owned property for \$800.00 for one year which would be paid in advance starting at the time of installation which would be in about 2-3 weeks. After the first year, it would be renewed every six months. CM Gregory would have the approval of the final design of the sign. The last sign that was up there was over 10 years ago and it was advertising Burgers Lake. The current tenants need to be asked if they would like to advertise their business on part of the sign.

CM Claridge moved, seconded by CM Rodriguez to approve the sign lease with Roofing Solutions for \$800.00 a year pending negotiations from CM Gregory with the current tenants and Roofing Solutions. All voted "Aye".

11. CONSIDER APPROVAL TO PURCHASE THE CONTENT/DOCUMENT MANAGEMENT SUITE AND TYLER CONTENT MANAGER FROM TYLER TECHNOLOGIES FOR DOCUMENT STORAGE.

We have been looking at a document storage solution for a while. Tyler Technologies, which is our current software, has a content management software that stores electronic copies into the cloud. The upfront cost is \$13,930.00 with \$2,117.00 annually after this year for annual maintenance.

CM Chisholm moved, seconded by CM Claridge to approve the purchase of content/document management suite and Tyler content manager. All voted "Aye".

12. CONSIDER APPROVAL OF CONTRACTUAL AGREEMENT WITH ALAN PLUMMER & ASSOCIATES TO DEVELOP A WATER TREATMENT PLANT EVALUATION PLAN IN ORDER TO REVIEW AN DEVELOP A CAPITAL IMPROVEMENTS PLAN.

Josh Wheeler with Alan Plummer was present. The WTP evaluation will include three options: 1) review and develop capital improvements needed at the WTP for the next 3-5 years and provide opinion of probable construction cost; 2) review and develop a probable cost if owner buys directly from the City of Fort Worth on a daily basis; 3) develop a probable cost for the owner to construct a WTP on a new site or at the existing site. The cost for this evaluation which is budgeted is \$44,800.00. There are 2-4 months out of the year that there are high levels of manganese from the raw water. In 1994, there was a major upgrade at the WTP but some of the equipment is

still there and has been there since the 1950's. The evaluation should be complete by May 2021. PWD Smith recommends keeping the plant so we have two water sources.

CM Holland moved, seconded by CM Claridge to approve the contract with Alan Plummer & Associates in the amount of \$44,800.00. All voted "Aye".

13. DISCUSSION AND/OR ACTION ON ALLOWING FEATHER FLAG SIGNS AS SPECIAL PURPOSE SIGNAGE IN SECTION 3.12.037 "TEMPORARY SIGNS REQUIRING PERMIT" EXTENDING THE EXCEPTION TEMPORARILY DURING PANDEMIC IN PROMOTING LOCAL BUSINESSES.

A current business in the city would like the feather flags (temporary signage) time limit to be extended due to their business suffering during this pandemic. Currently the temporary signs are allowed only on new businesses for 21 days.

CM Claridge moved, seconded by Mayor Pro Tem Houk to allow all businesses to have out the feathered flags until March 15, 2021 to help promote their business. All voted "Aye".

14. CONSIDER APPROVAL OF INTERLOCAL AGREEMENTS FOR MUTUAL AND AUTOMATIC AID FIRE SERVICE WITH CITY OF WHITE SETTLEMENT.

White Settlement sent over a draft that was not acceptable. With our City Attorney's advice, the enclosed mutual aid agreement, which is the same as what we have with Lake Worth and Sansom Park, will be sent over to White Settlement since all agreements should be the same.

CM Claridge moved, seconded by CM Rodriguez to approve the interlocal agreement with the City of White Settlement. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

15. CONSIDER APPROVAL OF RESOLUTION #1035-2021 CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 1, 2021; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

CM Claridge moved, seconded by Mayor Pro Tem Houk to approve Resolution #1035-2021. All voted "Aye".

16. CONSIDER APPROVAL OF ORDINANCE #1299-2021 AMENDING SECTION 12.04.003 "SPECIAL SPEED ZONES" BY INCORPORATION SECTION 12.04.003 (e) "YALE STREET" DESIGNATING A SPECIAL SPEED ZONE OF 20 M.P.H. ON YALE STREET BEGINNING AT THE INTERSECTION OF YALE STREET AND RIVER OAKS BLVD. AND THEN NORTH OT THE INTERSECTION OF YALE STREET AND NOTRE DAME AVENUE.

Received a request from a citizen that Yale Street is very congested and to decrease the speed limit back down to 20 mph. This street years ago was a school zone but that got removed and increased the speed limit to 30 mph. Drivers use Yale Street as a cut thru to avoid the school zone on Roberts Cut Off. Roberts Cut Off can handle the traffic more than Yale Street. CM

Rodriguez whom lives on Yale agrees that there is a problem not only with congestion but with speeders also. The Police Department investigated and from 6:30 am to 8:00 am, there were 209 pass-thru drivers and issued were 4 citations for running a stop sign. From 4:00 pm to 6 pm, there were 343 pass-thru drivers and issued were 8 citations for running a stop sign. Council would like this whole street to be reduced to 20 mph and to have stop signs at all cross streets. This item will be brought back at the next meeting with an updated Ordinance.

17. CONSIDER APPROVAL OF ORDINANCE #1300-2021 AMENDING THE FY 2021 GENERAL FUND BUDGET FOR EXPANDING EXPENDITURES IN ACCOUNT #01-520-5274 "ROAD REPAIRS" AND INCREASING REVENUES IN ACCOUNT #01-4998 FOR COST REIMBURSEMENT FROM C.I.S.D. IN ORDER TO OVERLAY OHIO GARDEN (ROBERTS CUT OFF ROAD TO RIVER OAKS BLVD.), MERRITT (TULANE TO OHIO GARDEN ROAD), TULANE (MERRITT TO ROBERTS CUT OFF ROAD), BLACKSTONE (CHURCHILL TO FRONTIER) AND CITY SOLE FUNDING TO OVERLAY MERRITT (TULANE TO ALMENA), BYRD (ALMENA TO RIVER OAKS BLVD.) AND WOODLAWN (LONG TO HILLSIDE).

CISD has requested the city to consider overlaying the streets around Castleberry Elementary and on Blackstone in front of the stadium down to Churchill. The district budgeted up to 50% of the project. Submitted to Tarrant County Precinct 4 for those streets and other city streets with an estimated cost of \$325,687.24 of which \$139,312.44 would be reimbursed from CISD. We budgeted \$65,000.00 for street improvements but need to expand the budget \$260,687.24 of which \$139,312.44 would be reimbursed in revenues resulting in an impact to the overall general fund budget of \$121,374.80. Before construction starts, we will need to enter into an Interlocal Agreement with CISD.

CM Chisholm moved, seconded by CM Claridge to approve revised Ordinance #1300-2021. All voted "Aye".

18. CONSIDER APPROVAL OF ORDINANCE #1301-2021 AMENDING ARTICLE 4.06 "AMUSEMENT DEVICES"; REVISING SECTION 4.06.001 "DEFINITIONS" SPECIFICALLY FOR "AMUSEMENT MACHINE ESTABLISHMENT"; REVISING SECTION 4.06.004 "PERMIT REQUIRED" SUBSECTION (b); REVISING SECTION 4.06.005 "PERMIT FEES" IN SECTION 4.06.005(a); REVISING SECTION 4.06.006 "PERMIT APPLICATIONS" IN SECTION 4.06.006(a) PROVIDING A PERMIT APPLICATION ("EXHIBIT A") AND REVISING SECTION 4.06.007 "ISSUANCE OF PERMIT AND DECAL; NON-ASSIGNABILITY" SPECIFICALLY IN SECTION 4.06.007 (a).

Upon investigation by PC Spieldenner, it is his recommendation not to continue the current permitting requirements but to change the permitting requirements for an establishment with four or more devices per business location and a permit needs to be filed with the City Secretary.

Mayor Pro Tem Houk moved, seconded by CM Rodriguez to approve Ordinance #1301-2021. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

19. DISCUSSION AND/OR ACTION REGARDING UPDATES FROM THE CITY MANAGER ADVISING THE MAYOR AND CITY COUNCIL ON PERSONNEL, CITY'S FISCAL CONDITION,

PANDEMIC EXECUTIVE ORDERS, SCHEDULING COUNCIL WORK SESSIONS, FUTURE NEEDS OF THE CITY AND OTHER CITY MANAGER RECOMMENDATIONS.

Election sign ups start tomorrow and will continue thru February 12, 2021.

Police Department has hired two new Police Officers to fill vacancies.

Plans are to take a boundary adjustment before the Fort Worth City Council between Fort Worth and River Oaks for the property at 4800 White Settlement Road that was purchased by CISD for the property to be in River Oaks.

CM Gregory reported that he would like to start having a Pre-Meeting Work Session starting at 6:30 p.m. prior to the Regular Council Meeting at 7:00 p.m. to discuss items and presentations on the Regular Agenda and to include discussions on future planning items. No action will be taken during the work session.

20. DISCUSSION AND/OR ACTION ON ATTRACTING NEW BUSINESSES, ESTABLISHING PROTOCOLS AND DESIGNATING RESPONSIBLE CITY CONTACT PERSON AS PRESENTED BY COUNCIL MEMBER JOHN CLARIDGE.

Business that are in a bad area may want assistance on moving their business to River Oaks. Need one person to have an economic development toolbox to give assistance to new businesses.

CORRESPONDENCE:

21. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge & Mayor Pro Tem Houk-thanked all in attendance tonight.

CM Holland-vaccines are out.

FC Shelley-all the Fire Department Members have received their first vaccine.

CM Rodriguez-thanked all for welcoming her to the council

EXECUTIVE SESSION:

22. 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.

NONE

RECONVENE:

23. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

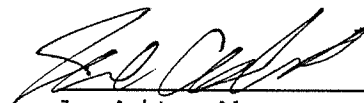
NONE

ADJOURN:

24. ADJOURN

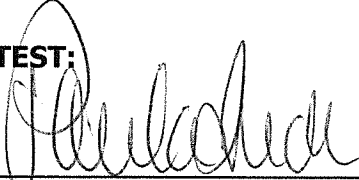
At 9:38 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary

**COUNCIL MEMBER AFFIDAVIT OF ABSTENTION FROM PARTICIPATION AND VOTING
DUE TO CONFLICT OF INTEREST**

Date: January 12, 2021

I, Darren Houk, do hereby affirm that I may have a conflict of interest pursuant to
(Member Name)

Item # 10 on the January 12, 2021 City Council Agenda as follows:

CONSIDER APPROVAL OF REQUEST BY DARREN HOUK TO RENT THE NON-CONFORMING OFF-
PREMISE SIGN ON PROPERTY OWNED AND OPERATED BY THE CITY OF RIVER OAKS LOCATED AT
920 ROBERTS CUT OFF.

BY: Darren Houk
(Name of Council/Board Member)

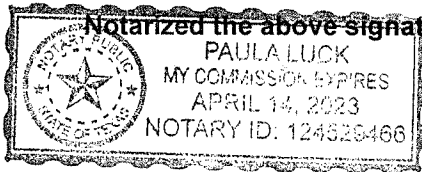
Place 3 City Council Member

Darren Houk
(Signature of Council/Board Member)

DATE: 1-12-21

TIME: 6:30pm

NOTARY SEAL:



Notarized the above signature of Darren Houk this the ^{12th} ~~13th~~ day of January 2021
(Council/Board Member)

Paula Luck
Notary Signature

FILED WITH THE CITY SECRETARY ON THIS ^{12th} ~~13th~~ DAY OF January 2021 AT 7 P.M.

Paula Luck
River Oaks City Secretary

