

**MINUTES OF THE SPECIAL MEETING
RIVER OAKS CITY COUNCIL
MARCH 23, 2020**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM JOE ASHTON
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER DARREN HOUK
COUNCIL MEMBER STEVE HOLLAND

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
POLICE CHIEF CHRIS SPIELDENNER
EMERGENCY MGT JAMES MYRICK
CITY ATTORNEY BRADLEY ANDERLEE
PWD GORDON SMITH

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Earwood called the Special Meeting of the River Oaks City Council to order at 12:00 noon on Monday, March 23, 2020 at the River Oaks Event Center, 5300 Blackstone Drive, River Oaks, Texas 76114.

2. INVOCATION

Mayor Pro Tem Ashton delivered the Invocation.

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

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

Mayor Earwood announced that this budget this year, the city financially will be fine. But at budget time next year, we will be seeing a financial impact. Reserve accounts are frozen and there will be only necessity purchases. Thinks it could take a minimum of three years to recover financially.

4. 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.

City Attorney Anderlee-government suspended Public Testimony; therefore it is not required. Requirements are still required and we will have to make it available for the public to call in if meetings are held.

Mayor Earwood-adopted everything that Tarrant County has adopted. We will follow the law.

CM Houk-recommends having a Resolution that we will follow Tarrant County instead of doing a separate Resolution for each change. Does not mind video conferencing or phone conferencing in order to have meetings.

Mayor Pro Tem Ashton-urges everyone to watch the Tarrant County Commissioners Court tomorrow to see how they are doing things. A lot of statutes are suspended but there are things we have to meet to be in compliance.

CM Gregory-right now a quorum is not necessary and is working on allowing the public to call in if they need to. There were two complaints submitted by email: 1) need to push absentee voting, and oppose of not having a quorum, wants three council to vote on items. 2) giving an unelected employee control is not acceptable.

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

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 MARCH 10, 2020 REGULAR COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR THE PERIOD ENDING MARCH 23, 2020 (FY 2020)

Mayor Pro Tem Ashton moved, seconded by Council Member Claridge to approve the Consent Agenda Items #A-B. All voted "Aye".

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

NONE

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

8. CONSIDER APPROVAL OF RESOLUTION #1012-2020 UNDER THE AUTHORITY OF THE GOVERNOR TO THE EXTENT NECESSARY TO ALLOW POLITICAL SUBDIVISIONS THAT WOULD OTHERWISE HOLD ELECTIONS ON MAY 2, 2020, TO MOVE THEIR GENERAL AND SPECIAL ELECTIONS FOR 2020 ONLY TO THE NEXT UNIFORM ELECTION DATE, OCCURRING ON NOVEMBER 3, 2020, WITHOUT OTHERWISE ADJUSTING THE TERM OF OFFICE.

Castleberry Independent School District voted this morning to postpone their election to November 3, 2020. The Tarrant County Election Administrator is very concerned because they probably will not be able to get employees to work the polls if held on May 2, 2020. If we decide to hold the election in May, it will have to be moved to the Event Center in order to provide social distancing. The Tarrant County Judge recommended postponing the May elections but the City Councils have to approve it. Some cities would like to get a proclamation

going to hold a July election. If we continue with the May election, the total cost of the election would be the city's responsibility. This virus is closer to the beginning than the end. The general population does not have discipline to follow the rules. If the May election continues, the candidates will be restricted on being able to go door to door and making personal contact.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve Resolution #1012-2020 and have staff pursue all opportunities to hold the election earlier if permitted. All voted "Aye".

9. CONSIDER APPROVAL OF RESOLUTION #1013-2020 CONSENTING AND EXTENDING THE DECLARATION OF LOCAL DISASTER AND ORDER OF THE MAYOR; IMPOSING A PENALTY FOR VIOLATION THEREOF.

The Mayor issued the first and second amendment which is the same as Tarrant County. This Resolution extends the disaster until May 2020. Texas Municipal League suggested each city do a separate Declaration. In order to receive funding, a local Declaration is required. The city's Declaration does not override Tarrant County's. We can lessen the time if things improve.

CM Claridge moved, seconded by CM Chisholm to approve Resolution #1013-2020 for an additional 90 days from today. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

10. DISCUSSION AND/OR ACTION PURSUANT TO SECTION 418.1102 OF THE GOVERNMENT CODE THAT ALLOWS THE CITY COUNCIL TO ADOPT A PLAN FOR THE CONTINUITY OF FUNCTIONS IF THE GOVERNOR OR PRESIDENT HAS DECLARED A DISASTER DELEGATING ANY ADMINISTRATIVE DUTY OF THE COUNCIL OR ANY OFFICIAL OR EMPLOYEE TO ANOTHER APPROPRIATE PERSON; ESTABLISHING ORDERS OF SUCCESSION FOR PERFORMING ESSENTIAL FUNCTIONS OF THE CITY; AND ESTABLISHING MEETING PROCEDURES FOR THE CITY COUNCIL.

This gives the City Manager under an emergency disaster to continue functioning on if the council cannot hold a meeting. This can be amended at any time. This only will go into action when a State disaster is declared.

CM Holland moved, seconded by Mayor Pro Tem Ashton to approve Resolution #1014-2020. CM Holland, CM Chisholm, CM Houk and Mayor Pro Tem Ashton voted "Aye". CM Claridge voted "Nay". Motion passed.

CORRESPONDENCE:

11. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

NONE

EXECUTIVE SESSION:

12. 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:

13. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

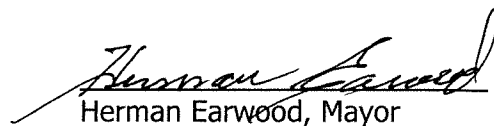
NONE

ADJOURN:


14. ADJOURN

At 1:04 p.m., CM Claridge moved, seconded by Mayor Pro Tem Ashton to adjourn the meeting. All voted "Aye".

APPROVED:


Herman Earwood, Mayor

ATTEST:


Paula Luck, City Secretary