

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
MARCH 9, 2021**

**MEMBERS PRESENT:**

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

**STAFF PRESENT:**

CITY MANAGER MARVIN GREGORY  
CITY SECRETARY PAULA LUCK  
PUBLIC WORKS DIRECTOR GORDON SMITH  
POLICE CHIEF CHRIS SPIELDENNER  
CITY ATTORNEY BETSY ELAM  
EMERGENCY MGT JAMES MYRICK  
FIRE CHIEF RUSSELL SHELLEY  
BUILDING INSPECTOR STEVE SANDERS  
EVENT CENTER DIRECTOR SHIRLEY WHEAT  
UTILITY BILLING COORDINATOR BLYTHE REAVES

**ABSENT:**

MAYOR ASHTON-EXCUSED

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Houk called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, March 9, 2021 at River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Claridge delivered the Invocation.

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

CM Claridge led the Pledges of Allegiance to the United States and the Texas Flags.

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

**NONE**

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.

Sandi Celusniak-appreciates hard work everyone did to get the water turned back on. Also appreciates the water that was handed out at the Fire Department.

Mayor Pro Tem Houk-Burgers Lake went above and beyond providing water to River Oaks Citizens.

CM Holland-thanked Castleberry Independent School District for handing out water.

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 FEBRUARY 9, 2021 REGULAR COUNCIL MEETING
- B. APPROVE MINUTES OF FEBRUARY 26, 2021 SPECIAL CALLED MEETING
- C. APPROVE BILLS PAYABLE FOR PERIOD ENDING MARCH 9, 2021 (FY 2021)
- D. APPROVE APPOINTMENT OF JILL WALKER AS ALTERNATE PARKS BOARD MEMBER AS RECOMMENDED BY MAYOR

**CM Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda items A-D. All voted "Aye".**

CM Gregory introduced Jill Walker as the new alternate Parks Board Member.

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

**NONE**

**PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:**

8. CITIZEN APPEARANCE OF GUADALUPE LOYOLA REQUESTING EXCEPTION TO SECTION 13.04.013 "SEWER SERVICE RATES" SETTING THE WINTER QUARTERLY AVERAGE FOR SEWER RATES.

Guadalupe Loyola was not present. Ms. Loyola has not lived there the full three months. Because she is new to the city, she gets city wide averaging. Said according to her past usage when she lived in Fort Worth, she did not use that much water and would like an exception. If the city passes this exception, other new customers will want the same exception.

**CM Chisholm moved, seconded by CM Rodriguez to deny the request of Guadalupe Loyola. All voted "Aye".**

9. DISCUSSION AND/OR ACTION TO ADOPT RESOLUTION #1044-2021 CONTINUING, AMENDING, RESCINDING OR SUPERSEDING PREVIOUS LOCAL DISASTER ORDERS REGARDING MASK MANDATES AS RESCINDED BY THE GOVERNOR OF THE CITY'S HEALTH AND SAFETY POLICY REGARDING MASK MANDATES.

Tarrant County Commissioners Court decided today to keep the mask and social distancing policy in county offices as is. The Governor made a ruling on individuals, but the county made a ruling on businesses. All we can do is make the decision for the city owned properties. It is recommended to keep the mask and social distancing policy in place on all city buildings. No

action taken.

10. CONSIDER APPROVAL OF ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH 2D PARTNERS L.P. AT 2621 JACKSBORO HIGHWAY AS RECOMMENDED BY THE ECONOMIC DEVELOPMENT CORPORATION ON FEBRUARY 8, 2021.

A red-line version was sent out to the council that was revised by the City Attorney. This does not require two readings, but the City Council does have to approve this. This is to help with permit fees and infrastructure.

**CM Holland moved, seconded by CM Claridge to approve the agreement with 2D Partners subject to the City Attorney adding the base value. All voted "Aye".**

11. CONSIDER APPROVAL OF RESOLUTION #1047-2021 AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2020-2021 FISCAL YEAR BUDGET AS QUALIFIED FOR A PROJECT MORE THAN \$10,000.00 FOR PERFORMANCE DEVELOPMENT AGREEMENT WITH CARLETON PROPERTIES, LTD %COLLIER ALBRIGHT AT 5300 RIVER OAKS BLVD. (FIRST READING)

Collier Albright was present. EDC approved the Development Agreement last night. This is for the opening of Grumps Burgers at the old Chicken Express building. Currently there are locations in Burleson, Cleburne, Granbury, Stephenville and Abilene. The next step is applying for a Specific Use Permit. This agreement is for parking lot improvements. Are in the process of purchasing the green space from Taco Bell for a parking lot. The agreement will start October 1, 2021.

**CM Chisholm moved, seconded by CM Claridge to approve Resolution #1047-2021. All voted "Aye".**

**ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:**

12. CONSIDER APPROVAL OF ORDINANCE #1305-2021 TRANSFERRING FUNDS FROM THE FY 2020-2021 GENERAL FUND PRIOR YEAR FUNDING TO FY 2020-2021 WATER FUND BUDGET DUE TO UNPLANNED EMERGENCY EXPENDITURES INVOLVING LABOR, WATER PURCHASES, EQUIPMENT AND REPAIR COSTS DUE TO THE RECENT WATER OUTAGE DURING THE WINTER STORM.

Applying for FEMA reimbursement is a long process. We have estimated \$246,000.00 in water purchases, overtime, and repairs. The City Auditor agrees that the best way to handle this is to transfer these funds from the General Fund over to Water Sewer until the FEMA reimbursement comes in.

**CM Claridge moved, seconded by CM Rodriguez to approve Ordinance #1305-2021. All voted "Aye".**

13. CONSIDER APPROVAL OF RESOLUTION #1045-2021 AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF SIX CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

This is approved every year.

**CM Chisholm moved, seconded by CM Claridge to approve Resolution #1045-2021. All voted "Aye".**

14. CONSIDER APPROVAL OF RESOLUTION #1046-2021 FOR OUTSIDE SPECIAL EVENT PERMITTING AS REQUESTED BY YOLIE RODRIGUEZ REQUESTING PERMISSION TO HOLD A POP-UP EVENT OUTSIDE AT THE RIVER OAKS EVENT CENTER.

This item is not needed.

15. CONSIDER APPROVAL OF ORDINANCE #1306-2021 AMENDING THE FY 2020-2021 GENERAL FUND BUDGET FOR THE EXPENDITURE OF PARK DOLLAR DONATIONS FOR PARK IMPROVEMENTS AT MCGEE PARK.

Park Board approved the expenditure of \$4,545.00 from \$1 donations to Allied Fence for a 58' wide x 12' high chain link fence by the basketball goals at McGee Park to keep the balls inside.

**CM Claridge moved, seconded by CM Chisholm to approve Ordinance #1306-2021. All voted "Aye".**

**OTHER ITEMS FOR DISCUSSION AND/OR ACTION:**

16. UPDATE: FROM TELECOM LAW FIRM, P.C. REGARDING THE EXPIRING TOWER LEASE AT CITY HALL.

American Tower has agreed to raise the monthly rent to \$1,697/month for a 35-year lease term and convert your escalator from every five years to every year. The City will receive 25% gross rents from any new carriers that American Tower manages to install into the tower/premises after the date the amendment is effective. American Tower will remain responsible for all maintenance to its tower, equipment and equipment shelter but will not be responsible for the maintenance of any radio equipment on the tower that belongs to the City. A relocation provision will be added to the lease amendment. American Tower will be asked to draft the lease amendment.

17. DISCUSSION AND/OR ACTION REGARDING UPDATES FROM THE CITY MANAGER ADVISING THE MAYOR AND THE CITY COUNCIL ON PERSONNEL, CITY'S FISCAL CONDITION, PANDEMIC EXECUTIVE ORDERS, SCHEDULING WORK SESSIONS, FUTURE NEEDS OF THE CITY AND OTHER CITY MANAGER RECOMMENDATIONS.

TIRZ-we received the signed agreement from Tarrant County; Boundary Adjustment-no new updates; Jesse Martinez-retirement lunch March 10, 2021 at 11:30 a.m. in the shop; citizen thank you letters are enclosed; Shenna property is up for sale and have showed the house a few times;

there have been a lot of calls on development; traffic count going on; Water Plant up and going; county moving in next week to star the road project with the city and CISD.

**STAFF REPORTS:**

18. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 5901 BLACK OAK LANE-in contact with owner on a weekly basis. Removing items at night and trying to relocate the vehicles.
- 1609 YALE ST-potable water. Made arrangements to get the water turned on and off of substandard.
- 636 SCHIEME-burn out.
- 5416 PURDUE-burn out.
- 1513 SKYLINE-need title search and will send out notifications.
- 5958 BLACK OAK-need title search and will send out notifications.
- 5862 BLACK OAK-need title search and will send out notifications.

**QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:**

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

20. **FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE AND FIRE TRAINING EXERCISES.

Fully staffed. During the winter storm our trucks had water in them, and Fort Worth trucks also had water in them. The Fire Marshal's office had tankers full of water if we needed them.

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

22. **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

23. **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

Thanked staff during the pandemic and winter storm.

24. **PARK BOARD ACTIVITY REPORT** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD

Trees were trimmed at JR Lone Star Park.

**25. EVENT CENTER ACTIVITY REPORT INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES**

April 15, 2021 at 6:30 p.m. is the candidate forum at the center.

**26. CITY SECRETARY ACTIVITY REPORT INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEXPOOL AND CRIME SALES TAX**

**27. EDC ACTIVITY REPORT INCLUDING FUNDED PROJECT UPDATES AND UPCOMING PROJECTS.**

Need departments to update their website and their pages for the shopper's guide.

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

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

Spring storms this weekend. The virus is always changing. The ones that have been vaccinated may need a booster vaccine. Mosquitos start the end of this month.

**CORRESPONDENCE:**

**30. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.**

CM Claridge-thanked all employees during winter storm and particularly thanked Marvin.

CM Holland-thanked all employees. Learned a lot from the winter storm situation and can learn more.

CM Rodriguez-thanked all employees pulling together and used resources that were available.

Mayor Pro Tem Houk-appreciate all who showed up tonight. Thanked all who said positive things during the winter storm.

**EXECUTIVE SESSION:**

**31. 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:**

32. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION


**NONE**

**ADJOURN:**

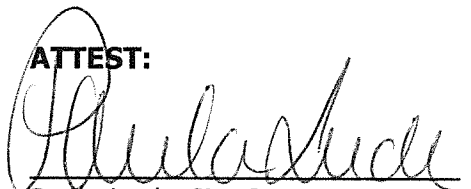
33. ADJOURN

**At 8:08 p.m., CM Claridge moved, seconded by CM Rodriguez to adjourn the meeting. All voted "Aye".**

**APPROVED:**

  
\_\_\_\_\_  
Darren Houk, Mayor Pro Tem

**ATTEST:**

  
\_\_\_\_\_  
Paula Luck, City Secretary