

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JUNE 23, 2020**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER DARREN HOUK

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
DEPUTY POLICE CHIEF CHUCK STEWART
BUILDING INSPECTOR STEVE SANDERS
EMERGENCY MGT JAMES MYRICK
CITY ATTORNEY BETSY ELAM

ABSENT:

MAYOR PRO TEM JOE ASHTON

1. CALL TO ORDER

With a quorum present, Mayor Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, June 23, 2020 at the 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. 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.

Megan Dolph with Maven's Moon was present. Wants to have 3-4 vendors in the driveway at 1111 Roberts Cut Off Road on Saturday June 27, 2020 from 5 p.m.-11 p.m. Council agreed to come in and see the City Secretary for the permit.

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 JUNE 9, 2020 REGULAR COUNCIL MEETING

- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING JUNE 23, 2020 (FY 2020)
- C. APPROVE ORDINANCE #1284-2020 AUTHORIZING THE MAYOR TO EXECUTE THE SALE OF APPROXIMATELY 0.1506 ACRES OUT OF 7.956 ACRES OF CITY OWNED LAND RECORDED IN VOLUME 2449, PAGE 439 D.R.T.C.T. TO ANDREW AND ELIZABETH FULD IN ORDER TO ADJUST THEIR PROPERTY'S BOUNDARY AT 1844 INSPIRATION LANE.
- D. RATIFY CITY MANAGER APPOINTMENT OF THE CITY SECRETARY AS THE CITY REPRESENTATIVE RESPONSIBLE TO UPDATE THE TARRANT APPRAISAL DISTRICT DATABASE WITH THE CITY'S TAX RATES.

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

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

NONE

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

8. CONSIDER APPROVAL OF RESOLUTION #1019-2020 FOR OUTSIDE SPECIAL EVENT PERMITTING IN ORDER TO HOLD A FARMER'S MARKET AS REQUESTED BY MEGAN DOLPH OF MAVEN MOON'S AT 1111 ROBERTS CUT OFF ROAD.

Megan Dolph withdrew this request.

9. CONSIDER APPROVAL OF CHANGE ORDER #2, PROJECT #TWDB CWSRF #73749 "SANITARY SEWER COLLECTION SYSTEM SSO OUTREACH INITIATIVE PROGRAM YEARS 2020, 2021 AND 2022" INVOLVING THE FINAL RECONCILIATION ADJUSTING THE FINAL CONTRACT QUANTITIES TO MATCH ACTUAL QUANTITIES.

Trevor Truss with E. S. & C. M. was present. Phase 2 Sewer is complete which consisted of 20,025 feet of pipe, 64 manholes, and 348 service connections. We have removed a section of sewer on Churchill from Barbara to Blackstone (Fort Worth is replacing this section) and one block section on Blackstone that was previously done. The change order totals \$236,730.75.

CM Claridge moved, seconded by CM Holland to approve change order #2 in the Sewer project. All voted "Aye".

10. CONSIDER APPROVAL OF RESOLUTION #1020-2020 CERTIFYING ACCEPTANCE OF THE PROJECT, "SANITARY SEWER COLLECTION SYSTEM PHASE II SSO OUTREACH INITIATIVE PROGRAM YEARS 2020, 2021 AND 2022" UNDER TEXAS WATER DEVELOPMENT CLEAN WATER STATE REVOLVING FUND, TWDB PROJECT #73749; AND PROVIDING AN EFFECTIVE DATE.

Trevor Truss with E. S. & C. M. was present. The contractor has presented the paperwork

and the final walk thru is scheduled for June 25, 2020 then the Water Development Board will finalize everything.

CM Claridge moved, seconded by CM Chisholm to approve Resolution #1020-2020 pending all documents are received to the city. All voted "Aye".

11. DISCUSSION AND/OR POSSIBLE ACTION CONCERNING FUNDING UNDER THE INTERLOCAL AGREEMENT WITH TARRANT COUNTY ASSOCIATED WITH THE IMPACT OF THE CORONAVIRUS (COVD-19) ON RIVER OAKS CITIZENS, BUSINESSES AND CITY GOVERNMENT OPERATION.

All expenses including payroll expenses up to June 15, 2020 has been submitted to Tarrant County. MedStar has received no funding from the CARES Act and the county told them to contact the individual cities. The Small Business Grant from the county is now available to receive applications. CM Chisholm went door to door to the businesses in River Oaks and handed out a flyer with more information.

CM Holland moved, seconded by CM Chisholm to support the paperwork submitted to the county.

12. CONSIDER APPROVAL OF THE DECLARATION OF LOCAL DISASTER AND ORDER OF THE MAYOR ISSUING LOCAL ORDERS IMPOSING FINES ON BUSINESSES FOR FAILURE TO REQUIRE EMPLOYEES AND CUSTOMERS TO WEAR MASKS, BUT MAY NOT ISSUE LOCAL ORDERS IMPOSING FINES ON INDIVIDUALS FOR NOT WEARING MASKS.

The Governor is leaving it up to the local governments to require wearing face coverings when going into businesses. Right now, Dallas County is the only one requiring face coverings.

All council agreed to deny River Oaks to require the wearing of face coverings into businesses.

13. CONSIDER APPROVAL OF ERCOT BYLAW CHANGES IN ORDER TO ACCOMMODATE REMOTE MEETINGS ARISING FROM THE COVID-19 PANDEMIC AND THE ELECTION OF TWO UNAFFILIATED DIRECTORS TO ERCOT'S BOARD OF DIRECTORS AND THE RE-ELECTION OF ANOTHER DIRECTOR IN ORDER TO SEAT A FULL BOARD.

According to Ercot's bylaws, each city must approve the changes.

CM Holland moved, seconded by CM Chisholm to approve the Ercot bylaw changes. All voted "Aye".

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

14. CONSIDER APPROVAL OF ORDINANCE #1285-2020 AMENDING THE 2019-2020 FISCAL YEAR BUDGET FOR THE PURCHASE OF A STREET SWEEPER PURCHASED UNDER THE TXVEMP CONTRACT #582-20-11665-VM.

We have received the new sweeper. We paid out the full amount and will get reimbursed

\$67,168.00. The garbage trucks will not be in until around November 2020. The city auditor wants the Ordinance written this way.

CM Claridge moved, seconded by CM Holland to approve Ordinance #1285-2020. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

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

- River Oaks have received 61% participation in the Census.
- The five-year audit comparison is enclosed.
- Police Chief Spieldenner is out of town.
- Sales tax statewide is down 50%.
- Started working on a zero-base budget for this year.

STAFF REPORTS:

16. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 928 LYDICK LANE-actively working.
- 1017 CHURCHILL-started working.
- 5217 BARBARA RD.-removed from substandard.
- 1605 YALE ST.-actively working.
- 1701 YALE ST.-actively working.
- 1620 WOODLAWN-should be finished soon.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

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

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

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

21. **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

22. **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

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

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

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

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

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

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

In the last 10 days, eight addresses in River Oaks are being watched. Last week was rough and it has been a rough start this week.

29. **CENSUS COMPLETE COUNT COMMITTEE REPORT** INCLUDING INFORMATION PROMOTING CENSUS AWARENESS IN THE COMMUNITY AND REFLECTING A TRUE SNAPSHOT OF COMMUNITY

CORRESPONDENCE:

30. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Holland-had DPC Stewart explain reports and accidents that are reported. Asked if we have experienced social arrests in River Oaks? DPC Stewart-no and feels we have support of the community and city council.

CM Claridge-asked about cars parked on the street. DPC Stewart-if this is about the social media posts, the registration has been expired for several months and it is obvious that this car has not been moved.

CM Houk-is the Naval Base having their fireworks? CM Chisholm-heard they have cancelled them.

CM Chisholm-this Saturday is the River Oaks fireworks starting about 9:30 pm-10:00 pm. Reminded everyone to put your pets up.

EXECUTIVE SESSION:

31. 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 compliant 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

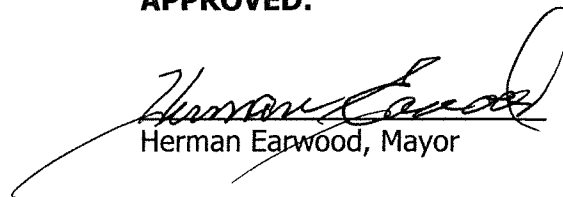
NONE

ADJOURN:

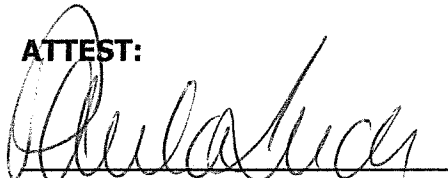
33. ADJOURN

At 7:55 p.m., CM Claridge moved, seconded by CM Chisholm to adjourn the meeting. All voted "Aye".

APPROVED:


Herman Earwood, Mayor

ATTEST:


Paula Luck, City Secretary