

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
SEPTEMBER 27, 2022**

**MEMBERS PRESENT:**

MAYOR PRO TEM DAN CHISHOLM  
COUNCIL MEMBER STEVE HOLLAND  
COUNCIL MEMBER LEIGH ANN TURNER  
COUNCIL MEMBER YOLIE RODRIGUEZ  
COUNCIL MEMBER LEIGH ANN TURNER

**STAFF PRESENT:**

CITY MANAGER MARVIN GREGORY  
CITY SECRETARY PAULA LUCK  
CITY ATTORNEY ANDREA RUSSELL  
PUBLIC WORKS DIRECTOR GORDON SMITH  
POLICE CHIEF CHUCK STEWART  
EMERGENCY MGT JAMES MYRICK  
EVENT CENTER DIRECTOR SHIRLEY BLOOMFIELD  
UTILITY BILLING COORDINATOR BLYTHE REAVES

**ABSENT:**

MAYOR JOE ASHTON  
COUNCIL MEMBER JOHN CLARIDGE

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Chisholm called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, September 27, 2022 at River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Rodriguez delivered the Invocation.

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

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

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

-NATIONAL NIGHT OUT

PC Stewart-the city and the school Police Department are partnering together to host this years National Night Out at the elementary school on Ohio Garden from 6:00 p.m. to 8:00 p.m. Hot dogs, hamburgers and drinks will be served.

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 SEPTEMBER 13, 2022 REGULAR CALLED COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 27, 2022 (FY 2022)

**CM Holland moved, seconded by CM Rodriguez 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**

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

8. CONSIDER REQUEST BY ALMA L. MARTINEZ FOR A WATER BILL ADJUSTMENT OR EXTENDED PAYMENT ARRANGEMENT FOR THE WATER ACCOUNT AT 4850 THURSTON ROAD.

Alma Martinez was present. Blythe Reaves mentioned that according to the credit rating system on Incode, Alma does not qualify for a payment adjustment. She has never been shut off but has been late. She paid a plumber to fix the leak.

**CM Holland moved, seconded by Mayor Pro Tem Chisholm to waive the credit history and to follow the procedure for the leak adjustment. All voted "Aye".**

9. CONSIDER REQUEST BY JOSE M. CERVANTES FOR CREDIT ADJUSTMENT ON WATER BILL FOR THE WATER ACCOUNT AT 5132 ALMENA ROAD.

Jose Cervantes was present. There was a water leak at the meter on his side and on the city side caused by connectors on both sides. The connectors have been replaced. Normally a connector is the city's responsibility and will not fall under the leak policy. CM Gregory will have his bill adjusted.

10. CONSIDER APPROVAL OF ENGINEERING SERVICES AGREEMENT WITH PLUMMER AND ASSOCIATES TO PERFORM A STRUCTURAL EVALUATION OF THE CLEARWELL ROOF CONDITION AT THE WATER TREATMENT PLANT DUE TO THE CORROSION OBSERVED IN THE PRECAST CONCRETE ROOF MEMBERS IN AN EFFORT TO DETERMINE IF THE ROOF CAN BE REPAIRED INSTEAD OF TOTALLY REPLACED.

The roof structure at the clearwell ground storage water tank needs to be evaluated. The purpose of the evaluation is to determine if minor structural modifications can be made to the roof to extend its service live instead of replacing the roof completely. The total cost for this evaluation is \$40,000.00 which is part of the Tax Note.

**CM Holland moved, seconded by Mayor Pro Tem Chisholm to approve the agreement with Plummer and Associates. All voted "Aye".**

11. CONSIDER APPROVAL TO MOVE OIL & GAS ROYALTIES FROM ASSIGNED TO UNASSIGNED FUNDS ON THE BALANCE SHEET FOR GOVERNMENTAL FUNDS BEGINNING WITH THE 2021-2022 AUDIT.

The debt rating is currently an A+. No monies in the oil and gas royalties have been spent since 2018. The auditor recommended this being moved from a restricted account to an unassigned account.

**CM Holland moved, seconded by CM Rodriguez to approve moving the oil and gas royalties from assigned to unassigned funds. All voted "Aye".**

12. DISCUSSION AND/OR ACTION ON THE CITY HOLDING A CHRISTMAS PARADE THIS YEAR.

Brent Forester presented a flyer to the council. The Christmas parade will be on Saturday, December 10<sup>th</sup> at 6:00 p.m. The tree lighting will follow at City Hall. There is no registration fee but asking people to bring an unopened toy to donate to Toys for Tots. The parade will start at the elementary school and have the same route as the Spring Fest and end at the elementary school. At City Hall, there will be three food trucks, Santa and Mrs. Clause, and the Grinch. Will be handing out hot chocolate. This is a joint effort with Parks, EDC and the City. There will be a tall tree outside of City Hall. The City will have to build a metal bracket to hold the tree in place. This year, asking EDC and the Park Board to donate funds. Trying to get some of the items needed donated.

**CM Holland moved, seconded by CM Turner to approve December 10<sup>th</sup> as the official date for the Christmas Parade and tree lighting at City Hall and the group will need to elect a leader. All voted "Aye".**

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

13. CONSIDER APPROVAL OF RESOLUTION #1089-2022 AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2022-2023 FISCAL YEAR BUDGET AS QUALIFIED FOR PROJECTS MORE THAN \$10,000.00; AND PROVIDING AN EFFECTIVE DATE (SECOND READING).

**CM Holland moved, seconded by CM Rodriguez to approve the second reading of Resolution #1089-2022. All voted "Aye".**

14. CONSIDER APPROVAL OF RESOLUTION #1090-2022 REVIEWING AND ADOPTING THE OFFICIAL INVESTMENT STRATEGY AND INVESTMENT POLICY IN ACCORDANCE WITH PUBLIC FUNDS INVESTMENT ACT (CHAPTER 2256 OF THE TEXAS GOVERNMENT CODE) OF THE CITY OF RIVER OAKS; REVISING THE INVESTMENT POLICY IN ACCORDANCE TO THE PUBLIC FUNDS INVESTMENT ACT.

**Mayor Pro Tem Chisholm moved, seconded by CM Holland to approve Resolution #1090-2022. All voted "Aye".**

15. CONSIDER APPROVAL OF RESOLUTION #1091-2022 FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY.

**Mayor Pro Tem Chisholm moved, seconded by CM Holland to approve Resolution #1091-2022. All voted "Aye".**

16. CONSIDER APPROVAL OF RESOLUTION #1092-2022 APPROVING SUBMISSION OF THE GRANT APPLICATION FOR THE SH-BULLET-RESISTANT SHIELD GRANT PROGRAM GRANT APPLICATION NUMBER 4656801 TO THE OFFICE OF THE GOVERNOR.

The grant has been submitted. This grant is for six full shields which costs about \$45,000.00 which will be fully funded by this grant. Currently the department has one shield that is a half shield.

**CM Holland moved, seconded by Mayor Pro Tem Chisholm to approve Resolution #1092-2022. All voted "Aye".**

**WORK SESSIONS & ACTION FROM WORK SESSIONS:**

17. WORK SESSION: FUTURE BUILDING IMPROVEMENT PLANS, PROPERTY DEVELOPMENT, FINANCIAL CONDITIONS, REAL ESTATE, REQUEST FOR PROPOSAL AND ECONOMIC DEVELOPMENT WITHIN THE CITY.

At 8:03 p.m., Mayor Pro Tem Chisholm went into Executive Session under Sections 551.071 & 551.072.

At 8:22 p.m., Mayor Pro Tem Chisholm reconvened back into Regular Session.

18. ACTION FROM WORK SESSION, IF ANY.

**CM Holland moved, seconded by CM Rodriguez to approve authorizing city staff to go out for competitive bids for the sale of city property at 5300 Blackstone Drive. All voted "Aye".**

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

19. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 636 SCHIEME-substandard fee paid and pulled permits.
- 1513 SKYLINE-no change.
- 1114 HARVARD-cleaning up property.
- 5016 ALMENA-no change. Heir has been found.
- 1909 YALE-cleaning up property, active permits.
- 4844 HARTFORD-pictures taken and has contacted with owner.
- 5309 CAHILL OVAL-burn out. Permits pulled and actively working.
- 1011 ROBERTS CUT OFF-burn out. Permits pulled and actively working.

- 1513 ROBERTS CUT OFF-rear garage apt. Owner has fire report.
- 940 CODY COURT (APT 6-13)-no permits pulled, no other contact with owner.

20. 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.

Personnel-3 vacancies in Police, 3 vacancies in Public Works and 1 vacancy in Code.

Tower Lease-about to bring back to council.

Tax Note-rec'd Rescue Act funds. Closed on the 1.755-million-dollar tax note and the funds have been wired into the new bank account.

New Business Hours-new hours will start tomorrow. Monday-Thursday 7:30 a.m. to 5:30 p.m. and Friday's 7:30 a.m. to 11:30 a.m.

General Storm Water Permit Authorization-applied to TCEQ for a new authorization number.

CISD Homecoming Events-Parade is October 6<sup>th</sup> at 6:00 p.m. with burning of the letters at 7:00 p.m. Alumni Pep Rally is October 7<sup>th</sup> at 3:00 p.m. and the Football game is at 7:30 p.m.

Black Oak Development-building permits will be pulled this week for four homes.

National Night Out-Tuesday, October 4<sup>th</sup> from 6:00-8:00 p.m. at Castleberry Elementary School.

Fire Department-most of the demo is done.

Shirley Bloomfield-asking why we are selling the most valuable property the city owns? CM Gregory and City Council-the city has been talking about this for at least ten years. Having a full time Fire Department has been a huge expense. The plan is to pay off the city debt of the large vehicles that we financed if we sell this property. The plan is to have the center at the Baylor property.

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

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

CM Holland-911 calls are lower than calls for service. PC Stewart-the calls for service includes traffic stops.

CS Stewart-a helicopter was reported circling around this area for about an hour. The helicopter was taking pictures of all the jets coming into NASJRB from Florida.

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

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

24. **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

25. **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

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

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

CM Holland-there was a long rental on the report, and we collected very little money. Shirley Bloomfield-it was an employee rental. Staff-he was no longer employed at the time of the rental so should have been charged the full rental fee.

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

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

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

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

**CORRESPONDENCE:**

32. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Rodriguez-sons car blew up in front of her house and almost died. Captain Stockton told her years ago that everyone needs a landline to call 911. The call that night which was made from a cell phone was re-routed several times thru 911. Excited about the Christmas Parade.

Mayor Pro Tem Chisholm-visited with Heider Garcia who is over Tarrant County Elections. If a city election is held in November, it would cost the city \$80.00 instead of thousands of dollars. CM Gregory-the election is adopted by the City Charter and the state is not thrilled about change.

**EXECUTIVE SESSION:**

33. 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.

This item was done under Item #17.

**RECONVENE:**

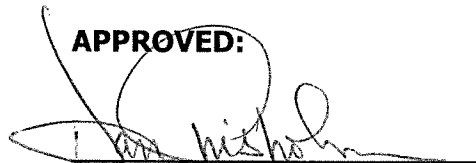
34. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

This item was done under Item #18.


**ADJOURN:**

35. ADJOURN

**At 8:58 p.m., Mayor Pro Tem Chisholm moved, seconded by CM Holland to adjourn the meeting. All voted "Aye".**

**APPROVED:**  
  
Dan Chisholm, Mayor Pro Tem

**ATTEST:**

  
Paula Luck, City Secretary