

**MINUTES OF THE SPECIAL CALLED MEETING
RIVER OAKS CITY COUNCIL
JANUARY 29, 2019**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM HOLLAND
COUNCIL MEMBER JOE ASHTON
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER DARREN HOUK

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
ASSISTANT CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
CITY ATTORNEY BETSY ELAM
EMERGENCY MGT JAMES MYRICK

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 6:30 p.m. on Tuesday, January 29, 2019 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Houk delivered the Invocation.

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

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

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

4. CONSIDER APPROVAL OF REQUEST BY ERIN CABLE CONSTRUCTION REQUESTING APPROVAL OF RIGHT-OF-WAY PERMIT TO INSTALL PRIVATE FIBER OPTIC LINE IN THE CITY RIGHT-OF-WAY.

Erin Cable Construction first said they were a private franchise; therefore, requiring a fee paid to the city. But later found out they are a certificated telecommunications provider; therefore, no fee is required to the city but will be required to go by our ordinance. Some lines will be aerial & some will be in ground. The city will receive quarterly franchise fees.

No action needed.

5. CONSIDER APPROVAL OF ORDINANCE #1218-2019 CALLING FOR A SPECIAL ELECTION AMENDING THE CITY CHARTER TO BE HELD ON MAY 4, 2019; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

Proposition A-This will allow appointment if a council position vacates within under 12 months of an election by either calling a special election within 120 days or appointing someone to fill

the vacated position by council appointment. If a Mayor vacancy occurs, the Mayor Pro Tem will act as Interim Mayor until a successor is qualified pursuant to Subsection B.

Proposition B-This will change from a Mayor-Council form of government to a Council-City Manager form of government. Revising duties and powers of the Mayor, adding a section about Interference in Administrative Matters, and revising to provide for the qualifications, compensation, term, removal and duties of the city manager, city secretary, department heads and city attorney. The City Manager will be the head administrator and in charge of all departments. Removing "superintendent" and "coordinator" as the head of a department and revising the wording of "the head of each department shall be a chief and a director".

Proposition C-defining a quorum as three Council Members, not counting the Mayor. Mayor can break a tie vote.

Proposition D-removing prohibiting an employee from becoming a candidate as it is contrary to state law.

Mayor Pro Tem Holland moved, seconded by CM Butler to approve Ordinance #1218-2019 with changes discussed. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

6. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON THE 45TH YEAR (FY 2019) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

At 7:34 pm, Mayor Earwood opened the Public Hearing.

This is the 45th year CDBG project for 1400-1500 blocks of Byrd. Questionnaires were passed out to the residence in attendance of this hearing and the number one concern is streets. The first block of Byrd (4400-4600) is going out for bids on February 8, 2019 for the curb and guttering that will be paid out of storm water funds and the county will pave the road after that. That leaves the 1400-1500 blocks of Byrd which is recommended for the 45th year CDBG project. All of the utilities have been done on Byrd. Estimated the project to cost \$186,932.50 and with a city pledge of \$42,000 along with \$145,000 in funding that would make available \$187,000 for the project. There is a possibility that the CDBG funds may come in at \$165,000 making a city commitment of \$20,000. City staff is recommending a city match of \$42,000 in order to complete the entire Byrd Street section. Normally, we pledge \$30,000 but we have enough in Storm Water to cover the additional cost of the pledge. The budget will have to be amended.

At 7:44 pm, Mayor Earwood closed the Public Hearing.

7. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF RESOLUTION #954-2019 AUTHORIZING THE CITY SECRETARY TO SUBMIT THE 45TH YEAR CDBG PROJECT SUBMITTAL FOR THE CITY OF RIVER OAKS TO TARRANT COUNTY COMMUNITY DEVELOPMENT.

CM Ashton moved, seconded by CM Chisholm to approve Resolution #954-2019. All voted "Aye".

PUBLIC FORUM:

8. CITY COUNCIL INVITES CITIZENS TO SPEAK ON ANY TOPIC; 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 THE ISSUE. **NO COUNCIL DELIBERATION IS PERMITTED**

PWD Smith-the Roberts Cut Off transition went well. There were some issues but they were resolved. The firemen monument is being reinforced (the flower bed part) and will be finished by February 15th. Banners will be taken down this week weather permitting.

Mayor Pro Tem Holland-thanked City Attorney Betsy Elam and CS Gregory for their hard work on the charter amendments. Remember the firemen who passed away on February 15th 20 years ago.

CM Ashton-father & daughter dance and mother & son dance at Camp Carter on February 16, 2019.

EMC Myrick-concrete is down for the bike trail in Sansom Park. Completion date is on track for the end of the year.

EXECUTIVE SESSION:

9. 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 compliant or charge against an Officer or Employee.
- d. Section 551.076 Deliberation regarding security devices.

NONE

RECONVENE:

10. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

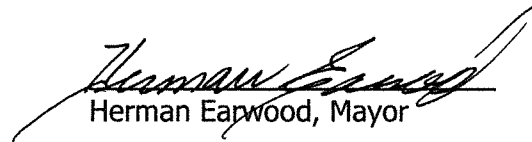
NONE

ADJOURN:


11. ADJOURN

At 7:55 p.m. Mayor Pro Tem Holland moved, seconded by CM Ashton, to adjourn the meeting. All voted "Aye".

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary