



4900 River Oaks Boulevard  River Oaks, Texas  76114

Mayor
Herman D. Earwood
Mayor Pro Tem
JoAnn Gordon

City Council
Place 1
JoAnn Butler
Place 2
Steve Holland

Place 3
Joe Crews
Place 4
R. R. "Bob" Minter

City Secretary
Marvin Gregory

Fire Chief
Ron Short

Police Chief
Dan Chisholm

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NOTICE TO THE PUBLIC

A REGULAR MEETING OF THE RIVER OAKS CITY COUNCIL IS SCHEDULED IN THE RIVER OAKS CITY COUNCIL CHAMBERS, 4900 RIVER OAKS BLVD. ON TUESDAY

SEPTEMBER 27, 2011
7:00 PM

I certify that the above notice of meeting was posted on the bulletin board outside the River Oaks City Hall, 4900 River Oaks Blvd., a place that is accessible to the general public at all times, and that said notice was posted on **Friday, September 23, 2011 at 3:30 P.M.**



MARVIN GREGORY, CITY SECRETARY

AGENDA

1. CALL TO ORDER
2. INVOCATION
3. PLEDGE OF ALLEGIANCE TO UNITED STATES FLAG AND THE TEXAS FLAG

"HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE"

4. READING OF PROCLAMATION(S) BY MAYOR:

- **National Night Out**

5. **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.

- A. MINUTES OF REGULAR COUNCIL MEETING SEPTEMBER 13, 2011
- B. BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 27, 2011
- C. CONSIDER APPROVAL OF MAYOR'S RECOMMENDATION FOR THE HIRING OF KRISTINA ASHTON AS CUSTOMER SERVICE CLERK 2
- D. CONSIDER APPROVAL OF MAYOR'S RECOMMENDATION TO PROMOTE CORINA MOLINAR AS UTILITY BILLING CLERK
- E. CONSIDER APPROVAL OF RESIGNATION OF PAUL MCALLISTER AS THE CITY'S CODE ENFORCEMENT OFFICER

6. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION:** COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION.

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

7. CITIZEN COMPLAINT OF RAYMOND DAVILLA REGARDING STAFF NOT ALLOWING YARD SALE EXCEPTIONS
8. CITIZEN APPEARANCE OF CHRIS MCLELLAN AT 5412 THOMAS REQUESTING A VARIANCE OF THE STAGE 2 "WATER ALERT" SECTION 13.07.038(b)(G) THAT PROHIBITS THE FILLING OF NEW SWIMMING POOLS.
9. PRESENTATION OF ENGAGEMENT LETTER AND CONSIDERATION OF CONTRACTING WITH C.R. PARR AND ASSOCIATES FOR FINANCIAL COMPILATION SERVICES FOR AUDIT PREPARATION OF THE CITY'S 2010-2011 FISCAL YEAR FINANCIALS.
10. PRESENTATION OF ENGAGEMENT LETTER AND CONSIDERATION OF CONTRACTING WITH WILLIAM C. SPORE P.C. FOR AUDIT OF THE CITY'S 2010-2011 FISCAL YEAR FINANCIALS.
11. CONSIDER APPROVAL TO AMEND THE AUGUST 12, 2011 30-DAY REPAIR ORDER OF THE BUILDING BOARD OF APPEAL ON THE SUBSTANDARD PROPERTY AT 5406 DARTMOUTH THAT THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S).
12. CONSIDER APPROVAL TO RENEW THE CITY'S MEMBERSHIP WITH TARRANT REGIONAL TRANSPORTATION COALITION.
13. CONSIDER APPROVAL OF JOB DESCRIPTION FOR PUBLIC WORKS DIRECTOR.
14. CONSIDER APPROVAL OF EMPLOYMENT CONTRACTS FOR COMMUNITY CENTER CO-DIRECTORS.
15. CONSIDER APPROVAL OF EMPLOYMENT AGREEMENT FOR FULL-TIME, NON-EXEMPT EMPLOYEES OF THE CITY THAT QUALIFY FOR CERTIFICATION PAY
16. DISCUSSION AND/OR ACTION ON EXPENDING FUNDS OUT OF GAS ROYALTIES TO REPLACE THE ROOF AT THE CITY HALL COMPLEX.
17. CONSIDER APPROVAL OF CITY HOLIDAY SCHEDULE AND SET THE DATE FOR THE ANNUAL EMPLOYEE'S CHRISTMAS BANQUET

ORDINANCES / RESOLUTIONS AND OTHER ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

18. CONSIDER APPROVAL OF **ORDINANCE # 903-2011** AMENDING ARTICLE 13.07 "WATER CONSERVATION AND DROUGHT CONTINGENCY PLANS" BY REPEALING THE FORMER PROVISIONS AND INCORPORATING REVISED PROVISIONS IN DIVISION 2 AND DIVISION 3 OF THAT ARTICLE.

19. CONSIDER APPROVAL OF **ORDINANCE # 904-2011** AMENDING ARTICLE 13.04 "SEWER SYSTEM", SECTION 13.04.013 "SEWER SERVICE RATES", OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED, ADOPTING AN UPDATED SEWER RATE SCHEDULE.
20. CONSIDER APPROVAL OF **RESOLUTION NO. 709-2011** AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE OCTOBER 1, 2011 THRU SEPTEMBER 30, 2012 OPERATING BUDGET AS QUALIFIED FOR PROJECTS MORE THAN \$10,000.00 (SECOND READING)
21. CONSIDER APPROVAL OF **RESOLUTION NO. 711-2011** ADOPTING A POLICY ON COMPUTING ETHICS.
22. CONSIDER APPROVAL OF **RESOLUTION # 712-2011** WAIVING PERMIT FEES FOR WORK PERFORMED UNDER THE HABITAT FOR HUMANITY.

STAFF REPORT:

23. **STAFF REPORT ON SUBSTANDARD PROPERTIES UNDER COUNCIL ORDER:**

- 4833 OHIO GARDEN RD.
- 1129 ST. EDWARDS
- 1716 LAWTHOR
- 5406 DARTMOUTH
- 5314 ½ AMHERST
- 1205 CHURCHILL

24. **REPORT ON SUBSTANDARD PROPERTIES UNDER ORDER OF BUILDING OFFICIAL:**

- 5311 CORNELL
- 4821 ALMENA
- 1712 LAWTHOR
- 5414 BAYLOR
- 720 WINTERS
- 4904 LAWTHOR
- 1629 HILLSIDE
- 1409 LAWRENCE

QUESTIONS RELATED TO STAFF REPORTS INCLUDING:

25. **POLICE DEPARTMENT MONTHLY ACTIVITY REPORT** INCLUDING PATROL ACTIVITY, RESPONSE CALLS, NUMBER OF CRIMINAL INVESTIGATION CASES, WARRANTS ISSUED AND ANIMAL CONTROL CALLS FOR SERVICE INCLUDING CITATIONS ISSUED.

26. **FIRE DEPARTMENT MONTHLY ACTIVITY REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE.

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

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

29. **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.

30. **PUBLIC WORKS MONTHLY 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.

31. **PARK BOARD MONTHLY ACTIVITY REPORTS** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD.

32. **COMMUNITY CENTER ACTIVITY REPORTS** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES.

33. **CITY SECRETARY MONTHLY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEX POOL AND CRIME SALES TAX.

34. **EDC MONTHLY ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES, UPCOMING PROJECTS AND BIG IMPROVEMENT GRANT APPLICATIONS.

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

PUBLIC FORUM:

36. 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**

EXECUTIVE SESSION:

37. 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: **Litigation on substandard property at 4833 Ohio Garden Rd.**
- 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. **Department Head Evaluations (Police Chief Dan Chisholm, Fire Chief Ron Short, Public Works Director James Hatley, Librarian Mary Earwood and City Secretary Marvin Gregory)**
- d. Section 551.076 Deliberation regarding security devices

RECONVENE:

38. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

ADJOURN:

39. ADJOURN

This facility is wheelchair accessible and accessible parking spaces are available in front of City Hall. Please contact City Hall at 817-626-5421 if you have any questions or additional needs.