

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
OCTOBER 12, 2021**

MEMBERS PRESENT:

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

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHRIS SPIELDENNER
EMERGENCY MGT JAMES MYRICK
CITY ATTORNEY BETSY ELAM
FIRE CHIEF RUSSELL SHELLEY

ABSENT:

MAYOR JOE ASHTON

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 7:02 p.m. on Tuesday, September 14, 2021 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Chisholm delivered the Invocation.

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

CM Chisholm 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.

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 28, 2021 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 30, 2021 (FY 2021)
- C. APPROVE BILLS PAYABLE FOR PERIOD ENDING OCTOBER 12, 2021 (FY2022)
- D. RATIFY BILINGUAL CERTIFICATION PAY AGREEMENT WITH KASSANDRA GARCIA
- E. RATIFY APPROVAL OF THE MUTUAL AID AGREEMENT WITH TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. ONE FOR EMERGENCY SERVICES THROUGH RIVER OAKS FIRE DEPARTMENT INCLUDING FIRE PROTECTION, FIRE RESCUE AND FIRST RESPONSE OUTSIDE THE BOUNDARIES OF THE CITY

CM Claridge moved, seconded by CM Chisholm to approve the Consent Agenda Items #A-E. 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. DISCUSSION AND/OR ACTION ON THE RECOMMENDED BUDGET FOR EXPENDITURES UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 THAT ESTABLISHED THE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS.

After attending the TML Annual Conference, we can only calculate revenue losses at 4.1%. The budget presented includes WTP repairs. For the Fire Department renovations, NCTCOG has a grant that we can apply for and it's a 50% city matching fund grant. If we apply and get this grant, we can not use another federal source of funding to fund the 50% city part. This budget includes cleaning the ducts at the city complex which will be done this Saturday. It also includes the broadband internet upgrade, replace the virtual system in the council chambers, Long Avenue sewer line replacement, roof replacement over the city complex, server room at City Hall, HVAC replacement, the shop restroom, the first responder pay, and a 10% contingency funds for other projects.

The deadline to apply for the NCTCOG grant for the Fire Department is November 1, 2021. The Certificate of Obligation Bond does qualify to cover the 50% city part for the Fire Department renovations. \$1.9 million of the Certificate of Obligation Bond was for moving the council chambers over to the annex building but council prefers to fix the streets.

The Police Department needs an animal shelter and would like the pay rates to increase rather than doing any renovations at the Police Department.

Council agreed to go ahead with the first responder pay, duct cleaning and \$250,000 towards the WTP for immediate repairs.

CM Claridge moved, seconded by CM Chisholm to approve the budget for the Rescue Act and to move forward with the first responder pay, duct cleaning and \$250,000 towards the WTP for immediate repairs. All voted "Aye".

9. DISCUSSION AND/OR ACTION REGARDING THE 5-YEAR GENERAL FUND REVENUE & EXPENDITURE PLAN AS PRESENTED BY THE CITY MANAGER.

This 5-year plan is based on property tax increases, permit increases, and the Police and Fire Department step plan increases.

No action needed.

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

10. CONSIDER APPROVAL OF RESOLUTION #1064-2021 NOMINATING CANDIDATES TO THE TARRANT APPRAISAL DISTRICT BOARD OF DIRECTORS.

Gary Losada and Daniel Bennett were present. Mayor Ashton recommends re-electing Gary Losada who is currently on the Board of Directors. This year 5 votes are counted for River Oaks. Since Mr. Losada has been on the board, there have been a lot of changes.

CM Claridge moved, seconded by CM Rodriguez to approve Resolution #1064-2021 nominating Gary Losada. All voted "Aye".

11. CONSIDER APPROVAL OF ORDINANCE #1328-2021 AMENDING ARTICLE 3.12, "SIGNS" OF THE CITY OF RIVER OAKS CODE OF ORDINANCES BY REVISING SECTION 3.12.138, "MURAL SIGNS" SPECIFICALLY IN SECTION 3.12.138(e) "TEXT & SYMBOLS" AND BY INCORPORATING SECTION 3.12.138 (i) "EXCEPTIONS" ESTABLISHING REQUIREMENTS FOR PERMITTING MURAL SIGNS ON BUILDINGS LOCATED WITHIN THE CITY LIMITS.

There is a new business coming to River Oaks who wants to put "Welcome to River Oaks" on the side of the building. The city can make exceptions for murals that promote River Oaks and not their business.

CM Claridge moved, seconded by CM Chisholm to approve Ordinance #1328-2021 with removing #5 and replacing it with allowing murals that promote the City of River Oaks and Castleberry ISD and keeping the text and symbols at 20%. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

12. DISCUSSION AND/OR ACTION ON SUBSTANDARD PROPERTY AT 5901 BLACK OAK LANE.

Current photos of the property were passed around. The buildings have been demolished and all debris have been removed. Four citations were issued and will have to go thru the court system.

13. DISCUSSION AND/OR ACTION ON APPROVING A POLICY TO REQUIRE SCREENING, TESTING AND RETURN TO WORK GUIDELINES WHEN THERE IS A HIGH NUMBER OF POSITIVE COVID-19 CASES IN THE WORKPLACE.

This policy was created by the City Attorney. The employee will get paid under the quarantine policy if they test positive. If an employee refuse to get tested from a direct order, disciplinary action can be taken on the employee. We can put a cap on the number of hours for Public Works and City Hall employees but not Fire Department and Police Department employees. If an employee refuses a temperature check, the city can order a COVID test on that employee.

CM Claridge moved, seconded by CM Rodriguez to approve the policy as presented. All voted "Aye".

14. 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.

City Hall employee Ana Juarez will be taken off all tubes tomorrow and see what happens.

Holiday schedule-enclosed.

Roberts Cut Off Road-county has begun the first phase of the project.

HA5 Road Preservation-no decision has been made.

CORRESPONDENCE:

15. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-asked about having a Special Meeting. CM Gregory, we will schedule a workshop for Tuesday if all agrees.

CM Holland-asked about the Roberts Cut Off and River Oaks Blvd intersection in the stamped concrete area where that water pipe was replaced by a contractor and regular concrete was used and doesn't match what is there. CM Gregory-our inspector allowed it to be replaced with regular concrete, but we can try and stain it ourselves to get it to match.

CM Rodriguez-Yales Street situation is horrible. The roads are the number one concern from the citizens.

CM Chisholm-RCC meeting next Monday at 1:30 in Lake Worth. There will be a briefing on the plane that went down.

CM Holland-asked about the status of Grumps and the new subdivision. CM Gregory said that Grumps is actively working, and the new subdivision is working with the engineer and is ready to sign the 380-agreement.

CS Luck-Red Ribbon breakfast next Thursday at 8:30 a.m.

EXECUTIVE SESSION:

16. 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:

17. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

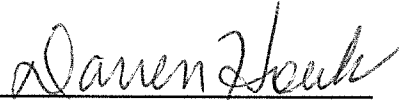
NONE

ADJOURN:

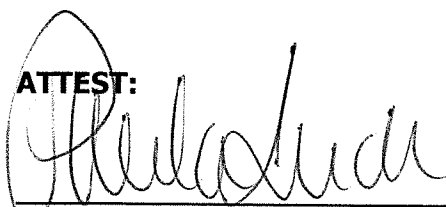
18. ADJOURN

At 9:39 p.m., Mayor Pro Tem Houk adjourned the meeting. All voted "Aye".

APPROVED:


Darren Houk, Mayor Pro Tem

ATTEST:


Paula Luck, City Secretary