

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JULY 27, 2021**

MEMBERS PRESENT:

MAYOR JOE ASHTON
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER YOLIE RODRIGUEZ

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHRIS SPIELDENNER
CITY ATTORNEY BEN GIBBS
EMERGENCY MGT JAMES MYRICK
EVENT CENTER DIRECTOR SHIRLEY WHEAT
BUILDING INSPECTOR STEVE SANDERS

ABSENT:

MAYOR PRO TEM DARREN HOUK-excused

1. CALL TO ORDER

With a quorum present, Mayor Ashton called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, July 27, 2021 at River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Holland delivered the Invocation.

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

CM Holland 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 JULY 13, 2021 SPECIAL CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING JULY 27, 2021 (FY 2021)
- C. APPROVE EDC QUARTERLY REPORT (APRIL 1-JUNE 30, 2021)
- D. APPROVE CCPD QUARTERLY REPORT (APRIL 1-JUNE 30, 2021)
- E. APPROVE STORM WATER FUND QUARTERLY REPORT (APRIL 1-JUNE 30, 2021)
- F. APPROVE 3RD QUARTER INVESTMENT REPORT (APRIL 1-JUNE 30, 2021)

CM Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda items A-F. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 APPROVAL OF ORDINANCE #1319-2021 ABANDONING 417 SQUARE FEET OF THE PUBLIC RIGHT-OF-WAY IN THE REAR OF THE PROPERTY AT 4710 RIVER OAKS BLVD. TO BE PURCHASED FROM THE CITY BY JOLLY DREAMS CORPORATION IN ORDER TO LOCATE A NEW CONVENIENCE STORE WITHIN 17-FEET OF THE REAR PROPERTY LINE, REPEALING ORDINANCE #1312-2021 ADOPTED MAY 11, 2021.

Jolly Walia was present. The previous request was Ordinance #1312-2021 for 342 square feet. Mr. Walia wants to include an additional 25 square feet so that puts it now at 417 square feet. The city will be paid \$5,421.00. After council approves this Ordinance, working with TXDOT is next.

CM Claridge moved, seconded by CM Chisholm to approve Ordinance #1319-2021. All voted "Aye".

9. CONSIDER APPROVAL OF REVISED ENCROACHMENT AGREEMENT BETWEEN THE CITY OF RIVER OAKS AND JOLLY DREAMS CORPORATION GRANTING PERMISSION TO ENCROACH UPON, USE AND OCCUPY A PORTION OF THE CITY'S RIGHT-OF-WAY PROPERTY LOCATED IN THE REAR OF THE PROPERTY AT 4710 RIVER OAKS BLVD. FOR THE PURPOSE OF PROVIDING A PAVED ACCESS ROAD TO ACCOMMODATE THE CONVENIENCE STORE TO BE LOCATED THERE.

The only thing that has changed is the additional 25 square feet.

CM Chisholm moved, seconded by CM Claridge to approve the revised encroachment agreement. All voted "Aye".

10. CONSIDER APPROVAL ALLOWING THE CASTLEBERRY HIGH SCHOOL FOOTBALL TEAM TO HOLD MIDNIGHT FOOTBALL PRACTICES ON AUGUST 5TH & 6TH.

The practice will be on August 5th a little before midnight to 2:00 a.m. on August 6th. The players can not wear pads until August 6th. There will be no horns, just whistles and this will be open to the public.

CM Claridge moved, seconded by CM Rodriguez to approve holding midnight football practice on August 5th & 6th. All voted "Aye".

11. DISCUSSION AND/OR ACTION ON RECOMMENDATIONS TO REPLACE THE EXISTING STREET SIGNS WITHIN THE CITY.

Samples and designs of the street signs were presented to the council. There are a total of 146 street signs in River Oaks. Would like to start with the streets off River Oaks Blvd and Roberts Cut Off. The cost should be about \$7,000.00 which we can do a 7-year program.

CM Holland moved, seconded by CM Claridge to purse this program with staff recommendation and move forward with the first design. All voted "Aye".

12. DISCUSSION AND/OR ACTION ON APPLYING HA5 HIGH DENSITY MINERAL BOND TO THE NEW ASPHALT PAVEMENT ON THE STREETS RECENTLY COMPLETED IN THIS YEAR'S STREET IMPROVEMENT PROJECT WITH TARRANT COUNTY.

The original presentation for this was in March 2019. Since then, the process has been seen in person at another city. The school is planning on participating on some streets that affect the schools. This product will extend the life of the streets by 12 years.

CM Holland moved, seconded by CM Claridge to move forward with the HA5 High Density Mineral Bond product and to contact the school regarding participation on some streets. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

13. CONSIDER APPROVAL OF ORDINANCE #1320-2021 FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH OCSC; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES.

CM Chisholm moved, seconded by CM Rodriguez to approve Ordinance #1320-2021 pending on the City Attorney's final approval. All voted "Aye".

STAFF REPORTS:

14. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 5901 BLACK OAK LANE-slowly working, cars are still there.
- 636 SCHIEME-no change.
- 5416 PURDUE-actively working.
- 1513 SKYLINE-actively working.
- 5958 BLACK OAK-actively working.
- 5862 BLACK OAK-property sold.

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

15. 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-two vacancies in Public Works.

Code Red-over 1,000 have signed up.

Landfill Contract-will present a contract with Waste Connections in August.

Tower Lease-the redlined version is enclosed.

Budget & Tax Rate Schedule-schedule enclosed.

There will be a Public Hearing on August 3rd for the tax rate and a rezoning change.

Dr. Ramos has resigned, and Renee Faulkner is the acting Superintendent.

There is a school rally on August 4th.

On August 3rd, City of Fort Worth council should approve the boundary adjustment on White Settlement Road.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

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

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

19. **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

20. **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

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

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

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

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

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

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

CORRESPONDENCE:

27. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Chisholm-will be stuffing the new teachers bags this Thursday at 6:30 p.m. Bank of America in River Oaks is permanently closing on November 2nd.

EXECUTIVE SESSION:

28. 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:

29. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

NONE

ADJOURN:

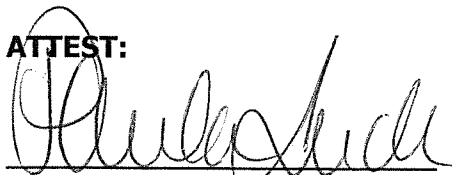
30. ADJOURN

At 8:01 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:


Joe Ashton, Mayor

ATTEST:


Paula Luck, City Secretary