



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

Phone
(817) 626-5421

Fax
(817) 624-2154

Website
www.riveroakstx.com

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

NOVEMBER 22, 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 **Thursday, November 17, 2011 at 9:15 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:

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 NOVEMBER 8, 2011
- B. BILLS PAYABLE FOR PERIOD ENDING NOVEMBER 22, 2011 (FY 2012 BUDGET)
- C. APPROVAL OF MAYOR'S RECOMMENDATION TO APPOINT MIKE ARNOLD AS THE CODE ENFORCEMENT MEMBER TO THE STORM WATER TASK FORCE.
- D. APPROVAL OF POLICE CHIEF'S RECOMMENDATION FOR THE HIRING OF RHONDA RIPPLE AS FULL TIME DISPATCHER

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION:** COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION.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. CONSIDER APPROVAL OF AWARDING THE CONTRACT AS BID ON NOVEMBER 10, 2011 UNDER PROJECT NUMBER 023-006 FOR REHABILITATION OF BACKWASH HOLDING PONDS AND RECIRCULATION FACILITIES AT THE RIVER OAKS WATER TREATMENT PLANT.
8. DISCUSSION AND/OR ACTION OF CODE ENFORCEMENT PROCEDURES INCLUDING UPDATE OF COMPLETED AND/OR ON-GOING INSPECTIONS OR INVESTIGATIONS AS PRESENTED BY MIKE ARNOLD, CODE ENFORCEMENT OFFICER.
9. DISCUSSION AND/OR ACTION ON CREATING A CULTURAL FACILITIES FINANCE CORPORATION.
10. DISCUSSION AND/OR ACTION ON THE NORTHWEST EMERGENCY RESPONSE TEAM CONSTITUTION, A TEXAS NON-PROFIT CORPORATION ORGANIZED TO PROVIDE MUTUAL AID FIRE AND EMERGENCY SERVICES.
11. RATIFICATION OF MAYOR'S EXECUTION OF THE TRANSACTION CONFIRMATION FOR ELECTRIC SUPPLY FROM TXU ENERGY.
12. DISCUSSION AND/OR ACTION ON PROTOCOL FOR COUNCIL MEETING AGENDAS AS PRESENTED BY MAYOR HERMAN EARWOOD.

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

13. **PUBLIC HEARING:** SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **1409 LAWRENCE RD.**
14. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **1409 LAWRENCE RD.** THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLOING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONS IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.
15. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE **SITE PLAN PROPOSAL** IN COMPLIANCE WITH SEC. 25 "SITE PLAN REQUIRED" OF THE CITY'S ZONING ORDINANCE AS REQUESTED FOR BY VEGA FAMILY TRUST IN ORDER TO OPERATE A RECYCLING FACILITY AT 715 ISBELL RD. LEGALLY DESCRIBED AS BEING BLOCK 3, LOT 15; WEATHERFORD RW S/D LOCATED IN AN "I" INDUSTRIAL ZONING DISTRICT. (ZONING CASE # SP2011-0002)
16. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE PROPOSED **SITE PLAN PROPOSAL** IN COMPLIANCE WITH SEC. 25 "SITE PLAN REQUIRED" OF THE CITY'S ZONING ORDINANCE AS REQUESTED FOR BY VEGA FAMILY TRUST IN ORDER TO OPERATE A RECYCLING FACILITY AT 715 ISBELL LEGALLY DESCRIBED AS BEING BLOCK 3, LOT 15; WEATHERFORD RW S/D LOCATED IN AN "I" INDUSTRIAL ZONING DISTRICT (*ZONING CASE # SP2011-0002*).

17. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE **SITE PLAN PROPOSAL** IN COMPLIANCE WITH SEC. 25 "SITE PLAN REQUIRED" OF THE CITY'S ZONING ORDINANCE AS REQUESTED FOR BY **Q-TEL D/B/A KINGDOM ICE** IN ORDER TO CONSTRUCT A NEW 225 SQUARE FOOT ICE HOUSE SETBACK 25-FEET FROM THE FRONT AND SIDE YARD PROPERTY LINES ON THE PROPERTY AT **4817 RIVER OAKS BLVD.** DESCRIBED AS BEING BLOCK 25, LOT A; RIVER OAKS ADDITION LOCATED IN AN "C-2" COMMERCIAL ZONING DISTRICT. (ZONING CASE # SP2011-0003)

18. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE PROPOSED **SITE PLAN PROPOSAL** IN COMPLIANCE WITH SEC. 25 "SITE PLAN REQUIRED" OF THE CITY'S ZONING ORDINANCE AS REQUESTED FOR BY **Q-TEL D/B/A KINGDOM ICE** IN ORDER TO CONSTRUCT A NEW 225 SQUARE FOOT ICE HOUSE SETBACK 25-FEET FROM THE FRONT AND SIDE YARD PROPERTY LINES ON THE PROPERTY AT **4817 RIVER OAKS BLVD.** DESCRIBED AS BEING BLOCK 25, LOT A; RIVER OAKS ADDITION LOCATED IN AN "C-2" COMMERCIAL ZONING DISTRICT. (ZONING CASE # SP2011-0003)

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

19. CONSIDER APPROVAL OF **RESOLUTION # 718-2011** AMENDING RESOLUTION 632-08, EXHIBIT A, CIRCULATION POLICY, POLICY STATEMENT 4 "TEX SHARE CARDS".

20. CONSIDER APPROVAL OF **ORDINANCE # 909-2011** AMENDING THE EDC FY 2011-2012 BUDGET BY EXPANDING FUNDS FOR A PROJECT RELATED TO RECREATIONAL OR COMMUNITY FACILITIES SUITABLE FOR BUILDING IMPROVEMENTS AND COMMUNITY CENTER IMPROVEMENTS AS QUALIFIED FOR THE PROMOTION OF NEW OR EXPANDED BUSINESS PURSUANT TO THE LOCAL GOVERNMENT CODE TITLE 12 "PLANNING AND DEVELOPMENT", CHAPTER 505 "TYPE B CORPORATIONS".

STAFF REPORT:

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

- 1129 ST. EDWARDS
- 5314 ½ AMHERST
- 1205 CHURCHILL

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

- 1712 LAWTHOR
- 5414 BAYLOR
- 720 WINTERS
- 1629 HILLSIDE
- 4824 SHERWOOD

- 4825 ALMENA

23. SUBSTANDARD PROPERTIES RELEASED:

- 5406 DARTMOUTH
- 1716 LAWTHOR
- 4833 OHIO GARDEN

24. PUBLIC WORKS DIRECTOR HATLEY REGARDING PLANS FOR A RECYCLING PROGRAM

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.
- 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.