



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

DECEMBER 13, 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, December 8, 2011 at 4:00 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 22, 2011
 - B. BILLS PAYABLE FOR PERIOD ENDING DECEMBER 13, 2011
 - C. APPROVAL OF POLICE CHIEF'S RECOMMENDATION FOR POLICE DEPARTMENT PROMOTIONS DUE TO OPEN POSITION FOR PATROL SERGEANT.
 - D. APPROVAL OF THE RETIREMENT OF LINDA CLARIDGE AS THE POLICE ADMINISTRATOR OF THE RIVER OAKS POLICE DEPARTMENT.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION:** COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION.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 **RESOLUTION # 719-2011** PERMITTING AN OUTSIDE SPECIAL GRAND OPENING EVENT ON THE PROPERTY AT 1109 ROBERTS CUT OFF AS REQUESTED BY NANCY SARRIERA D/B/A HELPING HANDS TAX SERVICE.
8. PASTOR DOUG MARTIN AT 1200 ROBERTS CUT OFF RD. REQUESTING CODE CLARIFICATION OF ARTICLE 3.12 "SIGNS" UNDER SECTION 3.12.082 "COPY".
9. CONSIDER APPROVAL OF CONTRACT WITH ALLIED COMPLIANCE SERVICES FOR THE CITY'S DRUG & ALCOHOL TESTING PROGRAM.
10. CONSIDER APPROVAL OF THE METHOD OF NOTICE AND APPLICATIONS FOR ZONING PUBLIC HEARING NOTICE PURSUANT TO SECTION 25 OF THE CITY'S COMPREHENSIVE ZONING ORDINANCE AND SECTION 211.007 LOCAL GOVERNMENT CODE AS ADOPTED AND AS AMENDED.
11. UPDATE ON FIRE MERGER AS PRESENTED BY MAYOR PRO-TEM GORDON AND COUNCILMAN STEVE HOLLAND.
12. CONSIDER APPROVAL OF PLUMBING CODE OFFICIAL'S DETERMINATION PURSUANT TO SECTION 105.1 "MODIFICATIONS" OF THE 2003 INTERNATIONAL PLUMBING CODE AS ADOPTED TO MODIFY THE NUMBER OF PLUMBING FIXTURES IN TABLE 403.1 FOR A-5 OCCUPANCY APPLICABLE TO THE PROPOSED RENOVATION OF W.O. BARNES STADIUM BY THE CASTLEBERRY INDEPENDENT SCHOOL DISTRICT.
13. CONSIDER APPROVAL TO INTERCONNECT THE CITY HALL, FIRE DEPARTMENT AND POLICE DEPARTMENT TO THE CITY'S MAIN COMPUTER SERVER.
14. CONSIDER APPROVAL TO CONTRACT WITH CARDIAC SCIENCE TO INSTALL AED DEVICES IN THE CITY HALL, LIBRARY, POLICE DEPARTMENT AND COMMUNITY CENTER.

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

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 **KEITH STEELE** IN ORDER TO CONVERT AN OPEN CARPORT TYPE ACCESSORY STRUCTURE LOCATED ON THE PROPERTY INTO AN ENCLOSED GARAGE THAT MEETS "C-2" COMMERCIAL DEVELOPMENT REQUIREMENTS AS LOCATED ON THE PROPERTY **AT 5177 RIVER OAKS BLVD., LEGALLY DESCRIBED AS BEING BLOCK 30, LOT 5R2; FOREST ACRES ADDITION 2ND FILING** LOCATED IN AN "C-2" COMMERCIAL ZONING DISTRICT. (ZONING CASE # SP2011-0004).
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 **KEITH STEELE** IN ORDER TO CONVERT AN OPEN CARPORT

TYPE ACCESSORY STRUCTURE LOCATED ON THE PROPERTY INTO AN ENCLOSED GARAGE THAT MEETS "C-2" COMMERCIAL DEVELOPMENT REQUIREMENTS AS LOCATED ON THE PROPERTY **AT 5177 RIVER OAKS BLVD., LEGALLY DESCRIBED AS BEING BLOCK 30, LOT 5R2; FOREST ACRES ADDITION 2ND FILING** LOCATED IN AN "C-2" COMMERCIAL ZONING DISTRICT. (ZONING CASE # SP2011-0004).

17. **PUBLIC HEARING:** IN ORDER TO RECEIVE TESTIMONY AND COMMENTS FROM THE PUBLIC REGARDING **FINAL PLAT APPROVAL** CONTINGENT TO THE BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITY OF RIVER OAKS AND THE CITY OF FORT WORTH BEING 5.671 ACRES OF LAND LOCATED IN LOT 1, BLOCK 2, A. COZART ADDITION, AN ADDITION TO THE CITIES\OF RIVER OAKS AND FORT WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 7300, PLAT RECORDS, TARRANT COUNTY, TEXAS (EXHIBIT "A AND B" TO THE BOUNDARY ADJUSTMENT AGREEMENT DATED OCTOBER 25, 2011).(CASE # **PZ2011-16**).

18. **ACTION FROM PUBLIC HEARING:** CONSIDER **FINAL PLAT APPROVAL** CONTINGENT TO THE BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITY OF RIVER OAKS AND THE CITY OF FORT WORTH BEING *5.671 ACRES OF LAND LOCATED IN LOT 1, BLOCK 2, A. COZART ADDITION, AN ADDITION TO THE CITIES\OF RIVER OAKS AND FORT WORTH, TARRANT COUNTY, TEXAS,* ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 7300, PLAT RECORDS, TARRANT COUNTY, TEXAS (EXHIBIT "A AND B" TO THE BOUNDARY ADJUSTMENT AGREEMENT DATED OCTOBER 25, 2011). (**ZONING CASE # PZ2011-16**).

19. **PUBLIC HEARING:** IN ORDER TO RECEIVE TESTIMONY AND COMMENTS FROM THE PUBLIC REGARDING THE *PROPOSED AMENDMENT TO THE COMPREHENSIVE ZONING ORDINANCE 883-2011 TO ESTABLISH THE "CF" COMMUNITY FACILITY ZONING CLASSIFICATION OF PROPERTIES* BEING 5.671 ACRES OF LAND LOCATED IN LOT 1, BLOCK 2, A. COZART ADDITION, AN ADDITION TO THE CITIES\OF RIVER OAKS AND FORT WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 7300, PLAT RECORDS, TARRANT COUNTY, TEXAS ALONG WITH THE JOINT ORDINANCE AGREEMENT BETWEEN BOTH CITIES INCLUSIVE WITH EXHIBIT "A" AND EXHIBIT "B" AS ATTACHMENTS TO THE FORT WORTH AND RIVER OAKS JOINT ORDINANCE AS IS ALSO RECORDED IN THE DEED RECORDS, TARRANT COUNTY, TEXAS AS INSTRUMENT # D211269047 ON NOVEMBER 4, 2011 AS FORT WORTH CITY ORDINANCE NO. 19951-10-2011 AND AS RIVER OAKS CITY ORDINANCE NO. 906-2011 CONSTITUTING THE BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITY OF RIVER OAKS AND THE CITY OF FORT WORTH DATED OCTOBER 25, 2011. (**ZONING CASE # PZ2011-18**).

20. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF **ORDINANCE # 910-2011** AMENDING ORDINANCE NO. 883-2011, TO ESTABLISH THE "CF" COMMUNITY FACILITY ZONING CLASSIFICATION OF PROPERTIES BEING 5.671 ACRES OF LAND LOCATED IN LOT 1, BLOCK 2, A. COZART ADDITION, AN ADDITION TO THE CITIES\OF RIVER OAKS AND FORT WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 7300, PLAT RECORDS, TARRANT COUNTY, TEXAS ALONG WITH THE JOINT ORDINANCE AGREEMENT BETWEEN BOTH CITIES INCLUSIVE WITH EXHIBIT "A" AND EXHIBIT "B" AS ATTACHMENTS TO THE FORT WORTH AND RIVER OAKS JOINT ORDINANCE AS IS ALSO RECORDED IN THE DEED RECORDS, TARRANT COUNTY, TEXAS AS INSTRUMENT # D211269047 ON NOVEMBER 4, 2011 AS FORT WORTH CITY ORDINANCE NO. 19951-10-2011 AND AS RIVER OAKS CITY ORDINANCE NO. 906-2011 CONSTITUTING THE BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITY OF RIVER OAKS AND THE CITY OF FORT WORTH DATED OCTOBER 25, 2011. (**ZONING CASE # PZ2011-18**).

21. **PUBLIC HEARING CONTINUED FROM NOVEMBER 22, 2011:** 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**).

22. **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**).

23. **PUBLIC HEARING:** SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **4525 ALMENA RD.**

24. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **4525 ALMENA 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.

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

25. CONSIDER APPROVAL OF **RESOLUTION # 720-2011** AUTHORIZING CHEATHAM AND ASSOCIATES ENGINEERING TO RECOMMEND TO TARRANT COUNTY THE ACCEPTANCE OF PM CONSTRUCTION & REHAB, LLC AS THE LOW BIDDER FOR THE 37TH YEAR CDBG PROJECT.

26. CONSIDER APPROVAL OF **ORDINANCE # 911-2011** AMENDING ARTICLE 13.09, DIVISION 2, "REGULATIONS GOVERNING INDUSTRIAL WASTEWATERS" OF THE CODE OF ORDINANCES (2006) AS ADOPTED AND AS AMENDED.

STAFF REPORT:

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

- 1129 ST. EDWARDS
- 5314 ½ AMHERST
- 1205 CHURCHILL
- 1409 LAWRENCE

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

- 1712 LAWTHOR
- 5414 BAYLOR
- 720 WINTERS

- 1629 HILLSIDE
- 4824 SHERWOOD
- 4525 ALMENA

29. **NOTICE OF INTENT TO SUBSTANDARD:**

- 5519 NOTRE DAME
- 1616 LAURA (VACANT)
- 4608 ALMENA

QUESTIONS RELATED TO STAFF REPORTS INCLUDING:

30. **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.

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

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

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

34. **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.

35. **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.

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

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

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

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

40. **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:

41. 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:

42. 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

RECONVENE:

43. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

ADJOURN:

44. 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.