

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
MARCH 26, 2013**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM JOE CREWS
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER JOE ASHTON
COUNCIL MEMBER JOANN GORDON

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
POLICE CHIEF AVIN CARTER
INTERIM FIRE CHIEF CHRIS HAWKINS
BUILDING INSPECTOR STEVE SANDERS
PUBLIC WORKS SHOP FOREMAN KELLEY HOOPER
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT
EMERGENCY MANAGEMENT COORDINATOR JAMES MYRICK
PUBLIC WORKS DIRECTOR JAMES HATLEY
CODE COMPLIANCE OFFICER JOHN PAUL JONES
SECRETARY SUSAN STEWART
CITY ATTORNEY STEVE WOODS (FOR BETSY ELAM)

1. CALL TO ORDER

With a quorum present, Mayor Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, March 26, 2013 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

PWD Hatley delivered the Invocation.

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

CM Ashton led the pledges of allegiance to the United States and the Texas Flags.

4. READING OF PROCLAMATION(S) BY MAYOR:

Mayor Earwood read a proclamation declaring March 17-23, 2013 as Poison Prevention Week.

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 FEBRUARY 26, 2013

B. MINUTES OF COMMUNITY FORUM FEBRUARY 28, 2013

C. BILLS PAYABLE FOR PERIOD ENDING MARCH 12, 2013

D. BILLS PAYABLE FOR PERIOD ENDING MARCH 26, 2013

E. RATIFY RESIGNATION OF **DARRELL BRACKEEN** AS THE ANIMAL CONTROL OFFICER

F. RATIFY RESIGNATION OF **MICHAEL GONZALES** AS PATROL OFFICER IN THE POLICE DEPARTMENT

G. RATIFY TRANSFER OF **JAMES KING** FROM BUILDING MAINTENANCE IN THE PUBLIC WORKS DEPT. TO ANIMAL CONTROL OFFICER IN POLICE DEPARTMENT

H. RATIFY HIRING OF **TIMOTHY WHITLEY** AS PATROL OFFICER IN POLICE DEPARTMENT

I. RATIFY HIRING OF **WILLIAM PETTY** AS PATROL OFFICER IN POLICE DEPARTMENT

J. APPROVAL OF THE REVISED RULES AND PROCEDURES OF THE ZONING BOARD OF ADJUSTMENTS

Agenda item I was removed from the consent agenda and no action was taken on this item.

CM Butler moved, seconded by CM Gordon, to approve consent agenda items A, B, C, D, E, F, and G, H, remove item I and approve item J. All voted "Aye."

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 ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION: COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION

None.

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

7. CONSIDER APPROVAL OF **RESOLUTION 761-2013** PERMITTING AN OUTSIDE SPECIAL EVENT AT 5512 RIVER OAKS BLVD. (GENESIS JUJITSU) AS REQUESTED FOR BY ALBERT HUGHES

No representative. No discussion occurred.

No action was taken.

8. CONSIDER APPROVAL TO INSTALL HARDIBOARD SIDING IN A RESIDENTIAL ZONING DISTRICT AT 1813 ROBERTS CUT OFF RD. AS REQUESTED BY JESUS BANDA

Jesus Banda, owner of the property at 1813 Roberts Cut Off, requested to install horizontal hardiboard on his residence.

Council Members requested this topic be presented to the City Council on a future agenda for consideration to remove the restriction for City Council approval.

CM Butler moved, seconded by Mayor Pro Tem Crews, to approve horizontal hardiboard at 1813 Roberts Cut Off as requested by Mr. Banda. All voted "Aye."

9. CONSIDER APPROVAL TO INSTALL HARDIBOARD SIDING IN A RESIDENTIAL ZONING DISTRICT AT 610 HARRISDALE AVE AS REQUESTED BY SANDRA CONTRERAS

No representative. No discussion occurred.

Mayor Pro Tem Crews moved, seconded by CM Gordon, to approve horizontal hardiboard at 610 Harrisdale. All voted "Aye."

10. CONSIDER APPROVAL OF THE AWARDING OF CONTRACT FOR WATER LINE IMPROVEMENTS FOR MEANDERING ROAD AND YALE STREET AS BID ON MARCH 8, 2013

CS Gregory presented the lowest bid for the water line improvement on Meandering and Yale at \$424,015. It was previously projected that this project would cost \$290,000.

Keith Hamilton, E.S.&C.M. representative, explained that the engineering firm originally anticipated the workload for the season to still be in a decline and therefore the cost to be more reasonable.

CM Gordon moved, seconded by CM Butler, to award the contract for water line improvements for Meandering Road and Yale Street as bid on March 8, 2013 in the amount of \$424,015 to Canary Construction contingent to satisfactory reference checks for the contractor and attorney review of the contract. All voted "Aye."

11. CONSIDER APPROVAL OF CHANGE ORDER ON THE WATER LINE IMPROVEMENTS FOR MEANDERING ROAD AND YALE STREET

No discussion.

No action was taken.

12. DISCUSSION AND/OR ACTION ON STAFF RECOMMENDATION TO STORM WATER TASK FORCE FOR PROFESSIONAL ENGINEERING SERVICES REGARDING DRAINAGE STUDY ON INSPIRATION LANE

[CM Gordon left the dais and abstained from discussion and action on this agenda item.]

CS Gregory stated that improvements to the drainage systems on Inspiration Lane were not included in the Storm Water Management Plan. CS Gregory reported that this area would be considered by the Storm Water Task Force in the future and a recommendation presented accordingly.

[CM Gordon returned to the dais.]

No action was taken.

13. REQUEST OF BARB CRAFT, LEVEL 1 DIABETES INSTRUCTOR, TO PROVIDE FREE COOKING CLASSES TO APPROVED EMPLOYEES IN EXCHANGE FOR A RATE REDUCTION

Barb Craft presented the opportunity for a city employee to participate in a free cooking class in exchange for an equivalent rate reduction at the Community Center.

Council Members expressed concern over spending tax dollars for the benefit of an employee.

No action was taken.

14. CONSIDER APPROVAL OF AN OUTDOOR RENTAL AT THE COMMUNITY CENTER FOR A FUND RAISING EVENT AS REQUESTED BY PETER WINCHESTER

No representative.

No action was taken.

15. CONSIDER APPROVAL OF AN OUTDOOR RENTAL AT THE COMMUNITY CENTER AS REQUESTED BY KRISTAL RAMOS

No representative.

No action was taken.

16. CONSIDER APPROVAL TO AMEND THE DECEMBER 11, 2012 SUBSTANDARD BUILDING ORDER ON THE PROPERTY AT 620 WORTHVIEW DR.

Boyd Beavers, representative for the property owner at 620 Worthview, requested an additional 90 days to complete the repairs on the substandard property.

Building Inspector Sanders reported significant progress on the property, supporting 90 days for repair.

CM Butler moved, seconded by CM Gordon, to amend the substandard building order at 620 Worthview allowing an additional 90 days. All voted "Aye."

17. CONSIDER ADDITIONAL COUNCIL ACTION REGARDING THE PURCHASE OF A USED 2002 FREIGHTLINER GARBAGE TRUCK WITH 25-YARD LEACH PACKER APPROVED AT THE FEBRUARY 26TH COUNCIL MEETING

Kelley Hooper explained that the actual purchase price of the used garbage truck is \$27,000, not \$25,000 as previously approved. After further negotiations with Equipment Southwest they agreed to a \$2,000 additional trade-in on the city's old Ford garbage truck dropping the actual total price down to \$25,000 as was approved by Council. Furthermore, Kelley Hooper estimates that with the \$2,000 trade in value, all the repair work and parts the dealer expended on the truck, the city ended up getting about \$8,500 for the old Ford Garbage Truck when you consider the city was going to have to make those same repairs from the money received for the old Ford.

The only other repair item not addressed was the tires that he initially reported would have to be changed out to be road ready, but upon further inspection he found that he only needed to replace two of the rear tires and since he had those tires in stock he would be able to avoid the cost of purchasing them keeping the actual cost to purchase the truck at \$25,000.

No action was taken.

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

18. PUBLIC HEARING: SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 604 FRONTIER ST.

[At 7:52 p.m. Mayor Earwood opened the public hearing.]

Joy Nowlin, property owner, presented a plan of action and requested 90-days to bring the property into compliance. Ms. Nowlin stated that she had given her estranged spouse the opportunity to complete the repairs. Ms. Nowlin requested clarification on some of the required repairs.

Inspector Sanders cited structural, plumbing, and electrical violations that constitute being deemed a substandard structure. Sanders reported that the condition of the property has not improved, even though a building permit was obtained that allowed 30-days for repairs. Sanders reported that Staff secured the property due to suspected vagrancy and overnight occupancy.

Ms. Nowlin verified that 4801 Buckskin is a valid mailing address to contact her.

[At 8:04 p.m. Mayor Earwood closed the public hearing.]

19. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 604 FRONTIER ST. 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

CM Ashton made the following motion, "I move that the City Council find that the building(s) located at 604 Frontier St. based on evidence presented at the hearing is substandard and: (1) That the conditions set forth in the Building Official's Report exist to the extent that the life, health, property, or safety of the public (and occupants of the building(s), if applicable) are endangered; and 2) That the main structure is/ are feasible of repair and therefore ORDER the building(s) to be repaired BY THE OWNER OF RECORD within 89 days and the LIENHOLDER OR MORTGAGEE OF RECORD to within an *additional 30 days* if the OWNER does not comply; and 3) The BOARD ORDERS commencement of repairs within 30-days and has established specific time schedules with the Owner of Record; and 4) ORDER that the building be repaired in conformance with the requirements of Section 3.07.004 of the River Oaks Code of Ordinances (2006) as amended or demolished by

the OWNER OF RECORD and the debris removed within 89 days or by the LIENHOLDER OR MORTGAGEE OF RECORD to within an additional 30-days if the OWNER does not comply and further find that if the building is not repaired within that time, that there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given. If the building is not repaired within 89 days in full conformance of Section 3.07.004 of the River Oaks Code of Ordinances (2006), the building shall be demolished; and 5) Order that the substandard fee of \$150.00 be paid upon permit issuance. Certificate of Occupancy will not be finalized until all substandard fees are paid in full. Motion seconded by CM Gordon. All voted "Aye."

20. **PUBLIC HEARING:** SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **1619 YALE ST.**

[At 8:09 p.m. Mayor Earwood opened the public hearing.]

Ray Morales, property owner, stated that he purchased the property today as an investment property. Mr. Morales requested 89-days to bring the property into compliance

Inspector Sanders reported no change since the December 2012 hearing and declaration of substandard condition. Sanders cited hazardous structural, electrical, and plumbing violations.

[At 8:18 p.m. Mayor Earwood closed the public hearing.]

21. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **1619 YALE ST.** 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

CM Gordon made the following motion, "I move that the City Council find that the building(s) located at 1619 Yale St. based on evidence presented at the hearing is substandard and: 1) That the conditions set forth in the Building Official's Report exist to the extent that the life, health, property, or safety of the public (and occupants of the building(s), if applicable) are endangered; and 2) That the building is/ are feasible of repair and therefore ORDER the Buildings to be repaired by the OWNER, within 89 days and the LIENHOLDER OR MORTGAGEE OF RECORD, if any to within an *additional 30 days* if the OWNER does not comply; and 3) The BOARD ORDERS commencement of repairs within 30-days and has established specific time schedules with the Owner of Record; and 4) ORDER that the building be repaired in conformance with the requirements of Section 3.07.004 of the River Oaks Code of Ordinances (2006) as amended or demolished by the OWNER and the debris removed within 89 days or by the LIENHOLDER OR MORTGAGEE OF RECORD to within an additional 30-days if the OWNER does not comply and further find that if the building is not repaired within that time, that there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given. If the building is not repaired within 89 days in full conformance of

Section 3.07.004 of the River Oaks Code of Ordinances (2006), the building shall be demolished; and 5) Order that the substandard fee of \$150.00 be paid upon permit issuance. Certificate of Occupancy will not be finalized until all substandard fees are paid in full. Motion seconded by Mayor Pro Tem Crews. All voted "Aye."

22. PUBLIC HEARING: SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 809 GUSTAV ST.

[At 8:22 p.m. Mayor Earwood opened the public hearing.]

Mayor Earwood announced this public hearing would remain open and be continued on April 23, 2013 at 7:00 p.m.

23. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 809 GUSTAV ST. 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

No action was taken.

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

24. CONSIDER APPROVAL OR RESOLUTION # 758-2013 APPROVING THE SALE OF REAL PROPERTY AT 4837 SHERWOOD DR. ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE

CS Gregory presented offers that were received by the delinquent tax attorneys for the properties at 4837 Sherwood and 5523 Dartmouth.

CM Gordon moved, seconded by Mayor Pro Tem Crews, to approve Resolution #758-2013. All voted "Aye."

25. CONSIDER APPROVAL OR RESOLUTION # 759-2013 APPROVING THE SALE OF REAL PROPERTY AT 5523 DARTMOUTH AVE. ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE

This agenda item was discussed consecutively with agenda item 24.

Mayor Pro Tem Crews moved, seconded by CM Butler, to approve Resolution #759-2013. All voted "Aye."

26. CONSIDER APPROVAL OF ORDINANCE # 973-2013 AMENDING SECTION 13.02.113 "POLICIES" OF THE RIVER OAKS CODE OF ORDINANCES SPECIFICALLY IN 13.02.113(3) BRUSH, TREE LIMBS AND LOGS SUBSECTION (D) REGARDING COLLECTION OF OVERSIZED PILES

CS Gregory summarized Staff recommendations to the "Brush, tree limbs, and logs" portion of the Sanitation ordinance as follows:

"Section 13.02.113(3) "Brush, tree limbs and Logs"

(C) All brush and tree limbs shall be limited to one (1) pile per lot on each residential customer account when stacked in a pile not exceeding twelve (12) feet in length, four (4) feet in width, and four (4) feet in height which are stacked neatly with the larger diameter of the limbs facing in one direction for easy handling and will be collected on bulk collection days tentatively scheduled for every Wednesday, except for holidays and/or in the event of unwarranted conditions restricting the ability of the city to remove the bulk items as regularly scheduled. All brush and tree limbs not meeting these guidelines will not be collected as a part of the normal city collection service. When any pile exceeds twelve (12) feet in length, four (4) feet in width, and four (4) feet in height it may be collected by the city at an additional charge upon the customer's request.

(D) All oversized piles will be tagged by a sanitation superintendent and the resident will be notified of the reason that the pile was not collected. Piles that, in the superintendent's opinion, cannot be collected on the scheduled bulk collection day must be removed for an additional charge if removed by the city or else the customer may haul it off to an approved landfill at the customer's expense.

(F) Logs over 12 inches in diameter will be limited to four (4) per brush collection provided the weight of each individual log does not exceed fifty (50) pounds. Logs over the limit will be tagged and if in the superintendent's opinion the logs that are over the limit cannot be removed on the scheduled bulk collection day then it is the responsibility of the customer to remove the logs at their own expense. The customer may request the city to remove the log or logs for an additional charge or choose to remove it/them on their [his/her] own.

CM Gordon moved, seconded by CM Butler, to approve Ordinance #973-2013. All voted "Aye."

CS Gregory stated that Staff would amend the fee ordinance to reflect these changes and present to Council for approval.

27. CONSIDER APPROVAL OF **RESOLUTION # 760-2013** AMENDING RESOLUTION NUMBER 751-2013 CALLING THE MAY 11, 2013 GENERAL ELECTION; REVISING SECTION 4a "EARLY VOTING BY PERSONAL APPEARANCE" TO INCLUDE EARLY VOTING SITES ADDED DUE TO JOINT ELECTIONS WITH OTHER POLITICAL SUBDIVISIONS; AMENDING THE ELECTION ORDER AND PROVIDING FOR A REPEALING CLAUSE AND PROVIDING AN EFFECTIVE DATE

No discussion occurred.

CM Butler moved, seconded by CM Gordon, to approve Resolution #760-2013. All voted "Aye."

27. *CONSIDERANDO LA APROBACION DE LA **RESOLUCION # 760-2013** MODIFICANDO LA RESOLUCION NUMERO 751-2013 INVOCANDO A UNA ELECCION GENERAL PARA EL 11 DE*

MAYO DEL 2013; REVISANDO LA 4a SECCION "VOTACION ADELANTADA EN PERSONA" PARA INCLUIR SITIOS DE VOTACION ADELANTADA AGREGADOS DEBIDO A LAS ELECCIONES CONJUNTAS CON OTRAS SUBDIVISIONES POLITICAS; MODIFICANDO LA ORDEN DE ELECCION Y ESTABLECIENDO UNA CLAUSULA DE DEROGACION Y PROPORCIONANDO UNA FECHA EFECTIVA

Ninguna discusión ocurrió.

CM Butler izo moción, secundado por CM Gordon, al aprobar la Resolución # 760-2013. Todos votaron "Sí".

28. CONSIDER APPROVAL OF **ORDINANCE # 974-2013** AMENDING SECTION 12.05.012 "SPECIAL STOP INTERSECTIONS" DESIGNATING THE INTERSECTION OF HARVARD AND BAYLOR AS A SPECIAL STOP INTERSECTION

PC Carter recommended a stop sign at Harvard and Baylor.

CM Ashton moved, seconded by CM Gordon, to approve Ordinance #974-2013. All voted "Aye."

29. CONSIDER APPROVAL OF **ORDINANCE # 975-2013** AMENDING ARTICLE 8.03 "NOISE" SPECIFICALLY UNDER SECTION 8.03.008 "ERECTION, EXCAVATION, DEMOLITION, ETC., OF BUILDINGS AT NIGHT"

CS Gregory explained that the current ordinance prohibits construction work other than between the hours of 7:00 a.m. and 6:00 p.m. Staff recommends that enforcement be left up to the opinion of the Chief of Police if it violates the city's noise ordinance between the hours of 10:00 p.m. and 6:00 a.m.

CM Gordon moved, seconded by Mayor Pro Tem Crews, to approve Ordinance #975-2013. All voted "Aye."

STAFF REPORTS:

30. 6-MONTH REPORT OF ECONOMIC DEVELOPMENT PROGRESS AS PRESENTED BY PAM MUNDO OF MUNDO AND ASSOCIATES

Pam Mundo reviewed the mid-year progress report for the Economic Development Corporation (EDC) including the Strategic Plan, the Economic Profile, and the plans for the next six months.

No action was taken.

STAFF REPORTS:

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

Inspector Sanders gave the following updates:

- 1129 ST. EDWARDS – Active building permit that expires 5/13/2013 as allowed by Council on 2/12/2013. Has verbally agreed to staff to pay \$1375.00 for cleanup fees.
- 1205 CHURCHILL – Civil penalties paid.
- 1619 YALE – Public hearing this evening.
- 809 GUSTAV – Public hearing this evening.
- 620 WORTHVIEW DR. – Discussed previously this evening.

32. REPORT ON SUBSTANDARD PROPERTIES UNDER ORDER OF BUILDING OFFICIAL:

- 715 ISBELL – Building Official Order expires 4/15/2013. Active building permit that expires 4/15/2013. Progress check 3/20/2013, should be finished by deadline.
- 604 Frontier – Public hearing this evening.

33. REPORT ON SUBSTANDARD PROPERTIES ABATED:

- 5032 Sherwood – Released.

QUESTIONS RELATED TO STAFF REPORTS INCLUDING:

34. 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

PC Carter reported that the school zone lights have been installed on Roberts Cut Off.

No action was taken.

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

FC Hawkins reported that the Fire Department is under review for their ISO Rating and an inspection will be performed on April 3, 2013. It was noted that the last ISO review occurred in 2002.

No action was taken.

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

No discussion or action.

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

No discussion or action.

38. **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

No discussion or action.

39. **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

No discussion or action.

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

No discussion or action.

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

No discussion or action.

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

No discussion or action.

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

No discussion or action.

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

No action was taken.

PUBLIC FORUM:

45. 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

Mayor Pro Tem Crews announced that the Annual Chamber of Commerce Easter Egg Hunt would be held on March 30, 2013 at Inspiration Point beginning at 10:00 a.m.

Mayor Pro Tem Crews stated that Texas and the DFW area are projected to become a major transportation hub in the near future.

CM Holland announced that the 7th Street bridge will be closed until September.

Nancy Crews announced the CCDAC Annual Fundraiser on April 11, 2013 at Castleberry High School Cafeteria/Auditorium.

CM Ashton announced that Jack Adkison is the new coordinator for the RCC that facilitates future compatibility with NASJRB.

Mayor Earwood announced the grand opening of Quik Trip is expected to be held on April 25, 2013.

Mayor Earwood stated that Burger King should occupy a pad space behind Quik Trip; attorneys are in the process of reviewing the documents.

Mayor Earwood stated that the new owner at 5500 River Oaks Blvd. is negotiating with Subway.

Mayor Earwood stated that the dollar store across from City Hall has vacated and Harbor Freight has been contacted as a potential occupant.

EXECUTIVE SESSION:

46. CONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE: THE COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSION(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: Advice from City Attorney regarding possible litigation on substandard property at 1205 Churchill Rd. Advice from City Attorney regarding possible litigation on Property Damage Case (Caraway vs. City of River Oaks).
- 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 called for.

RECONVENE:

47. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

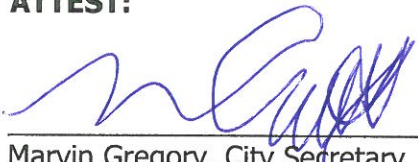
None.

ADJOURN:

48. ADJOURN

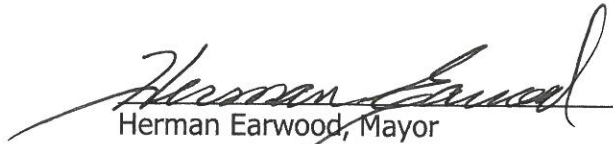
At 9:42 p.m. CM Ashton moved, seconded by CM Gordon to adjourn the meeting. All voted "Aye."

ATTEST:



Marvin Gregory, City Secretary

APPROVED:



Herman Earwood, Mayor