



4900 River Oaks Boulevard River Oaks, Texas 76114

Mayor
Herman D. Earwood

City Council

Mayor Pro-Tem-Place 4
Joe Ashton

Place 1
John Claridge

Place 2
Steve Holland

Place 3
Darren Houk

Place 5
Dan Chisholm

City Officers

City Manager
Marvin Gregory

City Secretary
Paula Luck

Fire Chief
Clinton "Russell" Shelley

Police Chief
Christopher Spieldenner

Public Works Director
Gordon Smith

Library Director
Anna Lee

Event Center Co-Directors
**Shirley Bloomfield
Shirley Wheat**

Emergency Management
Coordinator
James Myrick

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 COUNCIL CHAMBERS LOCATED AT 4900 RIVER OAKS BLVD.; RIVER OAKS, TEXAS ON **TUESDAY,****

**MAY 12, 2020
7:00 P.M.**

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 **Friday, May 8, 2020 at 7:00 P.M.**

CITY SECRETARY

**** DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY THERE MAY OR MAY NOT BE A QUORUM OF COUNCIL MEMBERS PRESENT IN PERSON AT THE MEETING, INSTEAD THEY MAY PARTICIPATE IN THE MEETING BY TELE CONFERENCE.**

**JOIN THIS MEETING FROM YOUR PHONE AT 1-408-418-9388. THE ACCESS CODE IS 292 001 438
PASSWORD: EsvBrmdE983 (37927633 from phones and video systems)**

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. **PUBLIC TESTIMONY:** CITIZENS ARE INVITED TO SPEAK ON ANY TOPIC OR AGENDA ITEM BEFORE AND DURING THE MEETING BY RAISING YOUR HAND TO BE RECOGNIZED; HOWEVER, UNLESS THE ITEM IS SPECIFICALLY LISTED 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 AND NO COUNCIL DELIBERATION IS PERMITTED FOR TOPICS NOT SPECIFICALLY LISTED ON THIS AGENDA.
5. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR:
6. **CONSENT AGENDA:** ALL ITEMS UNDER THIS SECTION ARE RECOMMENDED FOR APPROVAL FOR THE "CONSENT AGENDA". THESE ITEMS ARE OF A ROUTINE NATURE AND



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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 APRIL 28, 2020 SPECIAL COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING MAY 12, 2020 (FY 2020)

7. DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

8. **PUBLIC HEARING:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE SIGN VARIANCE REQUEST OF FRANKS REALTY INTERNATIONAL LLC IN ORDER TO INSTALL ATTACHED SIGNS IN VIOLATION OF SECTION 3.12.083 "ATTACHED SIGN" OF THE RIVER OAKS CODE AS AMENDED ON THE FOLLOWING OWNED BY FRANKS REALTY INTERNATIONAL LLC:

(1) INSTALL A 75 SQUARE FOOT SIGN (ROOF MOUNTED) AT "JOSEFINAS" LOCATED ON THE LEASE SPACE AT 5404 RIVER OAKS BLVD. IN VIOLATION OF SEC. 3.12.083(d) IN THAT THE PROPOSED ATTACHED SIGN EXCEEDS THE REQUIRED 19.5 SQUARE FEET; AND

(2) INSTALL A 25.88 SQUARE FOOT CIRCULAR SIGN (ROOF MOUNTED) AT "BOULEVARD BREW" LOCATED ON THE LEASE SPACE AT 5406 RIVER OAKS BLVD. IN VIOLATION OF SEC. 3.12.083(d) IN THAT THE PROPOSED ATTACHED SIGN EXCEEDS THE REQUIRED 19.5 SQUARE FEET; AND

(3) INSTALL A SIGN (ROOF MOUNTED) "FRANKS REALTY INTERNATIONAL LLC" IN VIOLATION OF SEC. 3.12.083 (G) "ROOF SIGN LIMITATIONS" FOR THE PROPERTY DESCRIBED AS BEING BLOCK 1, LOT 12-14 OF THE WEST RIVER OAKS ADDITION (5404-5412 RIVER OAKS BLVD.) IN THAT AN ATTACHED SIGN SHALL NOT EXCEED 48 INCHES ABOVE THE ROOFLINE OR TOP OF THE PARAPET WALL OF ANY BUILDING. (VA 312-2020-01).

9. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE SIGN VARIANCE REQUEST OF FRANKS REALTY INTERNATIONAL LLC IN ORDER TO INSTALL ATTACHED SIGNS IN VIOLATION OF SECTION 3.12.083 "ATTACHED SIGN" OF THE RIVER OAKS CODE AS AMENDED ON THE PROPERTY AT 5404-5412 RIVER OAKS BLVD. (CASE # VA 312-2020-01).

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

10. CONSIDER APPROVAL OF REQUEST FROM ANDREW AND LISA FULD AT 1844 INSPIRATION LANE TO PURCHASE APPROXIMATELY 0.3221 ACRES OUT OF 7.956 ACRES OF CITY OWNED LAND RECORDED IN VOLUME 2449, PAGE 439 D.R.T.C.T. IN ORDER TO MAINTAIN THEIR PROPERTY'S NATURAL HABITAT AND PROVIDE ACCESS TO BACK OF PROPERTY.

11. CONSIDER APPROVAL OF REQUEST BY YOLIE RODRIGUEZ TO PERMIT PICTURES OF CHS SENIORS CLASS OF 2020 TO BE PLACED IN THE RIVER OAKS BLVD. HIGHWAY MEDIAN.

12. DISCUSSION, AND POSSIBLE ACTION, CONCERNING REOPENING CITY OWNED FACILITIES AT THE RIVER OAKS PUBLIC LIBRARY AND THE RIVER OAKS EVENT CENTER SUBJECT TO



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AUTHORITY GRANTED TO THE LOCAL GOVERNMENT IN THE GOVERNOR'S EXECUTIVE ORDER AS MODIFIED.

13. DISCUSSION AND/OR ACTION REGARDING CONTINUING WITH THE SUSPENSION OF THE DISCONNECTION OF CITY UTILITIES DURING THE COVID-19 DISASTER.

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

14. CONSIDER APPROVAL OF **ORDINANCE # 1277-2020** AMENDING CHAPTER 8 "OFFENSES AND NUISANCES" OF THE RIVER OAKS CODE OF ORDINANCES AS AMENDED INCORPORATING ARTICLE 8.08 "UNAUTHORIZED CAMPING" ABATING NUISANCES RELATED TO UNAUTHORIZED CAMPING ON PRIVATE PROPERTIES; IMPOSING A PENALTY FOR VIOLATION THEREOF.

15. CONSIDER APPROVAL OF **ORDINANCE # 1279-2020** AMENDING CHAPTER 8 "OFFENSES AND NUISANCES" OF THE RIVER OAKS CODE OF ORDINANCES AS AMENDED INCORPORATING ARTICLE 8.09 "MISUSE OF PUBLIC TRANSPORTATION FACILITIES" ESTABLISHING PROHIBITIONS FOR MISUSE OF BUS STOP FACILITIES; IMPOSING A PENALTY FOR VIOLATION THEREOF.

16. CONSIDER APPROVAL OF **ORDINANCE # 1280-2020** AMENDING ARTICLE 6.07 "EMERGENCY MEDICAL SERVICES" (EMS) OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED REPEALING AND REPLACING THE CITY'S UNIFORM EMERGENCY MEDICAL SERVICES AS PREVIOUSLY ADOPTED ON JANUARY 24, 2017 WITH THE UPDATED UNIFORM EMERGENCY MEDICAL SERVICES ORDINANCE.

17. CONSIDER APPROVAL OF **RESOLUTION # 1017-2020** RESOLVING THAT THE CITY HAS JOINED WITH THE OTHER MEMBER JURISDICTIONS TO ADOPT THE RESTATED AND AMENDED INTERLOCAL COOPERATIVE AGREEMENT WITH THE AREA METROPOLITAN AMBULANCE AUTHORITY AS THE AGENCY TO ADMINISTER AND OPERATE A PREHOSPITAL EMERGENCY MEDICAL SERVICES, MOBILE INTEGRATED HEALTH, AND MEDICAL TRANSPORTATION SYSTEM WITHIN THE SERVICE AREA.

18. CONSIDER APPROVAL OF **RESOLUTION # 1018-2020** 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 ONCOR CITIES STEERING COMMITTEE; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES.

STAFF REPORTS:

19. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1017 CHURCHILL
- 1701 YALE ST.
- 5217 BARBARA RD.
- 1605 YALE ST.

20. UPDATE ON CASTLEBERRY HIGH SCHOOL GRADUATION PARADE



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OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

21. DISCUSSION AND/OR ACTION ON UPDATES FROM THE CITY MANAGER ADVISING THE MAYOR AND CITY COUNCIL ON PERSONNEL, CITY'S FISCAL CONDITION, FUTURE NEEDS OF THE CITY, SCHEDULING OF COUNCIL WORK SESSIONS AND OTHER RECOMMENDATIONS.

CORRESPONDENCE:

22. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS

EXECUTIVE SESSION:

23. 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 deliberation regarding real property; a governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

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 compliant or charge against an Officer or Employee.

d. Section 551.076 Deliberation regarding security devices.

RECONVENE:

24. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

ADJOURN:

25. ADJOURNMENT

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.