



Regular City Council Meeting
June 25, 2019
6:00 p.m.



SPRING VALLEY
V I L L A G E

Notice is Hereby Given of a Regular Meeting of the City Council City of Spring Valley Village, Texas, 1025 Campbell Road, Spring Valley Village, Texas, in the Council Chambers, Tuesday, June 25, 2019, beginning at 6:00 p.m., For the Purpose of Considering and Acting upon the Following Items of Business:

1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT

2. INTRODUCTIONS

3. PROCLAMATIONS / ANNOUNCEMENTS

- 3.1 Presentation of Life Saving Award to Commend Police Personnel for Swift Action in a Medical Crisis (Chief Evans)

4. PUBLIC COMMENTS

At this time, any person with City-related business may speak to the Council. In compliance with the Texas Open Meetings Act, the City Council may not deliberate. **Comments from the public should be limited to a maximum of three (3) minutes per individual speaker.**

5. CONSENT AGENDA

All matters listed under consent agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

- 5.1 Minutes for City Council Meeting on May 21, 2019
- 5.2 Ordinance No. 2019-XX - AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS DELETING ARTICLE 1.1600, RESOURCE RECOVERY COMMITTEE, OF CHAPTER 1, GENERAL PROVISIONS, OF THE CODE OF ORDINANCES IN ITS ENTIRETY; SPECIFICALLY REPEALING ORDINANCE NO. 235, BOOK I, CODIFIED AS ARTICLE 1.1600, RESOURCE RECOVERY COMMITTEE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
- 5.3 Resolution No. 19-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING A PROPOSAL FOR PRIMARY DEPOSITORY BANK SERVICES SOLICITATION PROCESS BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND

VALLEY VIEW CONSULTING, LLC; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

- 5.4 Resolution No. 19-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING A PRIMARY DEPOSITORY BANK SOLICITATION BOUNDARIES POLICY EXPRESSLY PERMITTING THE CONSIDERATION OF APPLICATIONS FOR DEPOSITORY BANKING SERVICES FROM BANKS, CREDIT UNIONS, OR SAVINGS ASSOCIATIONS THAT ARE NOT DOING BUSINESS WITHIN THE CITY LIMITS IN ACCORDANCE WITH SECTION 105.011 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.
- 5.5 Resolution No. 19-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN ENGAGEMENT LETTER FOR AUDIT SERVICES BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND BELT HARRIS PECHACEK, LLC FOR FISCAL YEARS 2019 AND 2020; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- 5.6 Resolution No. 19-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT FOR TAX ASSESSMENT AND COLLECTION SERVICES BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AND SPRING BRANCH INDEPENDENT SCHOOL DISTRICT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.
- 5.7 Resolution No. 19-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND H&N CONTRACTOR MANAGEMENT SERVICES, LLC FOR THE CEDARBRAKE DRIVE DRAINAGE IMPROVEMENTS PROJECT (CSB# 2019-03-102); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

OLD BUSINESS

6. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** May 2019 Police Department Staff Report (Chief Evans):
1. Number of Calls for Service

2. Number of Traffic Violations
3. Number of K-9 Deployments
7. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Village Fire Department Commissioners Meeting on May 22, 2019 and Any Special Meetings That May Have Occurred and Status of Village Fire Commission's Reinstatement of Bunker Hill Village as a Full Member of the Village Fire Department. (Council Member Carpenter / Mayor Ramsey)
8. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Planning and Zoning Commission Meeting of June 11, 2019. (Council Member Vajdos / City Attorney Loren Smith)

NEW BUSINESS

9. **DISCUSSION AND DIRECTION CONCERNING:** Request for Installation of New Traffic Signal at Bingle Road and Burkhart Road. (Resident Brian Schmullen)
10. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Award of Bid Number CSB #2019-05-103 For the Westview Drive Sidewalk Improvements Project To DVL Enterprises, LLC In An Amount Not To Exceed \$154,770.00.
11. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution No. 19-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CONTRACT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND DVL ENTERPRISES, LLC FOR THE WESTVIEW DRIVE SIDEWALK IMPROVEMENTS PROJECT (COMPETITIVE SEALED BID #2019-05-103); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
12. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2019-XX - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.
 - A. Presentation of Proposed Ordinance by City Attorney
 - B. Those In Favor

- C. Those Opposed
- D. Adjourn Public Hearing

13. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance No. 2019-XX - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

14. CONDUCT A PUBLIC HEARING CONCERNING: Ordinance No. 2019-XX - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

- A. Presentation of Proposed Ordinance by City Attorney
- B. Those In Favor
- C. Those Opposed
- D. Adjourn Public Hearing

15. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance No. 2019-XX - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE

CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

16. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 2019-XX - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, BY DELETING FROM APPENDIX "A" THEREOF SECTION 3.000 AND SUBSTITUTING THEREFOR A NEW SECTION 3.000; ESTABLISHING A SCHEDULE OF FEES FOR BUILDING AND CONSTRUCTION; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
17. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Briefing by City Administrator:
 1. Status of Hilldale, Bade & Cardwell Paving and Utility Improvements Project
 2. Status of Automated Meter Project
 3. Status of Repairs to Ground Water Well #1
 4. Status of New Production Well
 5. Status of Phase II Park Improvements
 6. Status of I-10 and Campbell Road Development
18. **EXECUTIVE SESSION:** The City Council Will Now Hold A Closed Executive Meeting Pursuant To The Provision Of Chapter 551, Government Code, Vernon's Texas Codes Annotated, In Accordance With The Authority Contained In:
 - 18.1 Section 551.071 – Consultation With Attorney Regarding Pending Or Contemplated Litigation Or A Matter In Which The Duty Of The City Attorney Requires To Be Discussed In Closed Meeting.
 - 18.2 Section 551.072. Deliberation Regarding Real Property: Discussion 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.

19. RECONVENE

20. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

21. ADJOURNMENT

Agenda items may not necessarily be considered in the order that they appear. With regard to any item, Council may take various actions, including but not limited to rescheduling an item in its entirety or for particular action at a future date or time.

The City Council reserves the right to convene in executive session from time to time as deemed necessary during this meeting to discuss any of the matters listed in the agenda, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts & Donations), 551.074 (Personnel Matters), 551.076 (Deliberations Regarding Security Devices) or 551.087 (Deliberations Regarding Economic Development Negotiations).

I certify that a copy of the June 25, 2019 agenda of items to be considered by City Council was posted on or before the 20th day of June, 2019, at 10:00 a.m. pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code.

Attest:


Roxanne Benitez, TRMC, CPM, CMCC
City Secretary

In compliance with the Americans with Disabilities Act, this facility is wheelchair accessible and accessible parking spaces are available. To better serve attendees, requests for accommodations or interpretive services should be made 48 hours prior to this meeting. Please contact the City Secretary's office at 713-465-8308, Fax 713-461-7969, or Email secretary@springvalleytx.com for further information.

Consent Agenda Items

**MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, MAY 21, 2019 AT 6:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
1025 CAMPBELL ROAD, HOUSTON, TEXAS**

1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT

With a quorum of the Council Members present, the Regular Meeting of the Spring Valley Village City Council was called to order by Mayor Ramsey at 6:03 p.m.

Members Present:

Mayor Tom Ramsey

Mayor Pro-Tem Allen Carpenter

Council Member David Dominy

Council Member Tom Donaho

Council Member Joy McCormack (arrived at 7:02 p.m.)

Council Member Marcus Vajdos

Members Absent:

None.

2. INTRODUCTIONS

Julie M. Robinson, City Administrator

Roxanne Benitez, City Secretary

Alex Trevino, Deputy City Secretary

Arthur Faiello, Director of Public Works

Michelle Yi, City Treasurer

Oscar Arevalo, Building Official

David Dixon, Police Commissioner

Loren Smith, City Attorney

3. PROCLAMATIONS / ANNOUNCEMENTS / SWEARING-IN

3.1 Administer Oaths of Office

- Council Member David Dominy
- Council Member Tom Donaho
- Council Member Marcus Vajdos

Mayor Ramsey administered the oaths to Council Members Dominy, Donaho, and Vajdos.

3.2 City Administrator Julie Robinson introduced new employee, Matthew Hitt, who will start on May 28, 2019 as the Assistant to the City Administrator.

4. PUBLIC COMMENTS

4.1 David Kayle, who lives at 1109 Krist Drive, spoke regarding Agenda Items 10 and 11.

4.2 John Hitt, the father of Matthew Hitt, spoke favorably of Matthew and thanked the City for giving him the opportunity.

5. CONSENT AGENDA

All matters listed under consent agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

- 5.1 Minutes for City Council Meeting on April 23, 2019
- 5.2 Approval of Pay Estimate No. 1 for Hilldale, Bade, and Cardwell Paving and Utility Improvements to Triple B Services, LLP in the Amount of \$364,380.75
- 5.3 Resolution 19-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING A PROPOSAL BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND WSP USA FOR SERVICES TO ADDRESS THE TEXAS WATER DEVELOPMENT BOARD ENVIRONMENTAL REVIEW REQUIREMENTS FOR THE NEW PRODUCTION WELL PROJECT; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.
- 5.4 Ordinance No. 2019-XX - AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS DELETING ARTICLE 8.1300, CIVIC ACTIVITIES BOARD, OF CHAPTER 8, PERSONNEL AND ADMINISTRATION, OF THE CODE OF ORDINANCES IN ITS ENTIRETY; SPECIFICALLY REPEALING ORDINANCE NO. 93-267, BOOK I, ORDINANCE NO. 2000-23, AND ORDINANCE NO. 2009-10, COLLECTIVELY CODIFIED AS ARTICLE 8.1300, CIVIC ACTIVITIES BOARD; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
- 5.5 Ordinance No. 2019-XX - AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS DELETING ARTICLE 8.1100, GREENSPACE BOARD, OF CHAPTER 8, PERSONNEL AND ADMINISTRATION, OF THE CODE OF ORDINANCES IN ITS ENTIRETY; SPECIFICALLY REPEALING ORDINANCE NO. 93-266, BOOK I, CODIFIED AS ARTICLE 8.1100, GREENSPACE BOARD; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

Council Member Carpenter made a motion to approve all items on the Consent Agenda, and Council Member Vajdos seconded the motion. Motion carried 4-0.

OLD BUSINESS

6. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: April 2019 Police Department Staff Report (Chief Evans):

Police Commissioner Dixon provided the report on behalf of Chief Evans.

- 1. Number of Calls for Service – 1,658
- 2. Number of Traffic Violations – 1,025
- 3. Number of K-9 Deployments – 125

7. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Village Fire Department Commissioners Meetings on April 24, 2019 and Any Special Meetings That May Have Occurred and Status of Village Fire Commission's Reinstatement of Bunker Hill Village as a Full Member of the Village Fire Department. (Council Member Carpenter / Mayor Ramsey)

Council Member Carpenter advised that a meeting would be held on the following day in which an update would be given regarding the reinstatement of Bunker Hill Village into the Village Fire Commission. He also advised that a contract manager and architect had been selected for the Village Fire Department building remodel. Council Member Carpenter advised that the re-roof of the Village Fire Department building was complete and they were waiting on the release.

8. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Planning and Zoning Commission Meeting of May 14, 2019. (Council Member Vajdos / City Attorney Loren Smith)

City Attorney Loren Smith advised that the Planning and Zoning Commission recommended Agenda Items 10 and 11 at the last meeting. Mr. Smith also advised that zoning signage text amendment as well as a clarification to the garage setbacks on Westview Drive would be on the agendas for the Planning & Zoning Commission and City Council meetings in June.

9. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Construction Design For Westview Drive Sidewalk Improvement Project Including Recommended Hand Rail Installations.

Doug Bradford with ARKK Engineers presented the recommended hand rail installations for the sidewalk located on the south side of Westview Drive and advised that the hand rails would match what was previously done on the north side of Westview Drive. The Council directed that Staff contact the affected residents to discuss the recommended hand rail installation on their property and that the residents would be able to decide whether to install the hand rail. It was the consensus of the Council that the final design for the project would be based on the residents' decisions with regard to their respective properties. City Administrator Julie Robinson advised that she would advise Council of the residents' decisions with regard to the hand rail installation on their respective properties.

NEW BUSINESS

10. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2019-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET THE FRONT BUILDING LINE SETBACK FOR LOTS ADJOINING A MAJOR THOROUGHFARE OTHER THAN WESTVIEW DRIVE AT TWENTY-FIVE FEET (25'); PROHIBITING DRIVEWAY ENTRANCES ONTO SUCH MAJOR THOROUGHFARE IF THE LOT ALSO ADJOINS A MINOR STREET;

PROVIDING A MINIMUM SETBACK OF THIRTY-EIGHT FEET (38') FOR GARAGES FACING SUCH MAJOR THOROUGHFARE; BY AMENDING SUBSECTION .10, DRIVEWAY WIDTH, TRANSITION AND SEPARATION, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A" OF EXHIBIT "A" OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE DRIVEWAYS TO ACCESS LOTS OFF OF STREETS OTHER THAN BINGLE ROAD AND CAMPBELL ROAD WHERE POSSIBLE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

Mayor Ramsey opened the Public Hearing at 6:40 p.m.

A. Presentation of Proposed Ordinance by City Attorney

City Attorney Loren Smith presented the proposed setbacks for Campbell Road and Bingle Road.

B. Those In Favor

John Kocurek, who lives at 1432 Bingle Road, advised that he was in favor of this change and added that the City was moving in the right direction.

C. Those Opposed

None.

D. Adjourn Public Hearing

Mayor Ramsey adjourned the Public Hearing at 6:44 p.m.

- 11. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2019-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET THE FRONT BUILDING LINE SETBACK FOR LOTS ADJOINING A MAJOR THOROUGHFARE OTHER THAN WESTVIEW DRIVE AT TWENTY-FIVE FEET (25'); PROHIBITING DRIVEWAY ENTRANCES ONTO SUCH MAJOR THOROUGHFARE IF THE LOT ALSO ADJOINS A MINOR STREET; PROVIDING A MINIMUM SETBACK OF THIRTY-EIGHT FEET (38') FOR GARAGES FACING SUCH MAJOR THOROUGHFARE; BY AMENDING SUBSECTION .10, DRIVEWAY WIDTH, TRANSITION AND SEPARATION, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A" OF EXHIBIT "A" OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE DRIVEWAYS TO ACCESS LOTS OFF OF STREETS OTHER THAN BINGLE ROAD

AND CAMPBELL ROAD WHERE POSSIBLE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

Mayor Ramsey read the Ordinance by caption only. Council Member Dominy made a motion to approve Ordinance No. 2019-12, and Council Member Donaho seconded the motion. Motion carried 4-0.

- 12. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution No. 19-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING A RESIDENTIAL NEIGHBORHOOD TRAFFIC CALMING/CONTROL POLICY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Ramsey read the Resolution by caption only. Council Member Vajdos made a motion to approve Resolution Number 19-12, and Council Member Carpenter seconded the motion. Motion carried 4-0.

- 13. BRIEFING, DISCUSSION AND DIRECTION CONCERNING:** Possible Spring Valley Green Initiative To Replace the Civic Activities Board (Council Member Donaho)

Council Member Donaho advised that there was no longer a need for the Civic Activities Board and added that meeting attendance was a difficulty and presented a document describing the purpose of the Green Initiative. City Administrator Julie Robinson advised that she had spoken with the members of the Civic Activities Board who assisted with the City events in the past, and they are willing to continue to assist City Staff with the events. Council Member Donaho advised that the Green Initiative would set up a process to protect trees and reduce impact on the environment. Mayor Ramsey suggested that the word “Green” be changed to “Sustainable”. The Council discussed the proposed Sustainable Initiative and the consensus from the Council was to proceed in developing the proposed project. City Administrator Robinson advised that she would work with Council Member Donaho on the project and present a policy at a future Council meeting.

- 14. BRIEFING AND DISCUSSION CONCERNING:** Quarterly Investment Report For Period Ending March 31, 2019.

City Treasurer Michelle Yi presented the Quarterly Investment Report for the period ending March 31, 2019.

- 15. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Changing the Dates of the City Council Meetings for November and December.

Council Member Donaho made a motion to change the dates for the November and December City Council meetings to November 19, 2019 and December 10, 2019, and Council Member McCormack seconded the motion. Motion carried 5-0.

- 16. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Proposed FY 2019-2020 Budget Calendar.

Council Member Vajdos made a motion to approve the FY 2019-2020 Budget Calendar as presented, and Council Member Dominy seconded the motion. Motion carried 5-0.

17. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Briefing by City Administrator:

1. Status of Hilldale, Bade & Cardwell Paving and Utility Improvements Project

Steve Albert with Binkley and Barfield, Inc. provided an update for the Council and advised that the previous issues with the contractor were being addressed. There was discussion concerning the storm sewer installation along Adkins that is part of the project design, the costs and benefits associated with this particular work, and whether to keep the work in the project or remove it and possibly bid it separately. After discussion, it was the consensus of the Council to remove the installation of storm sewer along Adkins down to the TxDOT right-of-way from the project and to reconsider it as a separate project in the future.

2. Status of Automated Meter Project

Director of Public Works Arthur Faiello advised that the projects had started, 65 meters had been installed thus far, and 12-20 meters were being installed daily.

3. Status of Repairs to Ground Water Well #1

Director of Public Works Arthur Faiello advised that they were waiting for the equipment to be delivered and it should be received by the beginning of next month.

4. Issuance of Request for Qualifications for Engineering and Surveying Services

City Administrator Julie Robinson advised that they would like to have a few engineering firms on retainer to assist with current and future projects so the City is issuing a Request for Qualifications for Engineering and Surveying Services. Recommendations are anticipated to be presented at the July City Council meeting.

5. Status of Acquisition of Old Bingle Road Right-of-Way from Harris County

City Administrator Julie Robinson advised that she and City Attorney Loren Smith were working on the acquisition and added that they anticipate presenting acquisition documents for consideration at the June City Council meeting.

18. ADJOURNMENT

Council Member Carpenter made a motion to adjourn the meeting at 7:53 p.m., and Council Member Donaho seconded the motion. Motion carried 5-0.

Signed: _____

Tom S. Ramsey
Mayor

Attest: _____

Roxanne Benitez, TRMC, CPM, CMCC
City Secretary

Spring Valley Village City Council
Agenda Item Data Sheet

MEETING DATE: June 25, 2019

TOPIC:	Ordinance No. 2019-XX AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS DELETING ARTICLE 1.1600, RESOURCE RECOVERY COMMITTEE, OF CHAPTER 1, GENERAL PROVISIONS, OF THE CODE OF ORDINANCES IN ITS ENTIRETY; SPECIFICALLY REPEALING ORDINANCE NO. 235, BOOK I, CODIFIED AS ARTICLE 1.1600, RESOURCE RECOVERY COMMITTEE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
BACKGROUND:	As I researched the ordinances that had created the Civic Activities Board and Greenspace Board, I discovered the Resource Recovery Committee that had been created on October 22, 1991. The Resource Recovery Committee was created to assist the City Council, when requested, with the recycling or reclamation of solid waste for reuse and other conservation matters. However, the Resource Recovery Committee has not met, nor have any members been appointed thereto, since October of 1994. Additionally, the purposes for which the Resource Recovery Committee was created have been incorporated into the City's contract for solid waste services with Waste Corporation of America, and a formal, structured Committee of the City is no longer necessary. Therefore, the proposed Ordinance deletes Article 1.1600, Resource Recovery Committee, of Chapter 1, General Provisions, of the Code of Ordinances which will dissolve the Resource Recovery Committee.
RECOMMENDATION:	Staff recommends approval of the Ordinance.
ATTACHMENTS:	• Ordinance No. 2019-XX
FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING:	
SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Julie M. Robinson, City Administrator	

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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ORDINANCE NO. 2019-XX

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS DELETING ARTICLE 1.1600, RESOURCE RECOVERY COMMITTEE, OF CHAPTER 1, GENERAL PROVISIONS, OF THE CODE OF ORDINANCES IN ITS ENTIRETY; SPECIFICALLY REPEALING ORDINANCE NO. 235, BOOK I, CODIFIED AS ARTICLE 1.1600, RESOURCE RECOVERY COMMITTEE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on October 22, 1991, by Ordinance No. 235, Book I, the City of Spring Valley Village, Texas, created a Resource Recovery Committee to assist the City Council in the development of a curbside recycling program for the reclamation of solid waste for reuse and other conservation matters, and such Ordinance was codified as Article 1.1600, Resource Recovery Committee, of Chapter 1, General Provisions, of the Code of Ordinances of the City of Spring Valley Village; and

WHEREAS, the Resource Recovery Committee has not met, nor have any members been appointed thereto, since June 23, 1994; and

WHEREAS, the purposes for which the Resource Recovery Committee was created have been incorporated into the City's contract for solid waste services with Waste Corporation of America, and a formal, structured Committee of the City is no longer necessary; and

WHEREAS, the City Council hereby finds that Article 1.1600, Resource Recovery Committee, of Chapter 1, General Provisions, of the Code of Ordinances should be deleted in its entirety, and Ordinance No. 235, Book I that was codified as Article 1.1600 should be specifically repealed.

NOW, THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Article 1.1600, Resource Recovery Committee, of Chapter 1, General Provisions, of the Code of Ordinances is hereby deleted in its entirety and shall be reserved for future use.

Section 3. Ordinance No. 235, Book I, duly passed and approved on October 22, 1991, and codified as Article 1.1600, Resource Recovery Committee, of Chapter 1, General Provisions, of the Code of Ordinances of the City of Spring Valley Village is hereby repealed in its entirety.

Section 4. All provisions of the ordinances of the City of Spring Valley Village, Texas, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Spring Valley Village, Texas, codified or uncoded, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part or provision hereof declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED on this the ____ day of _____, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: June 25, 2019

TOPIC: Resolution No. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING A PROPOSAL FOR PRIMARY DEPOSITORY BANK SERVICES SOLICITATION PROCESS BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND VALLEY VIEW CONSULTING, LLC; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

BACKGROUND: Chapter 105 of the Texas Local Government Code provides that the term of a municipality's depository banking services agreement is limited to 5 years after which time the municipality must utilize a solicitation (bid) process to retain depository banking services for the next 5 year term. The City of Spring Valley Village's depository banking services agreement with Wells Fargo currently expires at the end of July of this year.

In the past, the City has issued a Request for Applications in compliance with Chapter 105; however, only one submission has been received. In order to create a more vibrant bid process, City Treasurer Michelle Yi and I contacted Valley View Consulting to assist the City with developing a strong Request for Applications that would result in multiple financial institutions submitting to provide depository banking services for the City. I have worked with Valley View Consulting in another city and found their process to result in a truly competitive process that yielded better service and cost savings for the other city.

On May 29, 2019, I executed a Proposal for Primary Depository Bank Services Solicitation Process with Valley View Consulting, LLC. The flat fee for Valley View Consulting's services is \$7,500.00, and there is funding within the Administration budget for these services. This Resolution formally ratifies my actions on behalf of the City. We anticipate issuing the Request for Applications on August 14, 2019, with a recommendation for award to be made to the Council during the December 10, 2019 meeting.

Wells Fargo is aware that the City will be issuing a Request for Application, and, in order to allow the City adequate time to go through the process established under Chapter 105, has

ACTIONS TAKEN

APPROVAL	READING PASSED	OTHER
☐ YES ☐ NO		

**Spring Valley Village City Council
Agenda Item Data Sheet**

approved an extension of the City's current depository banking services agreement through January 31, 2020, a copy of which is provided with this agenda item.

RECOMMENDATION: Staff recommends approval of the Resolution.

ATTACHMENTS:

- Resolution No. 19-XX
- Copy of Letter Dated May 29, 2019 Executed by Wells Fargo Extending Current Depository Banking Services Agreement Through January 31, 2020

FUNDING ISSUES:

☐ Not applicable – no dollars are being spent or received.

☒ Full amount already budgeted in Acct/Project# 10-10-5507

☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:

☐ \$ _____ from Acct/Project# _____ will be transferred to Acct/Project# _____

☐ \$ _____ from unassigned fund balance will be used and added to Acct/Project# _____

☐ \$ _____ will be added to Revenue Acct# ____-____ and \$ _____ added to Expenditure Acct/Project# _____

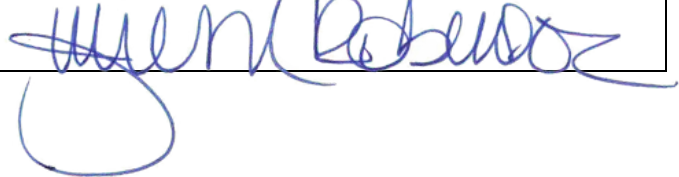
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Julie M. Robinson, City Administrator

CITY ADMINISTRATOR APPROVAL:



ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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RESOLUTION NUMBER 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING A PROPOSAL FOR PRIMARY DEPOSITORY BANK SERVICES SOLICITATION PROCESS BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND VALLEY VIEW CONSULTING, LLC; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 29, 2019, the City Administrator executed a Proposal for Primary Depository Bank Services Solicitation Process with Valley View Consulting, LLC ("Agreement"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, on behalf of the City of Spring Valley Village in order to assist the City in its Primary Depository Bank Request for Application solicitation process; and

WHEREAS, upon review and consideration of all matters attendant and related thereto, the City Council hereby finds and determines that: (1) it is in the best interests of the City of Spring Valley Village and its citizens to execute the Agreement; and (2) that the actions of the City Administrator in executing the Agreement should be ratified in all respects.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The actions of the City Administrator taken for and on behalf of the City in executing the Agreement as authorized by the Mayor are ratified in all respects.

Section 3. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED on this the 25th day of June, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

EXHIBIT "A"

TO

RESOLUTION NUMBER 19-XX



May 23, 2019

Ms. Julie Robinson
City Administrator
City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055

PROPOSAL FOR PRIMARY DEPOSITORY BANK SERVICES

Thank you for considering Valley View Consulting to assist the City in its Primary Depository Bank Request for Application (the “RFA”) solicitation process, generating a bank services RFA, analyzing the responses, and arriving at a primary depository bank recommendation for the new contract period. It would be a pleasure to work with you on this project.

When selected, we will assist the City in soliciting and recommending a Primary Depository Bank for approval by the City Council. The objective is to secure the most cost-effective relationship for current and future banking services with a bank that meets the criteria of “best value.” The attached ***Primary Depository Bank RFA Process and Procedure*** outlines the potential assignment. It focuses on the banking services RFA and best candidate selection. Also outlined, in moderate detail, are the variety of steps necessary to effectively select a primary depository bank and enter into the new contractual relationship.

For this type of project, a fixed fee is appropriate. Therefore, we propose \$7,500.00 for the project, which includes our presence at two on-premises events to be selected by the City. Typically, the request is for our participation at the pre-application conference and the presentation of the recommendation to the City Council or appropriate committee. Any additional on-site involvement as may be required by the City can be negotiated for accommodation.

This proposal is specifically for the solicitation of standard banking service functions from the financial institutions located within municipal boundaries. It excludes other such services as Lockbox, Merchant Bank Services, Purchasing Cards, Courier Service, etc., that are better addressed as separate projects.

It should be noted that this proposal is for providing business consulting services and does not encompass or represent legal advice which should be obtained from the City’s attorneys prior to the execution of bank contracts and agreements.

In addition to the primary depository bank services proposed herein, Valley View Consulting is a SEC registered investment advisory firm providing advisory services to Texas public fund clients. Should Valley View Consulting be selected to provide investment advisory services to the City within one year of this Agreement, fees paid in conjunction with this project will be waived or applied as a reduction of any advisory fees.

The project team will include Mr. E.K. Hufstedler, Mr. Bill Koch, Mr. Tom Ross, and me. We are available to begin this engagement upon acceptance of the proposal.

Valley View is certainly looking forward to providing this service to the City. Please call me at 540.297.3419 or Tom Ross at 817.706.0471 if you have any questions or need additional information.

If this approach meets with your approval, please provide your formal acceptance in the space indicated below.

We appreciate your interest and look forward to working with you and the City.

Sincerely,

VALLEY VIEW CONSULTING, L.L.C.:



Richard G. Long, Jr.
Manager

**CITY OF SPRING VALLEY
VILLAGE, TX:**

Signature: _____

Name:  Julie M. Robinson

Title:  City Administrator

Date: May 29, 2019

Attachment

Primary Depository Bank RFA Process and Procedure

The following process and procedure identify the tasks to be performed within the scope of this project to the fullest extent possible. However, additional tasks may be required.

- Review the prior Depository Bank contract.
- Review the prior Request for Application (RFA).
- Review the group level summary and individual account statements of the previous twelve months bank account analyses.
- Review the bank statements of all accounts for one current month (exclusive of canceled checks and deposit tickets).
- Consider the bank account structure, flow of funds, account usage, and potential enhancements.
- Review the current Pledged Collateral Report.
- Review the current Custodial Agreement.
- Review the most recent Budget.
- Review the most recent Consolidated Annual Financial Report (CAFR), with management letter.
- Review the purchasing manual, financial policies, etc.
- Develop a calendar of events for the RFA process.
- Establish the evaluation criteria.
- Prepare a list of the financial institutions that will be sent the RFA.
- Contact each financial institution to confirm recipient information and alert them to the RFA.
- Prepare the advertising notice to be published and review with staff.
- Prepare a draft RFA, complete with attachments and schedules, for review.
- Review the draft RFA with City staff, incorporating changes as necessary.
- Finalize the RFA.
- Prepare the transmittal letter for distribution with the RFA.
- Assist in hosting a pre-application conference to answer questions and provide additional explanation.

- Upon receipt of the applications, analyze them for conformance to the RFA requirements and to determine the relative value based on the evaluation criteria.
- Review the results of the application analysis with City staff.
- Prepare a RFA process recap with the selection recommendation of City staff.
- Assist City staff with presentation to the appropriate committee and/or Council for selection of the successful applicant.
- Prepare a letter to the unsuccessful applicants notifying them of the outcome of the process and return the good faith performance checks.
- Prepare a notification of award letter to successful applicant.
- Assist with current bank notification of the contract award and request for transition cooperation.
- Assist City staff and the successful applicant with the implementation process.
- Assist as needed in development of an implementation timeline.
- Assist as needed with bank services selection.
- Assist with the completion of agreements and documentation.
- Confirm new collateral pledge procedures.
- Assist with transfer of City-owned securities held in safekeeping to successful applicant.
- Verify document completion, execution, and retention.
- Prepare transmittal letter to successful applicant to accompany good faith performance check return upon contract execution.
- After transition:
 - Compare bank account analysis pricing for services with application;
 - Verify and adjust optimum target balance.

DIVIDER PAGE



EST. 1955

SPRING VALLEY VILLAGE

May 29, 2019

Mr. Tim Kreitzer
SVP/Regional Manager
Wells Fargo Bank-Texas
12650 North Featherwood Drive, Suite 210
MAC: T0170-021
Houston, Texas 77034

RE: City of Spring Valley Village, Texas Depository Bank Services Contract Extension

Dear Mr. Kreitzer:

The final expiration of the City's Depository Bank Services Agreement is July 31, 2019. The City has begun the process for a solicitation for applications to consider and secure a new Depository Bank Services Agreement. In order to provide the time for this process, we are requesting a 6 month extension of our current agreement. We request to extend the term through January 31, 2020, under the same terms and conditions.

To confirm the Bank's acceptance of this contract extension, please complete and sign in the section below and return a copy of this letter to me.

We have appreciated our relationship with Wells Fargo over the term of the current depository contract and will appreciate your consideration for this extended term.

Should you have any questions or need additional information or explanation, please contact me directly at 713-465-5306.

Sincerely,

Julie Robinson
City Administrator

WELLS FARGO BANK, N.A.

ACCEPTED BY: _____

DATE: _____

5-30-2019

PRINTED NAME: _____

Tim Kreitzer

TITLE: _____

Sr. Vice President

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: June 25, 2019

TOPIC:	Resolution No. 19-XX A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING A PRIMARY DEPOSITORY BANK SOLICITATION BOUNDARIES POLICY EXPRESSLY PERMITTING THE CONSIDERATION OF APPLICATIONS FOR DEPOSITORY BANKING SERVICES FROM BANKS, CREDIT UNIONS, OR SAVINGS ASSOCIATIONS THAT ARE NOT DOING BUSINESS WITHIN THE CITY LIMITS IN ACCORDANCE WITH SECTION 105.011 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.
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BACKGROUND:	Section 105.017 of the Texas Local Government Code, as amended (the "Code") provides that the term for a City's depository banking services agreement may not exceed 5 years. Consequently, the City must go out for bid for such services at least every 5 years. The City's current agreement with Wells Fargo Bank expires in July, so it is time for the City to issue a Request for Applications for Depository Bank Services. Wells Fargo has agreed to a 6-month extension of the agreement to allow the City to go through the required competitive process. Section 105.011 of the Code requires a City to receive applications for depository banking services only from financial institutions doing business within the City limits unless the City has adopted a written policy expressly permitting the consideration of applications received from financial institutions that are not doing business within the City limits prior to the publication of notice of the issuance of a Request for Applications for Depository Banking Services as required by Section 105.012 of the Code. There are a limited number of banks, credit unions, or savings associations that do business within the City limits. In order for the City to consider applications from financial institutions that are not doing business within the City limits, the Council must adopt a Primary Depository Bank Solicitation Boundaries Policy that allows such consideration. Such a Policy will encourage a competitive process. The proposed Primary Depository Bank Solicitation Boundaries Policy expressly permits the City to consider applications from
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ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**Spring Valley Village City Council
Agenda Item Data Sheet**

financial institutions not doing business within the City limits and allows City staff to determine the allowable distance outside of the City's municipal boundaries considering operational convenience and the likelihood of increased competitiveness and include the distance in a Request for Applications and all required notices.

RECOMMENDATION: Staff recommends approval of the Resolution.

ATTACHMENTS: • Resolution No. 19-XX

FUNDING ISSUES:

☒ Not applicable – no dollars are being spent or received.

☐ Full amount already budgeted in Acct/Project# _____

☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:

☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____

☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____

☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____

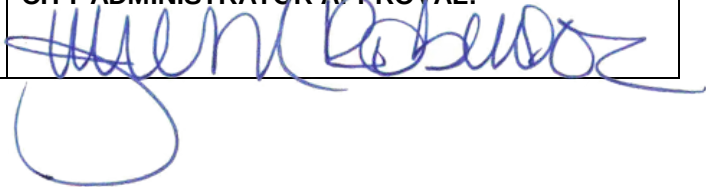
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Julie M. Robinson, City Administrator

CITY ADMINISTRATOR APPROVAL:



ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING A PRIMARY DEPOSITORY BANK SOLICITATION BOUNDARIES POLICY EXPRESSLY PERMITTING THE CONSIDERATION OF APPLICATIONS FOR DEPOSITORY BANKING SERVICES FROM BANKS, CREDIT UNIONS, OR SAVINGS ASSOCIATIONS THAT ARE NOT DOING BUSINESS WITHIN THE CITY LIMITS IN ACCORDANCE WITH SECTION 105.011 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 105.011 of the Texas Local Government Code, as amended (the "Code"), requires a City to receive applications for depository banking services from one or more banks, credit unions, or savings associations doing business within the City limits; and

WHEREAS, in accordance with Section 105.011(b)(2) of the Code, in order to consider an application from a bank, credit union, or savings association that is not doing business within the City limits, the City Council must adopt a written policy expressly permitting the consideration of applications received by the City from a bank, credit union, or savings association that is not doing business within the City limits prior to the publication of notice of the issuance of a Request for Applications for Depository Banking Services as required by Section 105.012 of the Code; and

WHEREAS, the City of Spring Valley Village, Texas has limited banks, credit unions, or savings associations that do business within the City limits; and,

WHEREAS, in order to encourage a competitive process, the City Council hereby finds that it is in the best interest of the City to adopt a Primary Depository Bank Solicitation Boundaries Policy permitting the consideration of applications for depository banking services from banks, credit unions, or savings associations that are not doing business within the City limits.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The City Council of the City of Spring Valley Village hereby adopts the Primary Depository Bank Solicitation Boundaries Policy attached hereto as Exhibit "A."

Section 3. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED on this the 25th day of June, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

EXHIBIT "A"

TO

RESOLUTION NUMBER 19-XX



CITY OF SPRING VALLEY VILLAGE, TEXAS PRIMARY DEPOSITORY BANK SOLICITATION BOUNDARIES POLICY

JUNE 25, 2019

In accordance with Chapter 105 of the State of Texas Local Government Code, it is the Policy of the City of Spring Valley Village, Texas to accept applications from financial institutions ("banks, credit unions, savings associations") not doing business within the City's municipal boundaries.

City staff will determine the allowable distance outside of the City's municipal boundaries considering operational convenience and the likelihood of increased competitiveness.

This distance specified will be disclosed in all Notices, Advertisements (local and general circulation), and the Request for Applications.

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: June 25, 2019

TOPIC:	Resolution Number 19-XX A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN ENGAGEMENT LETTER FOR AUDIT SERVICES BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND BELT HARRIS PECHACEK, LLC FOR FISCAL YEARS 2019 AND 2020; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
BACKGROUND:	Belt Harris Pechacek LLC has been the City's auditor for the last several years, and the audit services provided to the City have been great. Therefore, the recommendation is to retain Belt Harris Pechacek for audit services for Fiscal Years 2019 and 2020. The Engagement Letter that is submitted for Council's consideration provides for Fiscal Year 2019 audit fees of \$27,468.00 and Fiscal Year 2020 audit fees of \$28,220.00 (3% increase over Fiscal Year 2019) for the City's Financial Statement and the Legacy Fund. The proposed fees are \$4,185 higher than the Fiscal Year 2018 audit fees due to the additional OPEB disclosure that was required by GASB Statement 75. If the Engagement Letter is approved, these fees will built into the FY 2019 and 2020 Budgets.
RECOMMENDATION:	Staff recommends approval of the Resolution.
ATTACHMENTS:	• Resolution Number 19-XX
FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING:	
	
SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Michelle Yi, City Treasurer	

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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RESOLUTION NUMBER 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN ENGAGEMENT LETTER FOR AUDIT SERVICES BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND BELT HARRIS PECHACEK, LLC FOR FISCAL YEARS 2019 AND 2020; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented an Engagement Letter for audit services by and between the City of Spring Valley Village, Texas and Belt Harris Pechacek LLC for Fiscal Years 2019 and 2020 (hereinafter called "Engagement Letter"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, upon full review and consideration of the Engagement Letter and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute the Engagement Letter and any and all documents necessary to effectuate such Engagement Letter on behalf of the City of Spring Valley Village.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The terms and conditions of the Engagement Letter, having been reviewed by the City Council of the City of Spring Valley Village and found to be acceptable and in the best interests of the City of Spring Valley Village and its citizens, are hereby in all things approved.

Section 3. The Mayor is hereby authorized to execute the Engagement Letter and empowered, for and on behalf of the City, to take all such actions and to execute, verify, acknowledge, certify to, file and deliver all such instruments and documents required in the Engagement Letter as shall in the judgment of the Mayor be appropriate in order to effect the purposes of the foregoing resolution and Engagement Letter.

Section 4. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED on this the ____ day of _____, 2019.

Tom Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

EXHIBIT “A”
TO
RESOLUTION NUMBER 19-XX



Engagement Letter

May 22, 2019

The Honorable Tom Ramsey, Mayor
City of Spring Valley Village
1025 Campbell Rd.
Houston, Texas 77055-7407

We are pleased to confirm our understanding of the services we are to provide for the City of Spring Valley Village (the "City") for the years ended September 30, 2019 and 2020.

Audit Services

We will audit the financial statements of the governmental activities, the business-type activities, and each major fund, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City as of and for the years ended September 30, 2019 and 2020.

The component unit will be audited as part of the audit of the financial statements of the City as noted below:

1. Legacy Fund: Blended, No Separate Financial Statements

Limited Procedures

Accounting standards generally accepted in the United States of America provide for certain Required Supplementary Information (RSI), such as Management's Discussion and Analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles (GAAP) and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. Budgetary Comparison Schedule(s)
3. Pension Liability and Contribution Schedule(s)

Unaudited Information

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditors' report will not provide an opinion or any assurance on that other information:

1. Introductory Section
2. Statistical Section

Nonaudit Services

In connection with the engagement, we will perform services unrelated to our attest function. The additional services we will provide include:

1. **Preparation of Documents**
We will assist in preparing the financial statements and related notes of the City in conformity with GAAP based on information provided by the City.
2. **Advisory Services**
We will provide routine advisory services through phone calls, conferences, or otherwise, in connection with incidental matters arising during the year. We encourage open lines of communication throughout the year as part of our services.
3. **Correspondence**
We will handle all normal correspondence from grantor, regulatory, or oversight agencies related to the audit.
4. **Professional Proofing**
To ensure documents issued in connection with the audit engagement are professional in appearance, we will submit both client-prepared information, as well as documents created entirely by the auditor, to an independent professional proofreader for a cover-to-cover inspection. This review will include consistent formatting, grammar, logic, and any other items that may detract from the document. This process is over and above technical reviews performed.
5. **Printing and Binding**
All final hard copy documents will be printed on a 1200 dpi or better resolution copier and bright white report paper. Reports will be bound with GBC-brand plastic combs with 30 mil oversized covers. We will manually inspect each page from one document and spot check remaining reports for printing errors. Our reports will be centered, properly aligned, and free of smudges and other detracting elements.
6. **Electronic Adobe Searchable PDF**
In addition to providing hard copy documents, we will also provide all final documents in electronic image files in Adobe PDF format, suitable for posting in electronic agenda packages, posting on websites, or transmitting by email to regulatory agencies.
7. **Client Portal - Auditbox**
We will provide the City access to our proprietary AuditBox online site to provide a central repository where both the City's personnel and audit team members can see documents being exchanged during the process to eliminate duplicate requests from audit team members. Both the City's documents, as well as final audit documents, will be hosted on the site providing an archive of information that new personnel may access in subsequent years, if information is needed regarding what was provided for a prior year audit or a copy of audit documents issued.

Other Services

We will also assist in preparing the financial statements of the City in conformity with GAAP based on information provided by you. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for designing, implementing, and maintaining effective internal controls, relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with GAAP.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws and regulations.

You agree to assume all management responsibilities for financial statement preparation services and any other nonattest services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with GAAP and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the City's financial statements. Our report will be addressed to management and members of the governing body of the City. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or may withdraw from this engagement.

Audit Procedures-General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with

U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures-Internal Control

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures-Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

Fees for our services are based on the actual time spent at our standard hourly rates, plus travel and other out-of-pocket costs such as report production, word processing, postage, etc. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Items that likely will increase the fee estimate include:

1. Assistance with addressing matters that were designated as management responsibility, which include closing schedules and closing entries.
2. Submission of audit data within 60 days of a client requested completion date or filing deadline, requiring overtime hours to meet the deadline.
3. Changes to accounting pronouncements, professional standards, laws, and regulations not known to us as of the date of this letter that have a significant impact on time requirements.
4. Changes in the operations and significant matters that materially change the audit scope such as evaluation of the impact of joint ventures, debt issuance/refunding/advance extinguishment, forbearance agreements, notice of material events, enforcement actions, required corrective actions, self-insurance, environmental liabilities, going concern, and/or other postemployment benefits.
5. Significant increases in State or Federal funding requiring State and/or Federal Single Audits and/or increases to the number of grants classified as major programs by the Office of Management and Budget (OMB) or state requirements.

6. Follow up on allegations or discovery of a) noncompliance with laws, regulations, and policies; b) fraud, waste, and abuse; c) significant deficiencies in internal control; d) nepotism; and e) related party transactions.

As customary in the industry, the price quoted is an estimate. In accordance with rules of the State Board of Public Accountancy, we cannot be bound to provide the audit for the amount estimated. However, in practice, we honor our fee quotes unless adverse conditions such as those described above are encountered.

Fee Estimates

	<u>2019</u>	<u>2020</u>
Financial Statement Audit (CAFR)	\$ 26,978	\$ 27,720
Legacy Fund*	\$ 500	\$ 500

*Actual cost \$2,500 less \$2,000 Belt Harris Pechacek contribution.

Non-Single Audit Engagement

A federal single audit is required by the OMB's Uniform Guidance when federal funds over \$750,000 are expended. Federal single audit fees vary based on the number of major programs as defined by OMB. The additional technical verbiage that is necessary when a federal single audit is required is not included within this engagement letter, nor does the proposed engagement fee include additional fees related to a federal single audit.

A state single audit is required when grant funds that originated from the State of Texas (this does not include federal monies passed through the State) over \$750,000 are expended. State single audit fees vary based on the number of major programs as defined by the *State of Texas Single Audit Circular*. The additional technical verbiage that is necessary when a state single audit is required is not included within this engagement letter, nor does the proposed engagement fee include additional fees related to a state single audit.

Should you exceed the federal and/or state single audit thresholds, a new engagement letter will be required.

Billing Protocol

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Generally, 40 percent will be billed and payable upon completion of interim audit procedures (normally one to four months before year end) and 60 percent after a draft of the financial statements is issued. Accordingly, the fee will be split 40/60 between budget years. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit.

Foreign Terrorists Organizations

Pursuant to Chapter 2252, Texas Government Code, we represent and certify that, at the time of execution of this letter, neither we nor any wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same (i) engages in business with Iran, Sudan, or any foreign terrorist organization as described in Chapters 806 or 807 of the Texas Government Code or Subchapter F of Chapter 2252 of the Texas Government Code or (ii) is a company listed by the Texas Comptroller of Public Accounts under Sections 806.051, 807.051, or 2252.153 of the Texas Government Code. The term 'foreign terrorist organization' in this paragraph has the meaning assigned to such term in Section 2252.151 of the Texas Government Code.

Vendor Representation Regarding Israel

Pursuant to Chapter 2270, Texas Government Code, we represent that we do not boycott Israel and will not boycott Israel during the term of the contract. The term 'boycott Israel' shall have the meaning ascribed to this term in Section 808.001 of the Texas Government Code.

Required Non-Appropriation Clause

Notwithstanding anything contained in this engagement to the contrary, in the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable in any fiscal period for fees due under this engagement agreement, the City will immediately notify us in writing of such occurrence and this agreement shall terminate on the last day of the fiscal period for which appropriations have been received or made.

Authorization of CPA's Disclosure

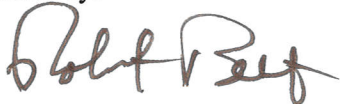
Any client certified public accountant involved with assisting us shall not be prohibited from disclosure of information required to be made available by the standards of the public accounting profession in reporting on the examination of financial statements. Management understands and provides permission to staff certificate or registration holders as required under the Rules of Professional Conduct, Texas Administrative Code, Title 22, Part 22, Chapter 501, Subchapter C, Section 501.75.

We appreciate the opportunity to be of service to the City and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,

Belt Harris Pechacek, LLLP
Certified Public Accountants

Authorized by:



Robert Belt, CPA, CGMA
Managing Partner

RESPONSE:

This letter correctly sets forth the understanding of City of Spring Valley Village.

The Honorable Tom Ramsey, Mayor

Date

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: June 25, 2019

TOPIC:	Resolution Number 19-XX A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT FOR TAX ASSESSMENT AND COLLECTION SERVICES BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AND SPRING BRANCH INDEPENDENT SCHOOL DISTRICT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.
BACKGROUND:	The City of Spring Valley Village has contracted with Spring Branch Independent School District ("Spring Branch ISD") for tax assessment and collection services for many years. The proposed Interlocal Agreement for Tax Assessment and Collection Services would renew the Agreement between Spring Valley and Spring Branch ISD for two (2) years beginning on September 1, 2019 and ending on August 31, 2021. The annual fee contained in the proposed Interlocal Agreement is the same as current annual fee of \$7,700.00. This fee is paid by February 1 of each year and, if approved, will be included in the City's Fiscal Years 2019 and 2020 Proposed Budgets.
RECOMMENDATION:	Staff recommends approval of the Resolution.
ATTACHMENTS:	• Resolution Number 19-XX
FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING:	
SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Roxanne Benitez, City Secretary	

ACTIONS TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 st ☐ 2 nd ☐ 3 rd	

RESOLUTION NUMBER 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT FOR TAX ASSESSMENT AND COLLECTION SERVICES BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AND SPRING BRANCH INDEPENDENT SCHOOL DISTRICT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, authorizes governmental entities to contract with each other to perform government functions and services under the terms thereof; and

WHEREAS, the City Council has before it a proposed Interlocal Agreement for Tax Assessment and Collection Services between the City of Spring Valley Village, Texas and Spring Branch Independent School District ("the Agreement"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, upon full review and consideration of the Agreement and all related matters, the City Council finds that the City of Spring Valley Village's best interests are served, desires to approve the terms and conditions of the Agreement and to authorize the Mayor to execute the Agreement on behalf of the City of Spring Valley Village.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The City Council, after review of the terms and conditions thereof, hereby approves the attached Interlocal Agreement for Tax Assessment and Collection Services between the City of Spring Valley Village, Texas and Spring Branch Independent School District.

Section 3. The City Council also authorizes the Mayor to execute the Agreement on behalf of the City of Spring Valley Village and all other documents in connection therewith.

Section 4. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 25th day of June, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

EXHIBIT “A”
TO
RESOLUTION NUMBER 19-XX

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HARRIS

This memorandum of contract is made and executed this ____ day of August, 2019 by and between the City of Spring Valley Village, Texas a municipal corporation of the State of Texas, hereinafter called "City," and the Spring Branch Independent School District, a body politic and corporate, hereinafter called "District";

WHEREAS, City has requested District to assess and collect ad valorem taxes for said City; and

WHEREAS, it will be to the mutual benefit of both parties to enter into such an agreement; now therefore

FOR AND IN CONSIDERATION of the premises and benefits described below, City and District hereby enter into the following agreement:

1. District agrees that its Tax Assessor-Collector will assess and collect all ad valorem taxes for City and perform all the necessary services with regard to assessment and collection of said City's taxes with the exception of legal services incidental to the collection of delinquent taxes. In the performance of such necessary services, the Tax Assessor-Collector will apply the applicable rules, regulations, and ordinances of City.

2. This contract shall be for a period of two (2) years , beginning on the 1st day of September 2019, and ending on the 31st day of August 2021.

3. District agrees to make deposits to the Depository of City of all taxes collected on behalf of City at least once each week.

4. City agrees that it will pay to District, as compensation for performing this service, a fee which shall be the sum of \$7,700.00 for each annual tax period, plus postage expenses incurred by District on behalf of the City. District will submit a statement for the services so rendered and payment

for said services will be made to District on or before February 1. Payment for said services shall be made from current revenues available to City.

5. City and District recognize that the Harris County Appraisal District is responsible for appraising the property that is subject to taxation by City and District. City or District, separately in its own name and on its own behalf, may challenge any act or omission of the Appraisal District and any decision to make such challenge or not, by either City or District, shall not be binding on the other.

6. District will not be liable to City for any failure to collect taxes, nor shall District's Tax Assessor-Collector be liable unless such failure to collect results from the failure of the Tax Assessor-Collector to perform such duties in the manner and in accordance with the standards imposed by law. District's Tax Assessor-Collector shall furnish a bond in the sum of \$25,000. payable to and approved by City and conditioned on the faithful performance of the duties as Tax Assessor-Collector. The cost of such bond shall be paid by City.

7. District's Tax Assessor-Collector shall prepare a written monthly statement of all amounts collected for the benefit of City, and such reports of collection made in the months of October through January are due on the twenty-fifth (25th) day of the month following the month that is the subject of the report. Reports of collections made in all other months are due the fifteenth (15th) day of the month following the month that is the subject of the report. City will be permitted to audit the tax records at a reasonable time mutually agreed upon by both parties.

8. The tax office is to remain under the administrative control of the Tax Assessor-Collector of District.

9. In the event any provision of this contract is inconsistent with the statutes of the State of Texas, the statutes of the State of Texas shall control and the District's Tax Assessor-Collector will discharge these duties in accordance therewith.

10. District agrees to furnish to City a written list of each delinquent taxpayer, the delinquent taxpayer's address, the amount of the delinquency, and the designation of the property involved, by July 1st of each year. District further agrees that by August 1st, or as soon thereafter as practical each year, the Tax Assessor-Collector will provide City with the Harris County Appraisal District's certified estimate of the total appraised value of all property in the Appraisal District that is taxable by City.

11. This agreement shall replace all prior agreements with regard to the assessing and collecting of ad valorem taxes heretofore made between the parties hereto.

ATTEST:

CITY OF SPRING VALLEY VILLAGE, TEXAS

Roxanne Benitez
City Secretary

Tom S. Ramsey
Mayor

ATTEST:

SPRING BRANCH INDEPENDENT
SCHOOL DISTRICT

Minda Caesar
Secretary
Board of Trustees

Pam Goodson
President
Board of Trustees

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: June 25, 2019

TOPIC: Resolution No. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND H&N CONTRACTOR MANAGEMENT SERVICES, LLC FOR THE CEDARBRAKE DRIVE DRAINAGE IMPROVEMENTS PROJECT (CSB# 2019-03-102); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

BACKGROUND: On April 23, 2019, City Council awarded the construction contract for the Cedarbrake Drive Drainage Improvements Project to H&N Contractor Management Services, LLC in an amount not to exceed \$101,416.00. Construction of the project started on Monday, June 10, 2019.

The original design and bid documents called for two separate drainage pipes to be installed behind the street on both sides of the road. The new drainage pipes serve as a future connection point for private residential drainage systems. At the start of construction, the Contractor's exploratory digging efforts found that the existing 6 inch water line on the north side of the road is in conflict with the proposed drainage pipe on the north side. The location of the proposed drainage pipe cannot be adjusted due to existing trees and other obstructions, and it would be costly to relocate the existing water line. Therefore, a design revision is being proposed to cross the street and connect the north side drainage pipe to the south side drainage pipe. This proposed road crossing requires reinforced concrete pipe (RCP) under the pavement, as well as concrete pavement repair to accommodate the pipe installation. The concrete pavement repair will utilize high early strength concrete to expedite opening of the road to traffic. The Change Order No. 1 will add new pay items to the contract that were not originally in the bid documents to be used for the proposed design change.

If approved, Change Order No. 1 will increase the contract amount by \$8,516.00 for a new total contract amount of \$109,932.00. The original construction budget estimate for this project was \$110,000.00 so approval of Change Order No. 1 still

ACTIONS TAKEN

APPROVAL	READING PASSED	OTHER
☐ YES ☐ NO		

**Spring Valley Village City Council
Agenda Item Data Sheet**

brings this Project within the original construction budget estimate. The contract duration of 60 calendar days will remain the same.

RECOMMENDATION: ARKK Engineers and Staff recommend approval of the Resolution.

ATTACHMENTS: • Resolution No. 19-XX

FUNDING ISSUES:

☐ Not applicable – no dollars are being spent or received.

☒ Full amount already budgeted in Acct/Project# 25-50-7107

☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:

☐ \$ _____ from Acct/Project# _____ will be transferred to Acct/Project# _____

☐ \$ _____ from unassigned fund balance will be used and added to Acct/Project# _____

☐ \$ _____ will be added to Revenue Acct# ____-____ and \$ _____ added to Expenditure Acct/Project# _____

FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER: Arthur Faiello, Director of Public Works	CITY ADMINISTRATOR APPROVAL: 
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ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
---	-----------------------	--------------

RESOLUTION NUMBER 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND H&N CONTRACTOR MANAGEMENT SERVICES, LLC FOR THE CEDARBRAKE DRIVE DRAINAGE IMPROVEMENTS PROJECT (CSB# 2019-03-102); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Change Order Number 1 to the Agreement by and between the City of Spring Valley Village, Texas and H&N Contractor Management Services, LLC for the Cedarbrake Drive Drainage Improvements Project (XSB# 2019-03-102) (hereinafter called "Change Order Number 1"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, upon full review and consideration of Change Order Number 1 and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute Change Order Number 1 and any and all documents necessary to effectuate such Change Order Number 1 on behalf of the City of Spring Valley Village.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The terms and conditions of Change Order Number 1, having been reviewed by the City Council of the City of Spring Valley Village and found to be acceptable and in the best interests of the City of Spring Valley Village and its citizens, are hereby in all things approved.

Section 3. The Mayor is hereby authorized to execute Change Order Number 1 and empowered, for and on behalf of the City, to take all such actions and to execute, verify, acknowledge, certify to, file and deliver all such instruments and documents required in Change Order Number 2 as shall in the judgment of the Mayor be appropriate in order to effect the purposes of the foregoing resolution and Change Order Number 1.

Section 4. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED on this the 25th day of June, 2019.

Tom Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

EXHIBIT "A"

TO

RESOLUTION NUMBER 19-XX

CHANGE ORDER NO. 1

PROJECT: Cedarbrake Drive Drainage Improvements Project **DATE OF ISSUANCE:** June 18, 2019

OWNER: City of Spring Valley Village **ENGINEER:** ARKK Engineers, LLC
(Name & Address) 1025 Campbell Road
Houston, Texas 77055 7322 Southwest Fwy, Suite 1040
Houston, Texas 77074

CONTRACTOR: H&N Contractor Management **ENGINEER'S PROJECT No.:** 18-030
PO Box 940634
Houston, Texas 77094

You are directed to make the following changes in the Contract Documents.

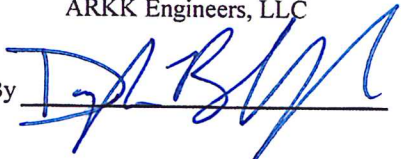
Purpose of the Change Order: Add additional pay items for design adjustments necessary to accommodate unforeseen conflicts with existing utility lines.

Attachments: See Attachment 'A'

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price \$ 101,416.00	Original Contract Time 60 Calendar Days
Previous Change Orders No. 0 to No. 0 \$ 0.00	Net Change From Previous Change Orders 0 Calendar Days
Contract Price Prior to this Change Order \$ 101,416.00	Contract Time Prior to this Change Order 60 Calendar Days
Net Increase Decrease of this Change Order \$ 8,516.00	Net Increase (Decrease) of this Change Order 0 Calendar Days
Contract Price with all Approved Change Orders \$ 109,932.00	Contract Time with all Approved Change Orders 60 Calendar Days

RECOMMENDED
ARKK Engineers, LLC

By

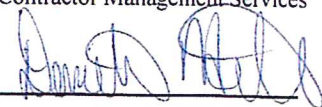


APPROVED
City of Spring Valley Village

By

APPROVED
H&N Contractor Management Services

By



City of Spring Valley Village
Cedarbrake Drive Drainage Improvements Project

Attachment "A"

June 18, 2019

ITEM	ITEM DESCRIPTION	UNIT	EST. QUAN.	UNIT PRICE	TOTAL
ADDITIONS					
CO1-1	18" RCP, ASTM C76, Class III storm sewer, rubber gasket joints, including cement stabilized sand bedding and backfill	LF	44	\$62.00	\$2,728.00
CO1-2	Concrete pavement repair (High Early Strength) for storm sewer installation per detail, including sawcutting, removal, cement stabilized sand subgrade, and curbs	SY	40	\$127.20	\$5,088.00
CO1-3	Crushed concrete or stone base material for temporary pavement, including placement and removal	TON	20	\$35.00	\$700.00
Subtotal Additions:					\$8,516.00

Subtotal Additions: \$8,516.00

Subtotal Deletions: \$0.00

Total Change Order Amount: \$8,516.00

SPRING VALLEY POLICE DEPARTMENT

Calls - By Type

05\01\2019
thru 05\31\2019

Type	Description	# Of Calls
21	911 HANG UP	1
6	ACCIDENT	25
22	ALARM	57
23	AMBULANCE CALL	21
24	ANIMAL CALL	6
43	ASSIST OUTSIDE AGENCY	18
126	BURGLARY OF MOTOR VEHICLE	5
135	BUSINESS CHECK	259
48	CITY CREW REPAIRS	9
49	CIVIL MATTER	3
122	CRIMINAL MISCHIEF	1
38	DAMAGE TO CITY PROPERTY	1
53	DEBRIS IN ROADWAY	6
56	DISTURBANCE	1
140	EVADING ARREST/DETENTION	1
60	FIRE CALL	5
62	FOUND PROPERTY	1
63	FRAUD	1
142	FSGI	3
68	HOUSE CHECK	104
118	IDENTITY THEFT	1
121	ILLEGAL PARKED VEHICLE	9
70	INFORMATION	13
71	INVESTIGATION	1
76	LOUD NOISE	4
81	OPEN DOOR	36
83	POWER OUTAGE	1
86	PUBLIC RELATIONS	121
87	RECKLESS DRIVING	3
92	SERVICE CALL	2
93	SEWER LEAK	1
96	SOLICITOR	5
97	SPECIAL ASSIGNMENT	1
99	STALLED VEHICLE	47
103	SUSPICIOUS ACTIVITY	15
104	SUSPICIOUS PERSON	11
105	SUSPICIOUS VEHICLE	37
107	TELEPHONE REPAIR	1
4	THEFT	2
128	TRAFFIC ARREST	1
108	TRAFFIC CONTROL	2
109	TRAFFIC LIGHT REPAIR	2
11	TRAFFIC STOP	600
143	UUMV	1
111	VEHICLE BLOCKING ROADWAY	5
112	VEHICLE CHECK	18
113	VEHICLE IN DITCH	1
42	WARRANT SERVICE	10
116	WATER LEAK	2
117	WELFARE CONCERN	6

Type	Description	# Of Calls
	Total	1,487

Spring Valley Village, TX PD

May 1, 2019 - May 31, 2019

Citation Violation Audit By Offense

Total Charges: **926**

Description	Counts
CHANGE NAME/MAILING ADDRESS LATER THAN 30 DAYS (CDL)	2
CHANGED LANE WHEN UNSAFE	1
CITY ORDINANCE - SOLICITING WITHOUT A PERMIT - PEDDLER	3
CITY ORDINANCE - SOLICITING WITHOUT A PERMIT FUTURE	1
CUT CORNER LEFT TURN	1
DEFECTIVE EQUIPMENT - WHITE LIGHT TO THE REAR	6
DEFECTIVE EQUIPMENT / NO LICENSE PLATE LIGHT	32
DEFECTIVE EQUIPMENT- EXCESSIVE NOISE, SPINNING TIRES	2
DEFECTIVE HEAD LAMPS	46
DEFECTIVE HEAD LIGHTS	14
DEFECTIVE STOP LAMP(S)	23
DEFECTIVE TAIL LAMP(S)	16
DISPLAY FICTITIOUS/WRONG/UNCLEAN LICENSE PLATES	6
DISPLAY SUSPENDED DRIVER LICENSE	1
DISPLAY/ EXPIRED REGISTRATION	97
DISREGARD LANE CONTROL SIGNAL/DEVICE	1
DRIVING WHILE LICENSE INVALID UNDER PROVISIONS OF DL LAWS	9
DROVE WITHOUT LIGHTS (WHEN REQUIRED)	28
DROVE WRONG SIDE OF ROAD	1
DROVE WRONG WAY ON ONE-WAY ROADWAY	1
EXPIRED DRIVERS LICENSE	18
FAIL TO CONTROL SPEED	3
FAIL TO DISPLAY DRIVERS LICENSE	6
FAIL TO GET A TEXAS DRIVERS LICENSE AFTER 90 DAYS OF RESIDENCE IN THIS STATE	1
FAIL TO MAINTAIN FINANCIAL RESPONSIBILITY	57
FAIL TO MAINTAIN FINANCIAL RESPONSIBILITY	19
FAIL TO REPORT CHANGE OF ADDRESS	5
FAILED TO DIM HEADLIGHTS - FOLLOWING	4

CONFIDENTIAL

Spring Valley Village, TX PD

May 1, 2019 - May 31, 2019

Citation Violation Audit By Offense

Total Charges: 926

Description	Counts
FAILED TO DIM HEADLIGHTS - MEETING	19
FAILED TO DRIVE IN A SINGLE LANE	3
FAILED TO SIGNAL INTENT TO TURN	1
FAILED TO SIGNAL TURN	3
FAILED TO SIGNAL TURN / LANE CHANGE	4
FAILED TO STOP AT DESIGNATED POINT (STOP SIGN)	21
ILLEGAL BUYERS TAGS	3
ILLEGAL PARKING - FIRE LANE - SHOP CTR	1
ILLEGAL PARKING - NO PARKING ANY TIME	7
ILLEGAL PARKING - PARKING IN PRIVILEGED	2
LICENSE PLATE OBSCURED	6
MINOR IN POSSESSION OF ALCOHOL	1
NO DRIVERS LICENSE	100
NO FRONT LICENSE PLATE	3
NO OR DEFECTIVE WHITE LIGHT ON FRONT OF BICYCLE AT NIGHT	1
NO RED REFLECTOR ON BICYCLE	1
NO SEAT BELT - DRIVER	2
OPERATE MOTOR VEHICLE WITH FICTITIOUS LICENSE PLATES	1
OPERATE MOTOR VEHICLE WITHOUT LICENSE PLATES OR WITH ONE LICENSE PLATE	1
OPERATE UNREGISTERED MOTOR VEHICLE	1
PARKED FACING TRAFFIC	2
PARKED WITHIN AN INTERSECTION	1
PARKING/STOPPING/STANDING ON A SIDEWALK	1
PASSING AUTHORIZED EMERGENCY VEHICLE	2
PASSING/DISREGARD NO PASSING ZONE	1
RAN RED LIGHT	59
RAN STOP SIGN	57
SPEEDING >10% ABOVE POSTED LIMIT	169

CONFIDENTIAL

Spring Valley Village, TX PD

May 1, 2019 - May 31, 2019

Citation Violation Audit By Offense

Total Charges: **926**

Description	Counts
SPEEDING IN SCHOOL ZONE	39
TRAFFIC - OTHER	1
TRAFFIC OTHER	2
TURNED RIGHT FROM WRONG LANE	1
UNRESTRAINED CHILD YOUNGER THAN 8 OR UNDER 4FT 9IN	1
UNSAFE SPEED/TOO FAST FOR CONDITIONS	1
	1
	3

MONTHLY K-9 REPORT

FOR THE MONTH OF: May-19

MOYER, NABORS

FRITZ, ODIN

TOTALS

K-9 CALLS FOR SERVICE

SPRING VALLEY VILLAGE	83
OUTSIDE AGENCY	2

K-9 APPREHENSIONS

1

NARCOTICS CASES

1

PUBLIC RELATIONS EVENT

2

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: June 25, 2019

TOPIC: **DISCUSSION AND DIRECTION CONCERNING:** Request for Installation of New Traffic Signal at Bingle Road and Burkhart Road. (Resident Brian Schmulen)

BACKGROUND: In early June, I was contacted by resident Brian Schmulen requesting that a traffic signal be installed at the intersection of Bingle Road and Burkhart Road. Since the City's newly adopted Residential Neighborhood Traffic Calming/Control Policy does not apply to Major Thoroughfares such as Bingle Road, I advised Mr. Schmulen that he would need to present his request to the City Council.

Mr. Schmulen will be in attendance at the Council meeting to present his request.

RECOMMENDATION: Staff requests direction from the Council as to whether and how it wishes to proceed with this request.

ATTACHMENTS:

- None

FUNDING ISSUES:

☒ Not applicable – no dollars are being spent or received.

☐ Full amount already budgeted in Acct/Project# _____

☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:

☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____

☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____

☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____

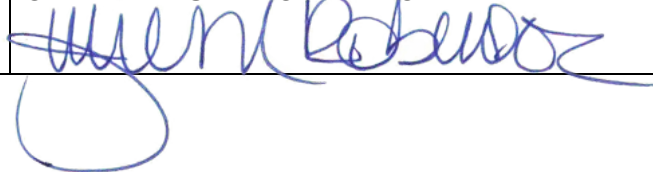
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Julie M. Robinson, City Administrator

CITY ADMINISTRATOR APPROVAL:



ACTIONS TAKEN

APPROVAL	READING PASSED	OTHER
☐ YES ☐ NO		

Spring Valley Village City Council
Agenda Item Data Sheet

MEETING DATE: June 25, 2019

TOPIC:	Award Of Bid Number CSB #2019-05-103 For the Westview Drive Sidewalk Improvements Project To DVL Enterprises, LLC In An Amount Not To Exceed \$154,770.00
BACKGROUND:	On May 29, 2019, Competitive Sealed Bid #2019-03-102 for the Westview Drive Sidewalk Improvements Project was issued by ARKK Engineers on behalf of the City of Spring Valley Village. The bid closed on June 14, 2019, and five (5) bids were received. The Bid Tabulation Sheet is included as part of the bid award recommendation letter that has been provided with this agenda item. <u>ARKK Engineers recommends award of the bid for the Westview Drive Sidewalk Improvements Project to DVL Enterprises, LLC in an amount not to exceed \$154,770.00.</u> The original construction estimate for this project was \$180,000.00. A copy of ARKK Engineers' recommendation letter is provided with this agenda item. The recommended award amount includes the extra handrail sections as an Add Alternate to provide funding as needed once the property owners make final decisions regarding their respective handrail sections. For any property owner who decides not to have the handrail section installed on their property, the cost will be reduced and provide the City with some additional cushion in the contract for unforeseen issues that may arise during construction. Additionally, the bid document has not been included with this agenda item due to its size; however, it is available for review on the Purchasing Page of the City's website.
RECOMMENDATION:	ARKK Engineers and City Staff recommend awarding Bid Number CSB# 2019-05-103 for the Westview Drive Sidewalk Improvements Project to DVL Enterprises, LLC in an amount not to exceed \$154,770.00.
ATTACHMENTS:	• Letter of Recommendation including Bid Tab from Doug Bradford with ARKK Engineers
FUNDING ISSUES:	☐ Not applicable – no dollars are being spent or received. ☒ Full amount already budgeted in Acct/Project# <u>25-50-7516</u> ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$ _____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$ _____ from unassigned fund balance will be used and added

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**Spring Valley Village City Council
Agenda Item Data Sheet**

to Acct/Project# _____ ☐ \$ _____ will be added to Revenue Acct# ____-____ and \$ _____ added to Expenditure Acct/Project# _____	
FINANCE VERIFICATION OF FUNDING: 	
SUBMITTING STAFF MEMBER: Arthur Faiello, Director of Public Works	CITY ADMINISTRATOR APPROVAL: 

ACTIONS TAKEN		
APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER



June 18, 2019

Ms. Julie Robinson
City Administrator
City of Spring Valley Village
1025 Campbell Road
Houston, TX 77055

Re: **Letter of Recommendation for 2019 Westview Drive Sidewalk Improvements Project**
CSB #2019-05-103
City of Spring Valley Village
ARKK Job No. 18-037

Dear Ms. Robinson:

On June 14, 2019, the City of Spring Valley Village received five (5) bids for the above referenced project. The project generally involves construction of approximately 5,000 S.F. of new concrete sidewalk along the south side of Westview Drive between Bingle Road and Spring Branch Creek, including associated wheelchair curb ramps, landscape retaining walls, driveway replacements, and pedestrian handrails. The new sidewalk will provide a continuous pedestrian route along the south side of Westview Drive.

As you are aware, the project was bid with an Add Alternate for additional pedestrian handrail sections where the proposed sidewalk will be adjacent to the curb. As discussed with the City, the Base Bid and Add Alternate #1 were utilized as a basis for award of the contract. Following is a summary of our bid evaluation.

Five (5) construction firms participated in the bidding process. The bids were checked for mathematical errors and/or bid irregularities. The bids received for the project are as follows:

<u>Bidder</u>	<u>Total Base Bid + Add Alt. 1</u>
DVL Enterprises, LLC	\$154,770.00
DG Medina Construction, LLC	\$159,643.00
B&MS Construction Inc.	\$164,565.00
Skilled Construction Subs Unlimited	\$174,574.25
Teamwork Construction Services, Inc.	\$180,300.00

A copy of the bid tabulation is attached.

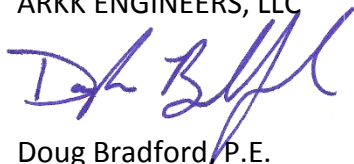
ARKK Engineers contacted the owner of DVL Enterprises, LLC to discuss the project and the City's expectations. DVL Enterprises indicated that they fully understand the scope of the project, and they have the personnel and experience to complete the work successfully on time. They also indicated that they stand by their bid and are excited to work for the City of Spring Valley Village.

ARKK Engineers contacted references provided by DVL Enterprises to get an indication of their performance and have not heard any negative responses. ARKK Engineers recently worked with DVL Enterprises on a sidewalk construction project in the City of Pearland that was completed in March 2019. City of Pearland staff and ARKK Engineers were satisfied with the quality and performance on the project. DVL Enterprises, LLC appears to be a responsible firm that is capable of performing the specified work in a satisfactory manner. For these reasons, we recommend that the City of Spring Valley Village award the 2019 Westview Drive Sidewalk Improvements Project to DVL Enterprises, LLC for a total amount of **\$154,770.00**.

If you have any questions, please contact me.

Sincerely,

ARKK ENGINEERS, LLC



Doug Bradford, P.E.
Project Manager

Cc: Mr. Arthur Faiello – City of Spring Valley Village

				LOW BIDDER - 1		2		3		4		5	
ITEM	ITEM DESCRIPTION	UNIT	QUAN.	DVL Enterprises, LLC.		DG Medina Construction, LLC.		B&MS Construction Inc.		Skilled Construction Subs Unlimited		Teamwork Construction Services, Inc.	
NO.													
(A) BASE BID ITEMS:													
1	Mobilization & Traffic Control, complete in place the sum of:	L.S.	1	\$ 12,000.00	\$ 12,000.00	\$ 14,855.00	\$ 14,855.00	\$ 6,000.00	\$ 6,000.00	\$ 10,482.00	\$ 10,482.00	\$ 26,500.00	\$ 26,500.00
2	Miscellaneous Allowance for use by City for General Construction Items as directed by the Engineer, complete in place the sum of:	C.A.	1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
3	Reinforced Concrete Sidewalk (4" thick), complete in place the sum of:	S.F.	5000	\$ 7.00	\$ 35,000.00	\$ 8.58	\$ 42,900.00	\$ 8.00	\$ 40,000.00	\$ 6.54	\$ 32,700.00	\$ 8.40	\$ 42,000.00
4	Wheelchair Curb Ramp per ADA Requirements, complete in place the sum of:	S.F.	200	\$ 20.00	\$ 4,000.00	\$ 10.84	\$ 2,168.00	\$ 19.00	\$ 3,800.00	\$ 34.00	\$ 6,800.00	\$ 22.00	\$ 4,400.00
5	Remove and Replace 6" thick Reinforced Concrete Driveway, complete in place the sum of:	S.Y.	450	\$ 70.00	\$ 31,500.00	\$ 95.90	\$ 43,155.00	\$ 110.00	\$ 49,500.00	\$ 122.00	\$ 54,900.00	\$ 89.00	\$ 40,050.00
6	Extra 1.5 sack of cement per cubic yard added to 6" reinforced concrete driveway (total of 7.0 sack/cubic yard), complete in place the sum of:	S.Y.	200	\$ 5.00	\$ 1,000.00	\$ 7.50	\$ 1,500.00	\$ 3.00	\$ 600.00	\$ 3.00	\$ 600.00	\$ 22.00	\$ 4,400.00
7	Concrete Retaining Wall on Proposed Sidewalk per Details (6" max height), complete in place the sum of:	L.F.	300	\$ 10.00	\$ 3,000.00	\$ 13.84	\$ 4,152.00	\$ 20.00	\$ 6,000.00	\$ 9.80	\$ 2,940.00	\$ 21.00	\$ 6,300.00
8	Concrete Retaining Wall on Proposed Sidewalk per Details (6" to 18" max height), complete in place the sum of:	L.F.	270	\$ 50.00	\$ 13,500.00	\$ 17.20	\$ 4,644.00	\$ 30.00	\$ 8,100.00	\$ 28.65	\$ 7,735.50	\$ 32.00	\$ 8,640.00
9	1-1/2" Steel Pedestrian Handrail (Galvanized) per Details, complete in place the sum of:	L.F.	120	\$ 120.00	\$ 14,400.00	\$ 81.00	\$ 9,720.00	\$ 95.00	\$ 11,400.00	\$ 91.15	\$ 10,938.00	\$ 92.00	\$ 11,040.00
10	Adjust Existing Manhole Top to Final Grade, complete in place the sum of:	EA.	2	\$ 1,000.00	\$ 2,000.00	\$ 175.00	\$ 350.00	\$ 750.00	\$ 1,500.00	\$ 500.00	\$ 1,000.00	\$ 295.00	\$ 590.00
11	Abandon Existing Grate Inlet per Detail, complete in place the sum of:	EA.	1	\$ 1,500.00	\$ 1,500.00	\$ 596.00	\$ 596.00	\$ 500.00	\$ 500.00	\$ 1,500.00	\$ 1,500.00	\$ 295.00	\$ 295.00
12	Replace Existing Yard Drain through Curb, including Cast Iron Curb Opening, complete in place the sum of:	EA.	1	\$ 1,000.00	\$ 1,000.00	\$ 202.00	\$ 202.00	\$ 250.00	\$ 250.00	\$ 1,625.00	\$ 1,625.00	\$ 695.00	\$ 695.00
13	Adjust Existing Water Meter Box to Final Grade, complete in place the sum of:	EA.	1	\$ 800.00	\$ 800.00	\$ 222.00	\$ 222.00	\$ 1,100.00	\$ 1,100.00	\$ 500.00	\$ 500.00	\$ 265.00	\$ 265.00
14	Remove and Re-install Existing Traffic Sign, complete in place the sum of:	EA.	3	\$ 500.00	\$ 1,500.00	\$ 475.00	\$ 1,425.00	\$ 450.00	\$ 1,350.00	\$ 570.00	\$ 1,710.00	\$ 245.00	\$ 735.00
15	Block Sodding, complete in place the sum of:	S.Y.	1700	\$ 5.00	\$ 8,500.00	\$ 7.77	\$ 13,209.00	\$ 6.50	\$ 11,050.00	\$ 11.00	\$ 18,700.00	\$ 6.80	\$ 11,560.00
16	Inlet Protection Barrier, complete in place the sum of:	EA.	7	\$ 10.00	\$ 70.00	\$ 60.00	\$ 420.00	\$ 220.00	\$ 1,540.00	\$ 150.00	\$ 1,050.00	\$ 190.00	\$ 1,330.00
TOTAL BASE BID ITEMS:					\$ 139,770.00		\$ 149,518.00		\$ 152,690.00		\$ 163,180.50		\$ 168,800.00
(A) TOTAL BASE BID ITEMS:				\$ 139,770.00		\$ 149,518.00		\$ 152,690.00		\$ 163,180.50		\$ 168,800.00	
(B) ADD ALTERNATE #1 ITEMS:													
1	1-1/2" Steel Pedestrian Handrail (Galvanized) per Details, complete in place the sum of:	L.F.	125	\$ 120.00	\$ 15,000.00	\$ 81.00	\$ 10,125.00	\$ 95.00	\$ 11,875.00	\$ 91.15	\$ 11,393.75	\$ 92.00	\$ 11,500.00
ADD ALTERNATE #1 ITEMS:					\$ 15,000.00		\$ 10,125.00		\$ 11,875.00		\$ 11,393.75		\$ 11,500.00
(B) ADD ALTERNATE #1 ITEMS:				\$ 15,000.00		\$ 10,125.00		\$ 11,875.00		\$ 11,393.75		\$ 11,500.00	
(C) TOTAL BASE BID + ADD ALTERNATE #1 ITEMS:				\$ 154,770.00		\$ 159,643.00		\$ 164,565.00		\$ 174,574.25		\$ 180,300.00	

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: June 25, 2019

TOPIC:	Resolution Number 19-XX A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A CONTRACT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND DVL ENTERPRISES, LLC FOR THE WESTVIEW DRIVE SIDEWALK IMPROVEMENTS PROJECT (BID #2019-05-103); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
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BACKGROUND:	In the previous agenda item, the City Council awarded Bid Number 2019-05-103 for the Westview Drive Sidewalk Improvements Project to DVL Enterprises, LLC in an amount not to exceed \$154,770.00. This Resolution approves a contract with DVL Enterprises, LLC for the Westview Drive Sidewalk Improvements Project. Please note that, due to the size of the contract, only a portion of the complete contract has been included with the Resolution and in the Agenda Packet. The complete contract is on file with and available for inspection from the City Secretary.
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RECOMMENDATION:	Staff recommends approval of the Resolution.
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ATTACHMENTS:	• Resolution Number 19-XX
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FUNDING ISSUES:	☐ Not applicable – no dollars are being spent or received. ☒ Full amount already budgeted in Acct/Project # <u>25-50-7516</u> ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
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FINANCE VERIFICATION OF FUNDING:	
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SUBMITTING STAFF MEMBER: Arthur Faiello, Director of Public Works	CITY ADMINISTRATOR APPROVAL: 
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ACTIONS TAKEN		
APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER

RESOLUTION NUMBER 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CONTRACT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND DVL ENTERPRISES, LLC FOR THE WESTVIEW DRIVE SIDEWALK IMPROVEMENTS PROJECT (COMPETITIVE SEALED BID #2019-05-103); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Contract by and between the City of Spring Valley Village, Texas and DVL Enterprises, LLC for the Westview Drive Sidewalk Improvements Project (Competitive Sealed Bid #2019-05-103) (hereinafter called "Contract"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, upon full review and consideration of the Contract and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute the Contract and any and all documents necessary to effectuate such Contract on behalf of the City of Spring Valley Village;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The terms and conditions of the Contract, having been reviewed by the City Council of the City of Spring Valley Village and found to be acceptable and in the best interests of the City of Spring Valley Village and its citizens, are hereby in all things approved.

Section 3. The Mayor is hereby authorized to execute the Contract and empowered, for and on behalf of the City, to take all such actions and to execute, verify, acknowledge, certify to, file and deliver all such instruments and documents required in the Contract as shall in the judgment of the Mayor be appropriate in order to effect the purposes of the foregoing resolution and Contract.

Section 4. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED on this the ____ day of _____, 2019.

Tom Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

EXHIBIT “A”
TO
RESOLUTION NUMBER 19-XX

STANDARD FORM OF AGREEMENT

STATE OF TEXAS

COUNTY OF HARRIS

THIS AGREEMENT, made and entered into this, the ____ day of _____, A.D. 20____, by and between the City of Spring Valley Village, Texas, of the County of Harris and State of Texas, duly incorporated and existing under and by virtue of the Constitution and the laws of the State of Texas, acting by and through the undersigned Mayor of the City of Spring Valley Village, Texas, thereunto duly authorized to do so, hereinafter referred to as “Owner”, and DVL Enterprises, LLC, a corporation duly authorized to do business and existing under the laws of the State of Texas, acting by and through a duly authorized officer thereof as attested to by the Secretary of said corporation of the City of Kingwood, County of Harris, State of Texas, hereinafter referred to as “Contractor”.

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the Owner, and under the conditions expressed in the bond(s) bearing even date herewith (if any), the Contractor hereby agrees with the Owner to commence and complete the construction of certain improvements described as follows:

2019 Westview Drive Sidewalk Improvements Project

and all necessary work of every kind or nature, including all extra work in connection therewith necessary to complete said improvements, under the terms as stated in the contract documents, including the General Conditions of Agreement, and, at its own proper cost and expense, to furnish all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance and other accessories and services necessary to complete the said construction in accordance with the conditions and prices stated in the Proposal attached hereto, and in accordance with the Notice to Bidders, General Instructions to Bidders, General and Special Conditions of Agreement, plans and other drawings and printed or written explanatory matter thereof, and the Specifications and addenda therefore included with the Bid issued by Owner for this Project, as prepared by ARKK Engineers, LLC, hereinafter called “PROFESSIONAL”, each of which has been identified by the

CONTRACTOR and the PROFESSIONAL, together with CONTRACTOR's written Proposal, the entire Bid Document, and the Performance and Payment Bonds hereto attached, all of which are made a part hereof and collectively evidence and constitute the entire Contract.

The CONTRACTOR hereby agrees to commence work within ten (10) days after the date written notice to do so shall have been given to it and to complete the same within the time specified in the contract documents, subject to such extensions of time as shall be specified in the General and Special Conditions or shall have been specifically agreed to in writing by the parties hereto, which writing shall be attached to this Contract as a part hereof.

The Owner agrees to pay the CONTRACTOR in current funds for the performance of the Contract in accordance with the Proposal submitted therefor, which forms a part of this Contract, subject to additions and deductions as provided in the contract documents, and to make payment on account thereof as provided therein.

IN WITNESS WHEREOF, the Mayor of the City of Spring Valley Village, Texas, and City Secretary of the City of Spring Valley Village, Texas, hereunto, has executed this Agreement in the year and date first above written, under the authority granted to them under the provisions of the Charter, duly enacted by the City Council of the City of Spring Valley Village, Texas.

MAYOR, City of Spring Valley Village, Texas

City Secretary

IN WITNESS WHEREOF, the undersigned officers of the corporation, whose names are hereinafter set out, do certify and attest that they have executed this Agreement in their capacities as herein stated, for and on behalf of said corporation, and that they have authority to do so under specific authorization granted to them under the Charter or By-laws of said corporation or, if said Charter and By-laws are silent, then under authority granted to them under a resolution duly adopted by the Board of Directors of said corporation, as set out in the official minute book of said corporation, and an excerpt of said resolution is herein previously set out.

CONTRACTING CORPORATION (CONTRACTOR)

Officer

Office Held

ATTEST:

Secretary

SUBCONTRACTORS AND MAJOR SUPPLIERS FORM

SUBCONTRACTORS AND TYPE OF WORK TO BE PERFORMED

N/A

LOCAL SUBCONTRACTORS

(PRINCIPAL BUSINESS LOCATION IN HARRIS COUNTY)

N/A

MAJOR SUPPLIERS

Campbell Concrete
CMC Rebar

LOCAL MAJOR SUPPLIERS

(PRINCIPAL BUSINESS LOCATION IN HARRIS COUNTY)

N/A

COPY

City of Spring Valley Village
CSB #2019-05-103 for 2019 Westview Drive Sidewalk Improvements Project

BID PROPOSAL
BID FOR UNIT PRICE CONTRACT

PLACE: City of Spring Valley Village
DATE: 6/14/19
CSB NO. 2019-05-103
Proposal of

DVI Enterprises, LLC
(Hereinafter called "Bidder")

TO: THE HONORABLE MAYOR AND CITY COUNCIL
CITY OF SPRING VALLEY VILLAGE, TEXAS
(Hereinafter called "Owner")

The Bidder, in compliance with your invitation for bids for the construction of:

CSB No. 2019-05-103
2019 Westview Drive Sidewalk Improvements Project

having carefully examined the plans, specifications, instructions to bidders, notice to bidders and all other related contract documents and the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials and supplies and to construct the project in accordance with the plans, specifications and contract documents, within the time set forth therein and at the prices stated in Exhibit "A" attached hereto.

The Bidder binds himself, upon acceptance of his proposal, to execute a contract and any required bonds, according to the accompanying forms, for performing and completing the said work within the time stated and for the prices stated in Exhibit "A" of this proposal.

Bidder hereby agrees to commence the work on the above project on or before a date to be specified in a written "Notice to Proceed" of the Owner and to fully complete the project within **75 consecutive calendar** days thereafter as stipulated in the specifications and other contract documents. Bidder hereby further agrees to pay to Owner as liquidated damages the sum of **\$300.00** for each consecutive calendar day in excess of the time set forth hereinabove for completion of this project, all as more fully set forth in the General Conditions of the contract documents.

The following unit prices are bid and shall be complete compensation as measured in place for all materials, labor, overhead, profits and any other cost that is necessary to complete the job to the Engineer's specifications and satisfaction. It is also understood that the quantities shown are only an estimate of the work to be done. No re-negotiation of prices bid will be made for over runs or under runs of quantities.

Bidder understands and agrees that this bid proposal shall be completed and submitted in accordance with the General Instructions to Bidders.

Bidder understands that the Owner reserves the right to reject any or all bids, use deductible bid items and to waive any formality in the bidding.

Bidder agrees that this bid shall be good and may not be withdrawn for a period of ninety (90) calendar days after the scheduled closing time for receiving bids.

Bidder acknowledges receipt of the following addenda:

1

The undersigned Bidder hereby declares that he has visited the site of the work and has carefully examined the plans, specifications and contract documents pertaining to the work covered by this bid, and he further agrees to commence work on or before the date specified in the written notice to proceed and to substantially complete the work on which he has bid, as provided in the contract documents.

Enclosed with this proposal is a cashier's check or certified check for _____ Dollars (\$ _____) or a bid bond in the sum of Five Percent (\$ 5%) as which it is agreed shall be collected and retained by the Owner as liquidated damages in the event the proposal is accepted by the Owner and the undersigned fails to execute the necessary contract documents and the required bonds (if any) with the Owner within ten (10) days after the date of receipt of written notification of acceptance of said proposal; otherwise said check or bond shall be returned to the undersigned upon demand.

Unit Prices are to be shown in numerals. Discrepancies in the multiplication of units of Work and unit prices will be resolved in favor of unit prices. Discrepancies between the indicated sum of any column of figures and the correct sum there of will be resolved in favor of the correct sum.

The unit prices shall include all labor, materials, dewatering, shoring, removal, overhead, incidental costs, fees, profit, insurance, etc., to cover the finished work of the several kinds called for.

City of Spring Valley Village
CSB #2019-05-103 for 2019 Westview Drive Sidewalk Improvements Project

Bidder understands and agrees that the contract to be executed by Bidder shall be bound and include all contract documents made available to him for his inspection in accordance with the Notice to Bidders.

DVL Enterprises, LLC

Bidder

By: _____

Signature

Type or Print:

Bidder's

Name: Daniel Lee

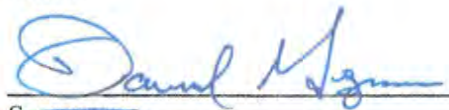
(If Bidder is a Corporation)

Bidder's

Address: 1525 Lakeville pr Suite 231

Kingwood, TX 77339

Attest:


Secretary

(Corporate Seal)

Name of

Person Signing: Daniel Guzman

Office Held: Administrative Assistant

City of Spring Valley Village, Texas
2019 Westview Drive Sidewalk Improvements Project
Exhibit "A"

BID PROPOSAL

Item No.	Item Description	Unit	Est. Quan.	Unit Price	Total Amount
(A) BASE BID ITEMS:					
1	Mobilization & Traffic Control, complete in place the sum of:	L.S.	1	\$ 12,000 ⁰⁰	\$ 12,000 ⁰⁰
2	Miscellaneous Allowance for use by City for General Construction Items as directed by the Engineer (Fixed Amount of \$10,000):	C.A.	1	\$ 10,000.00	\$ 10,000.00
3	Reinforced Concrete Sidewalk (4" thick), complete in place the sum of:	S.F.	5,000	\$ 7 ⁰⁰	\$ 35,000 ⁰⁰
4	Wheelchair Curb Ramp per ADA Requirements, complete in place the sum of:	S.F.	200	\$ 20 ⁰⁰	\$ 4,000 ⁰⁰
5	Remove and Replace 6" thick Reinforced Concrete Driveway, complete in place the sum of:	S.Y.	450	\$ 70 ⁰⁰	\$ 31,500 ⁰⁰
6	Extra 1.5 sack of cement per cubic yard added to 6" reinforced concrete driveway (total of 7.0 sack/cubic yard), complete in place the sum of: <i>* Denotes minimum bid unit price</i>	S.Y.	200	\$ 5 ⁰⁰ (\$.30)*	\$ 1,000 ⁰⁰
7	Concrete Retaining Wall on Proposed Sidewalk per Details (6" max height), complete in place the sum of:	L.F.	300	\$ 10 ⁰⁰	\$ 3,000 ⁰⁰
8	Concrete Retaining Wall on Proposed Sidewalk per Details (6" to 18" max height), complete in place the sum of:	L.F.	270	\$ 50 ⁰⁰	\$ 13,500 ⁰⁰
9	1-1/2" Steel Pedestrian Handrail (Galvanized) Installed Along Existing Curb per Details, complete in place the sum of:	L.F.	120	\$ 120 ⁰⁰	\$ 14,400 ⁰⁰
10	Adjust Existing Manhole Top to Final Grade, complete in place the sum of:	EA.	2	\$ 1,000 ⁰⁰	\$ 2,000 ⁰⁰
11	Abandon Existing Grate Inlet per Detail, complete in place the sum of:	EA.	1	\$ 1,500 ⁰⁰	\$ 1,500 ⁰⁰
12	Replace Existing Yard Drain through Curb, including Cast Iron Curb Opening, complete in place the sum of:	EA.	1	\$ 1,000 ⁰⁰	\$ 1,000 ⁰⁰
13	Adjust Existing Water Meter Box to Final Grade, complete in place the sum of:	EA.	1	\$ 800 ⁰⁰	\$ 800 ⁰⁰
14	Remove and Re-install Existing Traffic Sign, complete in place the sum of:	EA.	3	\$ 500 ⁰⁰	\$ 1,500 ⁰⁰
15	Block Sodding, complete in place the sum of:	S.Y.	1,700	\$ 5 ⁰⁰	\$ 8,500 ⁰⁰
16	Inlet Protection Barrier, complete in place the sum of:	EA.	7	\$ 10 ⁰⁰	\$ 70 ⁰⁰

ARKK Job No. 18-037

ADDENDUM NO. 1

BP-4

City of Spring Valley Village, Texas
2019 Westview Drive Sidewalk Improvements Project
 Exhibit "A"
BID PROPOSAL

Item No.	Item Description	Unit	Est. Quan.	Unit Price	Total Amount
(A) TOTAL BASE BID ITEMS:					\$ 139,770 ⁰⁰
(B) ADD ALTERNATE #1 ITEMS:					
17	1-1/2" Steel Pedestrian Handrail (Galvanized) Installed Along Existing Curb per Details, complete in place the sum of:	L.F.	125	\$ 120 ⁰⁰	\$ 15,000 ⁰⁰
(B) TOTAL ADD ALTERNATE #1 ITEMS:					\$ 15,000 ⁰⁰

PERFORMANCE BOND

STATE OF TEXAS

COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, DVL Enterprises, LLC, as Principal, (the “Contractor”), and the other subscriber hereto, _____, as Surety, do hereby acknowledge ourselves to be held and firmly bound to the City of Spring Valley Village (the “City”), a municipal corporation, in the penal sum of One Hundred Fifty Four Thousand Seven Hundred Seventy Dollars and Zero Cents (\$154,770.00) for the payment of which sum, well and truly to be made to the City, its successors and assigns, Contractor and Surety to bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH THAT:

WHEREAS, the Contractor has on or about this day executed a contract in writing with the City for

2019 Westview Drive Sidewalk Improvements Project

all of such work to be done as set out in full in said Contract documents therein referred to and adopted by the City Council, all of which are made a part of this instrument as fully and completely as if set out in full herein.

NOW THEREFORE, if the said Contractor shall faithfully and strictly perform the Contract in all its terms, provisions, and stipulations in accordance with its true meaning and effect, and in accordance with the Contract documents referred to therein and shall comply strictly with each and every provision of the Contract and with this Bond, then this obligation shall become null and void and shall have no further force and effect; otherwise the same is to remain in full force and effect. Should the Contractor fail to faithfully and strictly perform the Contract in all its terms, including but not limited to the indemnifications thereunder, the Surety shall be liable for all damages, losses, expenses and liabilities that the City may suffer in consequence thereof, as more fully set forth herein.

IT IS FURTHER PROVIDED herein that pursuant to this undertaking, the Principal hereof and the Surety shall both be bound for such period of warranty as shall be expressed and set out in the General Conditions of Agreement, under the terms and conditions thereof for a period of one (1) year as is provided for in Chapter 2253, Texas Government Code, as amended.

It is further understood and agreed that the Surety does hereby relieve the City or its representatives from the exercise of any diligence whatever in securing compliance on the part of the Contractor with the terms of the Contract, and the Surety agrees that it shall be bound to take notice of and shall be held to have knowledge of all acts or omissions of the Contractor in all matters pertaining to the Contract. The Surety understands and agrees that the provision in the Contract that the City will retain certain amounts due the Contractor until the expiration of 30 days from the acceptance of the Work is intended for the City's benefit, and the City will have the right to pay or withhold such retained amounts or any other amount owing under the Contract without changing or affecting the liability of the Surety hereon in any degree.

It is further expressly agreed by Surety that the City or its representatives are at liberty at any time, without notice to the Surety, to make any change in the Contract documents and in the Work to be done thereunder, as provided in the Contract, and in the terms and conditions thereof, or to make any extension of time, any change in, addition to, or deduction from the Work to be done thereunder; and that such changes, if made, shall not in any way vitiate the obligation in this Bond and undertaking or release the Surety therefrom.

It is further expressly agreed and understood that the Contractor and Surety will fully indemnify, defend and save harmless the City from any liability, loss, cost, expense, or damage arising out of Contractor's performance of the Contract.

If the City gives Surety notice of Contractor's default, Surety shall, within 45 days, take one of the following actions:

1. Arrange for Contractor, with consent to the City, to perform and complete the Contract; or
2. Take over and assume completion of the Contract itself, through its agents or through independent contractors, and become entitled to the payment of the balance of the Contract Price.

If the Surety fails to take either of the actions set out above, it shall be deemed to have waived its right to perform and complete the Contract and receive payment of the balance of the Contract Price and the City shall be entitled to enforce any remedies available at law, including but not limited to completing the Contract itself and recovering any cost in excess of the Original Contract price from the Surety.

This Bond and all obligations created hereunder shall be performable in Harris County, Texas. This Bond is given in compliance with the provisions of Chapter 2253, Texas Government Code, as amended, which is incorporated herein by this reference.

Notices required or permitted hereunder shall be in writing and shall be deemed delivered when actually received or, if earlier, on the third day following deposit in a United States Postal Service post office or receptacle, with proper postage affixed (certified mail, return receipt requested), addressed to the respective other Party at the address prescribed in the Contract documents, or at such other address as the receiving party may hereafter prescribe by written notice to the sending party.

IN WITNESS THEREOF, the said Contractor and Surety have signed and sealed this instrument on the respective dates written below their signatures and have attached current Power of Attorney.

ATTEST, SEAL: (if a corporation)

Witness: (if not a corporation)

By: _____

Name: _____

Title: _____

Name of Contractor

By: _____

Name: _____

Title: _____

Date: _____

ATTEST/SURETY WITNESS:

(SEAL)

Full Name of Surety

Address of Surety for Notice

Telephone Number of Surety:

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: Attorney in Fact

Date: _____

PAYMENT BOND

STATE OF TEXAS

COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, DVL Enterprises, LLC, as Principal, (the “Contractor”), and the other subscriber hereto, _____, as Surety, do hereby acknowledge ourselves to be held and firmly bound to City of Spring Valley Village (the “City”), a municipal corporation, in the penal sum of One Hundred Fifty Four Thousand Seven Hundred Seventy Dollars and Zero Cents (\$154,770.00) for the payment of which sum, well and truly to be made to the City, its successors and assigns, Contractor and Surety to bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH THAT:

WHEREAS, the Contractor has on or about this day executed a contract in writing with the City for

2019 Westview Drive Sidewalk Improvements Project

all of such work to be done as set out in full in said Contract documents therein referred to and adopted by the City Council, all of which are made a part of this instrument as fully and completely as if set out in full herein.

NOW, THEREFORE, if the said Contractor shall pay all claimants supplying labor and materials to him or a Subcontractor in the prosecution of the Work provided for in the Contract, then, this obligation shall be void; otherwise the same is to remain in full force and effect;

PROVIDED HOWEVER, that this Bond is executed pursuant to the provisions of Chapter 2253, Texas Government Code, as amended, and all liabilities on this Bond shall be determined in accordance with the provisions of said Article to the same extent as if it were copied at length herein.

IN WITNESS THEREOF, the said Contractor and Surety have signed and sealed this instrument on the respective dates written below their signatures and have attached current Power of Attorney.

ATTEST, SEAL: (if a corporation)

Witness: (if not a corporation)

By: _____

Name: _____

Title: _____

Name of Contractor:

By: _____

Name: _____

Title: _____

Date: _____

ATTEST/SURETY WITNESS:

(SEAL)

Full Name of Surety

Address of Surety for Notice

Telephone Number of Surety

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: Attorney in Fact

Date: _____

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 ☐ Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information in this section is being disclosed.

N/A
Name of Officer

This section (item 3 including subparts A, B, C, & D) must be completed for each officer with whom the vendor has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes

☐ No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more?

☐ Yes

☐ No

D. Describe each employment or business and family relationship with the local government officer named in this section.

4

D. Heri
Signature of vendor doing business with the governmental entity

6/14/19
Date

**Verification In Compliance With
Chapter 2270 Of The Texas Government Code**

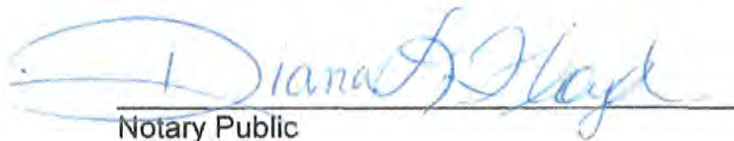
I, Daniel Lee (Person name), the undersigned representative (hereafter referred to as "Representative") of owner DVL Enterprises LLC (company or business name, hereafter referred to as "Business Entity"), being an adult over the age of eighteen (18) years of age, after being duly sworn by the undersigned notary, do hereby depose and affirm the following:

1. That Representative is authorized to execute this verification on behalf of Business Entity;
2. That Business Entity does not boycott Israel and will not boycott Israel during the term of any contract that will be entered into between Business Entity and the City of Pearland; and
3. That Representative understands that the term "boycott Israel" is defined by Texas Government Code Section 2270.001 to mean refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.



SIGNATURE OF REPRESENTATIVE

13th SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on this day of June, 2019.


Notary Public

§

§

§

Notices required or permitted hereunder shall be in writing and shall be deemed delivered when actually received or, if earlier, on the third day following deposit in a United States Postal Service post office or receptacle, with proper postage affixed (certified mail, return receipt requested), addresses to the respective other party at the address prescribed in the Contract Documents, or at such other address as the receiving party may hereafter prescribe by written notice to the sending party.

IN WITNESS THEREOF, the said Contractor and Surety have signed and sealed this instrument on the _____ day of _____, 20____, and have attached current Power of Attorney.

ATTEST, SEAL: (if a corporation)

Witness: (if not a corporation)

By: _____

Name: _____

Title: _____

Name of Contractor

By: _____

Name: _____

Title: _____

ATTEST/ SURETY WITNESS: (SEAL)

(Full Name of Surety)

(Address of Surety for Notice)

(Telephone Number of Surety)

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2019-504471

Date Filed:
06/13/2019

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

DVL Enterprises, LLC
Kingwood, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Spring Valley Village

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

2010-05-103
2019 Westview Drive Sidewalk Improvement Project

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



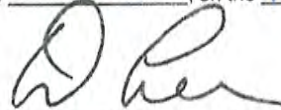
6 UNSWORN DECLARATION

My name is Daniel Lee, and my date of birth is 10/28/1959.

My address is 4022 Cedar Forest (street), Kingwood (city), TX (state), 77339 (zip code), USA (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Harris County, State of TX, on the 13 day of 6, 20 19.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)

**City of Spring Valley Village
City Council Agenda Item
Agenda Item Data Sheet**

MEETING DATE: June 25, 2019

TOPIC:

ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

BACKGROUND:

During the May 11, 2019 meeting, the Planning and Zoning Commission requested that a requirement be placed in the ordinance that required a minimum setback of thirty-eight feet (38') for garages that front on Westview Drive. The proposed Ordinance incorporates the 38 foot setback for garages that front on Westview Drive and will make the regulations consistent with those on Bingle and Campbell Roads.

On June 11, 2019, the Planning and Zoning Commission voted to recommend approval of the proposed Ordinance regarding garage setbacks for homes on Westview Drive with a revision to add the phrase "subject to the provisions of Section 05:02.01.04" at the end of the new language "nearest the associated front property line" to reference the provision of the Zoning Ordinance addressing the required 5 foot or more setback of a door, entrance or exit of a garage from the front wall line of the main dwelling.

RECOMMENDATION:

Not applicable for Public Hearing

ATTACHMENTS:

- Ordinance Number 2019-XX
- Copy of Public Hearing Notice
- Copy Of List Of And Letter Dated April 22, 2019 Mailed To Each Property Owner Along Westview Drive

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**City of Spring Valley Village
City Council Agenda Item
Agenda Item Data Sheet**

FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received.
	☐ Full amount already budgeted in Acct/Project# _____
	☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:
	☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____
	☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____
	☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____

FINANCE VERIFICATION OF FUNDING:

John Kelly

SUBMITTING STAFF MEMBER:

Loren Smith, City Attorney

CITY ADMINISTRATOR APPROVAL:

Walter Roberts

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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DIVIDER PAGE

ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

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*

WHEREAS, the City Council finds that it is in the best interest of the health, safety and welfare of its citizens to require a minimum setback of thirty-eight (38') for garages facing Westview Drive;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters contained in the preamble of this Ordinance are hereby found to be true and correct and are incorporated herein.

Section 2. Section 05:02.03.09.02.02, Front Building Line Setbacks Adjoining a Major Thoroughfare, of Chapter 12, Planning and Zoning, of the Code of Ordinances of the City of Spring Valley Village, Texas is hereby amended by adding the language underscored below and deleting therefrom the language struckthrough below, Section 05:02.03.09.02.02 to read as follows:

"Adjoining a Major Thoroughfare. For a lot adjoining a major thoroughfare, other than Westview Drive, the front building setback line shall be twenty-five feet (25'). All garages facing a major thoroughfare must be setback a minimum of thirty-eight feet (38'), measured from the inside edge of any public sidewalk nearest the associated front property line.

Lots Adjoining Westview Drive. Except as provided herein, for a lot adjoining and facing Westview Drive the front building setback line shall be twenty-five feet (25'); provided, however, for a lot adjoining and facing

Westview Drive on the north side of Westview Drive between Bracher Street and Bingle Road, the front building setback line shall be forty feet (40'). All garages must be setback a minimum of thirty-six ~~eight~~ feet (36~~8~~) from the inside edge of any public sidewalk nearest the associated front property line, subject to the provisions of Section 05:02.01.04."

Section 3. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 4. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. All rights and remedies of the City of Spring Valley Village are expressly saved as to any and all violations of the provisions of any Ordinances affecting and which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 6. This Ordinance shall become effective upon passage, in accordance with law.

DULY PASSED, ADOPTED AND ORDAINED this _____ day of _____, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

DIVIDER PAGE

ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

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*

WHEREAS, the City Council finds that it is in the best interest of the health, safety and welfare of its citizens to require a minimum setback of thirty-eight (38') for garages facing Westview Drive;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters contained in the preamble of this Ordinance are hereby found to be true and correct and are incorporated herein.

Section 2. Section 05:02.03.09.02.02, Front Building Line Setbacks Adjoining a Major Thoroughfare, of Chapter 12, Planning and Zoning, of the Code of Ordinances of the City of Spring Valley Village, Texas is hereby amended by adding the language underscored below and deleting therefrom the language struckthrough below, Section 05:02.03.09.02.02 to read as follows:

"Adjoining a Major Thoroughfare. For a lot adjoining a major thoroughfare, other than Westview Drive, the front building setback line shall be twenty-five feet (25'). All garages facing a major thoroughfare must be setback a minimum of thirty-eight feet (38'), measured from the inside edge of any public sidewalk nearest the associated front property line.

Lots Adjoining Westview Drive. Except as provided herein, for a lot adjoining and facing Westview Drive the front building setback line shall be twenty-five feet (25'); provided, however, for a lot adjoining and facing

Westview Drive on the north side of Westview Drive between Bracher Street and Bingle Road, the front building setback line shall be forty feet (40'). All garages must be setback a minimum of thirty-six ~~eight~~ feet (36~~8~~) from the inside edge of any public sidewalk nearest the associated front property line, subject to the provisions of Section 05:02.01.04."

Section 3. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 4. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. All rights and remedies of the City of Spring Valley Village are expressly saved as to any and all violations of the provisions of any Ordinances affecting and which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 6. This Ordinance shall become effective upon passage, in accordance with law.

DULY PASSED, ADOPTED AND ORDAINED this _____ day of _____, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

DIVIDER PAGE



EST. 1955

SPRING VALLEY VILLAGE

May 28, 2019

Dear Property Owner:

On Tuesday, **June 11, 2019**, beginning at 7:00 pm in the City Council Chambers at Spring Valley Village City Hall, 1025 Campbell Road, Houston, Texas 77055, the Spring Valley Village **Planning and Zoning Commission** is scheduled to hold a public hearing and take action on proposed revisions to the City's current zoning regulations for the garage setbacks for properties located along Westview Drive. Contingent upon receiving a recommendation from the Planning and Zoning Commission, the **City Council** is scheduled to hold a public hearing and take action on the proposed revisions on **June 25, 2019** beginning at 6:00 pm in the City Council Chambers at Spring Valley Village City Hall. Whether the proposed revisions to the current zoning regulations for properties located on Campbell and Bingle Road will move forward from the Planning and Zoning Commission to the City Council will not be known until the Planning and Zoning Commission takes action to make a recommendation to the City Council.

You are invited to attend the Planning and Zoning Commission and the City Council meetings to hear the discussion and provide feedback to the Commission related to the proposed revisions. Packets for the Planning and Zoning Commission and the City Council meetings will be posted to the City's website by the close of business on the Thursday prior to the meeting day. Once the packets have been posted, you will be able to download the packet to review the information that is included related to the proposed revisions on the City's website in the Agenda Center at <https://springvalleytx.com/AgendaCenter> by scrolling down to the Planning and Zoning Commission and/or City Council section(s).

The Planning and Zoning Commission, City Council, and City staff appreciate your participation in the zoning text amendment process. Should you have any questions concerning the meeting, please feel free to contact me via email to oarevalo@springvalleytx.com or telephone to (832) 910-8577.

Sincerely,

Oscar Arevalo
Chief Building/Zoning Official

Anthony Wegmann
8423 Westview Drive
Houston, Texas 77055

Harry & Oralia Burks
8427 Westview Drive
Houston, Texas 77055

Nancy & Michael Rosenthal
8431 Westview Drive
Houston, Texas 77055

Guillaume & Bridgette Penel
8435 Westview Drive
Houston, Texas 77055

Victoria Harter & Phyllis Spisak
Family Trust
8439 Westview Drive
Houston, Texas 77055

Dustin Nguyen
8440 Westview Drive
Houston, Texas 77055

Current Owner
8443 Westview Drive
Houston, Texas 77055

Marc & Michelle Williams
8444 Westview Drive
Houston, Texas 77055

Gary Alfred
8448 Westview Drive
Houston, Texas 77055

Hal Green & Sherri Hooper
8502 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8502 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

Hal Green & Sherri Hooper
1508 Park Street
Houston, Texas 77019-5324

James Carothers
8506 Westview Drive
Houston, Texas 77055

James Zoes
8510 Westview Drive
Houston, Texas 77055

Humberto Leniek
8518 Westview Drive
Houston, Texas 77055

Current Owner
8521 Westview Drive
Houston, Texas 77055

Huong & Tuan Vo
8522 Westview Drive
Houston, Texas 77055

Julio Garay
8601 Westview Drive
Houston, Texas 77055

Stephen Kubik
8602 Westview Drive
Houston, Texas 77055

Elaine Hess
8605 Westview Drive
Houston, Texas 77055

Zenobia Martin
8606 Westview Drive
Houston, Texas 77055

James Young
8609 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8609 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

James Young
605 County Road 2540
Meridian, Texas 76665-4739

Michael & Maria Omer
8610 Westview Drive
Houston, Texas 77055

Ava Lewcun
8613 Westview Drive
Houston, Texas 77055

Current Owner
8614 Westview Drive
Houston, Texas 77055

EBS Investments LTD
8617 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8617 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

EBS Investments LTD
8445 Merlin Drive
Houston, Texas 77055

Irina Lavrentieva &
Sanjay Upmanyu
8618 Westview Drive
Houston, Texas 77055

Nadia & Douglas Knutzen
8620 Westview Drive
Houston, Texas 77055

Ketan & Bhavini Patel
8621 Westview Drive
Houston, Texas 77055

George Zoes
8701 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8701 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

George Zoes
P O Box 55721
Houston, Texas 77255

Marica Gassoway
8702 Westview Drive
Houston, Texas 77055

Marisela & Skipper Burrows
8705 Westview Drive
Houston, Texas 77055

Ming Yue & Min Xu
8706 Westview Drive
Houston, Texas 77055

John Rogers
8708 Westview Drive
Houston, Texas 77055

Mehmet & Crystal Bayanay
8709 Westview Drive
Houston, Texas 77055

Nancy Barton
8713 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8713 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

Nancy Barton
608 Crown Colony Drive
Arlington, Texas 76006-3600

Andrew & Sandra Irving
8714 Westview Drive
Houston, Texas 77055

Sandra Selmser
8717 Westview Drive
Houston, Texas 77055

Current Owner
8718 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8718 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

Current Owner
24730 Top Mark Court
Katy, Texas 77494

Alice Burroughs
8721 Westview Drive
Houston, Texas 77055

Ronald Nelson
8814 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8814 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

Ronald Nelson
3803 Westerdale Drive
Fulshear, Texas 77441

Timothy & Elizabeth Conroy
8817 Westview Drive
Houston, Texas 77055

William & Denise Wilborn
8818 Westview Drive
Houston, Texas 77055

Edward Kelly
8819 Westview Drive
Houston, Texas 77055

Anne Kuo & Thong Phan
8821 Westview Drive
Houston, Texas 77055

Philip & Lisa Speros
8822 Westview Drive
Houston, Texas 77055

Current Owner
8825 Westview Drive
Houston, Texas 77055

**City of Spring Valley Village
City Council Agenda Item
Agenda Item Data Sheet**

MEETING DATE: June 25, 2019

TOPIC: **ORDINANCE NO. 2019-XX**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

BACKGROUND: In the previous agenda item, the City Council held a public hearing considering the amendment of Subsection .02 Front Building Line Setbacks Adjoining A Major Thoroughfare, Of Subsection .09, Building Line Setbacks, Of Subsection .03, Size And Area Requirements, Of Subsection .02, Limitations And Restrictions, Of Section 05 Building And Use Restrictions In Dwelling District "A", Of Exhibit "A" Of Chapter 12, Planning and Zoning, of the Code of Ordinances to set a minimum setback of 38 feet for garages facing Westview Drive.

The proposed Ordinance incorporates the 38 foot setback for garages that front on Westview Drive and will make the regulations consistent with those on Bingle and Campbell Roads. Additionally, the proposed Ordinance includes a reference to the garage regulations contained in Section 05:02.01.04 of the Zoning Ordinance.

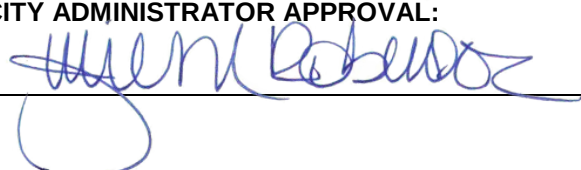
If approved, this Ordinance would implement the proposed revisions to Chapter 12, Planning and Zoning, of the City's Code of Ordinances.

RECOMMENDATION: On June 11, 2019, the Planning and Zoning Commission recommended approval of the Ordinance.

ACTIONS TAKEN

APPROVAL	READING PASSED	OTHER
☐ YES ☐ NO		

**City of Spring Valley Village
City Council Agenda Item
Agenda Item Data Sheet**

ATTACHMENTS:	- Ordinance No. 2019-XX - Planning and Zoning Commission Voting Form
FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$ _____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$ _____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$ _____ will be added to Revenue Acct# ____-____ and \$ _____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING:	
	
SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Loren Smith, City Attorney	

ACTIONS TAKEN		
APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER

ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

*

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*

WHEREAS, the City Council finds that it is in the best interest of the health, safety and welfare of its citizens to require a minimum setback of thirty-eight (38') for garages facing Westview Drive;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters contained in the preamble of this Ordinance are hereby found to be true and correct and are incorporated herein.

Section 2. Section 05:02.03.09.02.02, Front Building Line Setbacks Adjoining a Major Thoroughfare, of Chapter 12, Planning and Zoning, of the Code of Ordinances of the City of Spring Valley Village, Texas is hereby amended by adding the language underscored below and deleting therefrom the language struckthrough below, Section 05:02.03.09.02.02 to read as follows:

"Adjoining a Major Thoroughfare. For a lot adjoining a major thoroughfare, other than Westview Drive, the front building setback line shall be twenty-five feet (25'). All garages facing a major thoroughfare must be setback a minimum of thirty-eight feet (38'), measured from the inside edge of any public sidewalk nearest the associated front property line.

Lots Adjoining Westview Drive. Except as provided herein, for a lot adjoining and facing Westview Drive the front building setback line shall be twenty-five feet (25'); provided, however, for a lot adjoining and facing

Westview Drive on the north side of Westview Drive between Bracher Street and Bingle Road, the front building setback line shall be forty feet (40'). All garages must be setback a minimum of thirty-six ~~eight~~ feet (368') from the inside edge of any public sidewalk nearest the associated front property line, subject to the provisions of Section 05:02.01.04."

Section 3. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 4. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. All rights and remedies of the City of Spring Valley Village are expressly saved as to any and all violations of the provisions of any Ordinances affecting and which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 6. This Ordinance shall become effective upon passage, in accordance with law.

DULY PASSED, ADOPTED AND ORDAINED this _____ day of _____, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

DIVIDER PAGE



SPRING VALLEY
V I L L A G E

**PLANNING & ZONING
COMMISSION
VOTING FORM**

DATE: JUNE 11, 2019

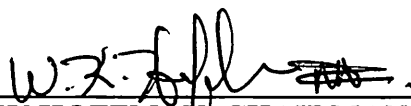
AGENDA ITEM #6:

CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance No. 2019-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A”, OF EXHIBIT “A” OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET A MINIMUM SETBACK OF THIRTY EIGHT FEET (38’) FOR GARAGES FACING WESTVIEW; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

<u>MEMBER NAME</u>	<u>MOTIONED</u>	<u>SECONDED</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>
CHARLIE CALDERWOOD	✓	✓	✓		
TREY HOFFMAN			✓		
PATRICK JOHNSON			✓		
MARYELLEN MCGLOTHLIN	absent	✓	✓		
ANNE-MARIE MCMICHAEL	absent				
LOUISE RICHMAN			✓		
AMY WINSTEAD	absent				
JOHN LISENBY, ALTERNATE	absent				

MOTION CARRIED ✓ _____

MOTION DENIED _____



TREY HOFFMAN, CHAIRMAN
PLANNING & ZONING COMMISSION

MEETING DATE: June 25, 2019

TOPIC:

CONDUCT A PUBLIC HEARING CONCERNING:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

BACKGROUND:

During the May 14, 2019 meeting, Staff presented the Planning and Zoning Commission with a recommendation to incorporate the utilization of signage on properties that are subject to a proposed zoning case as additional notice to the public. During the meeting, the Commission requested the following revisions to the proposed regulations:

(1) The regulations with regard to the size and construction of the signage be made applicable to zoning matters involving non-residential properties only; and

(2) The signs for residential properties shall be provided by the City. The residents shall be responsible for obtaining the signs

ACTIONS TAKEN

APPROVAL	READING PASSED	OTHER
☐ YES ☐ NO		

**City of Spring Valley Village
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from the City and ensuring placement and removal pursuant to the ordinance.

Each of the revisions has been incorporated into the proposed Ordinance.

The original Zoning Signage Criteria Submittal Packet that has been developed is provided with this agenda item, and it has not been revised yet. Once the City Council has approved the final regulations for the signage, the Zoning Signage Criteria Submittal Packet that has been developed will be updated to incorporate the revisions.

01
RECOMMENDATION: Not applicable for Public Hearing

ATTACHMENTS:

- Ordinance No. 2019-XX
- Copy of Public Hearing Notice
- Constant Contact and Social Media Post Dated May 31, 2019
- Copy of Letter Dated May 28, 2019 to All Residents Concerning Zoning Text Amendment
- Sample Zoning Signage Criteria Submittal Packet for Board of Adjustments and Planning and Zoning Commission.

FUNDING ISSUES:

☒ Not applicable – no dollars are being spent or received.

☐ Full amount already budgeted in Acct/Project# _____

☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:

☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____

☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____

☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____

FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER: Loren Smith, City Attorney	CITY ADMINISTRATOR APPROVAL: 
---	---

ACTIONS TAKEN		
APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER

DIVIDER PAGE

ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council of the City of Spring Valley Village, Texas desires to improve communications with its residents on matters related to changes to the zoning regulations of the City; and

WHEREAS, City Council understands that two of the more important times that residents need to be notified of pending changes to the zoning regulations are when the Planning and Zoning Commission or the Board of Adjustment holds a public hearing on an issue presented to them related to a specific property; and

WHEREAS, City Council finds it to be in the best interest of the citizens of the City of Spring Valley Village, Texas to require placement of signage on property subject to a

public hearing before the Planning and Zoning Commission or the Board of Adjustment as set forth below;

NOW, THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. This ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the regulations, restrictions, terms and conditions provided for herein.

Section 3. Section 01:03:02, Board of Adjustment, of Subsection 01:03, Other Administrative Duties of the City of Spring Valley in Executing this Comprehensive Zoning Ordinance of Section One, Purpose and Administration, of Exhibit "A" of Chapter 12 Planning and Zoning, of the City's Code of Ordinances is hereby amended by deleting therefrom the language struck through below and adding thereto the language underscored below to read as follows:

~~"Board of Adjustment. The Board of Adjustment shall have the authority to grant Variances, Special Exceptions, and hear and decide appeals from any decision, determination or interpretation by the Office of the Building Official with respect to the provisions of this Comprehensive Zoning Ordinance. The Board shall also have the powers granted by and shall be controlled by the provisions of Chapter 211, Texas Local Government Code.~~

~~In exercising these powers, the Board of Adjustment shall give public notice of the hearing on same, and shall mail notices for such hearing, not less than fifteen (15) days prior to the date thereof, to the applicant for Special Exception or Variance and to the owners of property lying within two hundred (200) feet of any point of the Lot or tract of land or portion thereof, upon which a Variation or Special Exception to the provisions of this Ordinance is sought, and to all other owners and persons as shall be determined by the Board of Adjustment, and this provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Board of Adjustment in the United States mail. The Board of Adjustment shall adopt rules or procedures in accordance with the provisions of the Revised Civil Statutes of the State of Texas. The particular provisions governing appointment and membership on the Board of Adjustment, operating procedures, and elaboration of its express powers are set forth in Appendix One of this Ordinance and incorporated herein for all purposes.~~

"01:03:02 Board of Adjustment. The Board of Adjustment shall have the authority to grant variances, special exceptions, and hear and decide appeals from any decisions, determination or interpretation by the Office of the Building Official with respect to the provisions of this Comprehensive Zoning Ordinance. The Board shall also have the powers granted by and shall be controlled by the provisions of Chapter 211, Texas Local Government Code. The Board of Adjustment shall adopt rules or procedures in accordance with the provisions of the Revised Civil Statutes of the State of Texas. The particular provisions governing appointment and membership on the Board of Adjustment, operating procedures, and elaboration of its express powers are set forth in Appendix One of this Ordinance and incorporated herein for all purposes.

01:03:02:01 In exercising its powers, the Board of Adjustment shall give public notice of the hearing on the applications for variances or special exceptions. Public notice of hearings held before the Board of Adjustment, unless otherwise required by law, shall be provided as follows:

01:03:02:01:01 Mailing. Not less than fifteen (15) calendar days prior to the date of the public hearing, the Board of Adjustment shall mail written notice of the public hearing to each owner, as indicated by the most recent approved municipal tax roll, of real property lying within two hundred (200) feet of any point of the lot or tract of land or portion thereof, upon which a variance or special exception to the provisions of this Ordinance is sought, and to all other owners or persons as shall be determined by the Board of Adjustment. The mailed notice shall be given by U.S. mail, and shall be in letter form stating: (1) the time and place of the hearing; (2) a general description of the proposal; and (3) the legal description and general street location of the property subject to the public hearing; and (4) and a statement explaining that the public may be heard at the public hearing. This provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Board of Adjustment in the United States mail. Failure to receive mailed notice shall not invalidate any action taken on the application.

01:03:02:01:02 Posting of signs. Notice of required public hearings on applications for a variance or special exception (zoning change) shall also be provided by way of a sign posted on the property that is the subject of the application in accordance with the requirements set forth herein. The applicant shall be responsible for posting the required zoning change signage and for maintaining the required signage throughout the zoning change process.

Sign Design for non-residential property. The following standards shall apply to non-residential property:

- Signs shall be 4 feet by 4 feet.
- Signs shall be constructed in accordance with the City's design standards and verbiage for zoning signs which shall be provided to the applicant.
 - Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - Lettering on both sides of the sign.
 - Metal or wood posts shall be used.
 - Must include the City of Spring Valley Village official logo with a minimum size of 1 foot
 - Capital letters on the sign shall be no smaller than 3 inches tall using the bold Arial font style.

Signs for residential properties shall be obtained from the City Secretary's Office.

Sign Placement

- One sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street, with a maximum of three (3) signs required per street frontage.
- Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.
- Signs shall be no greater than twenty feet (20') from the property line and shall be a minimum of two feet (2') off the ground, unless otherwise directed by the Building Official or his/her designee.
- Signs shall be placed perpendicular to the roadway to enable reading from both sides.
- Signs shall be located so that the lettering is visible and may be clearly read from the street

Proof of Posting

- On non-residential property, the applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing. On residential property, the applicant shall erect the sign(s) on the property that is the subject of the application a minimum of seven (7) calendar days immediately preceding the date of the public hearing. **Failure to post the sign(s) for the time periods specified shall result in the postponement of the zoning change consideration by the Board.** The applicant shall be subject to an additional fee to republish and/or re-notify due to such postponement.
- The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- A minimum of seven (7) calendar days prior to the public hearing, the applicant shall file an affidavit, on a form provided by the city, with the Building Official verifying that the sign(s) was posted as required by this section.
- The provisions of this section shall not apply to any application initiated by the Board or the City Council.

Sign Maintenance.

- The applicant shall be responsible for maintaining all signs on the subject property throughout the zoning change process. The City of Spring Valley Village is not responsible for monitoring the required zoning change signs. Should the City of Spring Valley Village discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, the City of Spring Valley Village shall contact the applicant to investigate and, if needed, correct the situation. An affidavit from the applicant certifying that the applicant has corrected the sign(s) shall indicate that the intent of the posting requirement was met. Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to replace damages or missing signs upon notification.

Removal of Signs

- The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the Board.
- Failure to remove zoning signs within such timeframe will result in the issuance of a citation per sign and per day until removed.”

Section 4. Section 01:04:03, Public Hearing, Planning and Zoning Commission, of Subsection 01:04, Amendments of Section One, Purpose and Administration, of Exhibit “A” of Chapter 12 Planning and Zoning, of the City’s Code of Ordinances is hereby amended by deleting therefrom the language struck through below and adding thereto the language underscored below to read as follows:

~~“01:04.03 Public Hearing-Planning and Zoning Commission. The planning and Zoning Commission shall make a preliminary report and hold a public hearing thereon before submitting its final report. Written notice of all public hearings before the planning and Zoning Commission on proposed changes in classification shall be sent to owners of real property lying within two hundred feet (200') of the property on which the change in classification is proposed, such notice is to be given not less than ten (10) days before the date set for hearing to all such owners who have rendered their said property for City taxes as the ownership appears on the last approved City tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the City post office.~~

“01:04:03 Public Hearing – Planning and Zoning Commission. The Planning and Zoning Commission shall make a preliminary report and hold a public hearing on zoning changes before submitting its final report to the City Council. The Commission shall give public notice of the hearing on an application for zoning change. Public notice of hearings held before the Planning and Zoning Commission, unless otherwise required by law, shall be provided as follows:

01:04:03:01 Mailing. Not less than ten (10) calendar days prior to the date of the public hearing, the Planning and Zoning Commission shall mail written notice of the public hearing to each owner, as indicated by the most recent approved municipal tax roll, of real property lying within two hundred (200) feet of any point of the lot or tract of land or portion thereof, upon which a change to the provisions of this Ordinance is sought. The mailed notice shall be given by U. S. mail, and shall be in letter form stating: (1) the time and place of the hearing; (2) a general description of the proposal; and (3) the legal description and general street location of the property subject to the public hearing; and (4) and a statement explaining that the public may be heard at the public hearing. This provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Planning and Zoning Commission in the United States mail. Failure to receive mailed notice shall not invalidate any action taken on the application.

01:04:03:02 Posting of signs. Notice of required public hearings on applications for a zoning change shall also be provided by way of a

sign posted on the property that is the subject of the application in accordance with the requirements set forth herein. The applicant shall be responsible for posting the required zoning change signage and for maintaining the required signage throughout the zoning change process.

Sign Design for non-residential property. The following standards shall apply to non-residential property:

- Signs shall be 4 feet by 4 feet.
- Signs shall be constructed in accordance with the City's design standards and verbiage for zoning signs which shall be provided to the applicant.
 - Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - Lettering on both sides of the sign.
 - Metal or wood posts shall be used.
 - Must include the City of Spring Valley Village official logo with a minimum size of 1 foot
 - Capital letters on the sign shall be no smaller than 3 inches tall using the bold Arial font style.

Signs for residential properties shall be obtained from the City Secretary's Office.

Sign Placement

- One sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street, with a maximum of three (3) signs required per street frontage.
- Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.
- Signs shall be no greater than twenty feet (20') from the property line and shall be a minimum of two feet (2') off the ground, unless otherwise directed by the Building Official or his/her designee.
- Signs shall be placed perpendicular to the roadway to enable reading from both sides.
- Signs shall be located so that the lettering is visible and may be clearly read from the street.

Proof of Posting

- On non-residential property, the applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing. On residential property, the applicant shall erect the sign(s) on the property that is the subject of the application a minimum of seven (7) calendar days immediately preceding the date of the public hearing. **Failure to post the sign(s) for the time periods specified shall result in the postponement of the zoning change consideration by the Commission or City Council.** The applicant shall be subject to an additional fee to republish and/or re-notify due to such postponement.
- The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- A minimum of seven (7) calendar days prior to the public hearing before the Commission or City Council, the applicant shall file an affidavit, on a form provided by the city, with the Building Official verifying that the sign(s) was posted as required by this section.
- The provisions of this section shall not apply to any application initiated by the Commission or City.

Sign Maintenance.

- The applicant shall be responsible for maintaining all signs on the subject property throughout the zoning change process. The City of Spring Valley Village is not responsible for monitoring the required zoning change signs. Should the City of Spring Valley Village discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, the City of Spring Valley Village shall contact the applicant to investigate and, if needed, correct the situation. An affidavit from the applicant certifying that the applicant has corrected the sign(s) shall indicate that the intent of the posting requirement was met. Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to replace damages or missing signs upon notification.

Removal of Signs

- The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the City of Spring Valley Village.
- Failure to remove zoning signs within such timeframe will result in the issuance of a citation per sign and per day until removed."

Section 4. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 6. This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with section 52.011 of the Texas Local Government Code.

ADOPTED this ____ day of _____, 2019.

Tom Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

DIVIDER PAGE

**PUBLIC NOTICE
CITY OF SPRING VALLEY VILLAGE, TEXAS
NOTICE OF PUBLIC HEARING**

Notice Is Hereby Given To Hear Comments And Testimony Concerning The Following Proposed Ordinance:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

The **Planning and Zoning Commission** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

Date: Tuesday, May 14, 2019
Time: 7:00 p.m.
Location: Council Chambers
Spring Valley Village City Hall
1025 Campbell Road
Houston, TX 77055

The **City Council** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

Date: Tuesday, May 21, 2019
Time: 6:00 p.m.
Location: Council Chambers
Spring Valley Village City Hall
1025 Campbell Road
Houston, TX 77055

For additional information regarding these public hearings, please contact the Building Official, Oscar Arevalo, at (713) 465-8308.

DIVIDER PAGE



EST. 1955

SPRING VALLEY VILLAGE

April 26, 2019

Dear Property Owner:

On Tuesday, **May 14, 2019**, beginning at 7:00 pm in the City Council Chambers at Spring Valley Village City Hall, 1025 Campbell Road, Houston, Texas 77055, the Spring Valley Village **Planning and Zoning Commission** is scheduled to hold a public hearing and take action on proposed revisions to the City's current zoning regulations to require the posting of signage in addition to all other public notification requirements for the public notice of hearings for meetings of the Planning and Zoning Commission or Board of Adjustment. Contingent upon receiving a recommendation from the Planning and Zoning Commission, the **City Council** is scheduled to hold a public hearing and take action on the proposed revisions on **May 21, 2019** beginning at 6:00 pm in the City Council Chambers at Spring Valley Village City Hall.

You are invited to attend the Planning and Zoning Commission and the City Council meetings to hear the discussion and provide feedback to the Commission related to the proposed revisions. Packets for the Planning and Zoning Commission and the City Council meetings will be posted to the City's website by the close of business on the Thursday prior to the meeting day. Once the packets have been posted, you will be able to download the packet to review the information that is included related to the proposed revisions on the City's website in the Agenda Center at <https://springvalleytx.com/AgendaCenter> by scrolling down to the Planning and Zoning Commission and/or City Council section(s).

The Planning and Zoning Commission, City Council, and City staff appreciate your participation in the zoning text amendment process. Should you have any questions concerning the meeting, please feel free to contact me via email to oarevalo@springvalleytx.com or telephone to (832) 910-8577.

Sincerely,

Oscar Arevalo
Chief Building/Zoning Official

For Constant Contact/social media post on May 2, 2019:

SUBJECT: Public Hearing and Consideration by Planning & Zoning Commission of Revisions to Zoning Regulations Related to Public Notice Requirements to Incorporate Zoning Signage for Property-Specific Zoning Cases Submitted to Board of Adjustment and Planning & Zoning Commission – May 14, 2019 at 7:00 pm

The Planning & Zoning Commission will hold a public hearing and consider an ordinance revising the zoning regulations related to public notice requirements to incorporate the use of zoning signage for property-specific zoning cases submitted to the Board of Adjustment and Planning & Zoning Commission at the May 14, 2019 meeting.

Residents are invited to attend the Planning and Zoning Commission meeting to hear the discussion and provide feedback to the Commission related to this issue. The packet for the meeting will be posted by the close of business on Thursday, May 9, 2019, to the City's website in the Agenda Center, which you can find at <https://springvalleytx.com/AgendaCenter> and scrolling down to the Planning and Zoning Commission section. You will also be able to download the packet to review the information that is included related to this discussion item.

Until the Commission meets, we will not know what the recommendation will be to the City Council. If the Commission makes a recommendation, then the City Council will also hold a public hearing and consider an ordinance on May 21, 2019.

DIVIDER PAGE

A photograph of a residential street. In the foreground, a black sign with white text stands on a green lawn. The sign reads: "SPRING VALLEY", "PLANNING & ZONING", "COMMISSION MEETING", "-TONIGHT-", "AT CITY HALL". The lawn is bordered by a concrete curb. To the left of the sign is a concrete sidewalk. In the background, a paved road with yellow double lines runs horizontally. A blue SUV is parked on the left side of the road. A wooden fence and trees are behind the road. On the right side of the road, there is a grassy area with a series of red and white striped bollards. The sky is overcast.

SPRING VALLEY
PLANNING & ZONING
COMMISSION MEETING
-TONIGHT-
AT CITY HALL

DIVIDER PAGE



CITY OF SPRING VALLEY VILLAGE

ZONING SIGNAGE CRITERIA SUBMITTAL PACKET

(Board of Adjustment)



ZONING SIGN CRITERIA

IF YOU HAVE ANY QUESTIONS, PLEASE CALL (713) 465-8308

A zoning sign is a sign erected on the property requested to publicize a Variance, Special Exception, or Appeal. **The number of signs and the placement of signs shall be determined by the Building Official at the time of submittal.** It is the responsibility of the owner/project representative to contact the Building Department to verify the number and location of signs needed.

Property owners/applicants may use any sign company to meet zoning sign criteria. To order zoning signs, the applicant should contact a sign company; the sign company will install the zoning sign(s) in the Building Official designated location(s).

ADHERE TO THE FOLLOWING INSTRUCTIONS:

SIGNS DESIGN

- ☐ Signs shall be a minimum of four (4) feet by four (4) feet.
- ☐ The sign shall be constructed in accordance with the City's design standards for zoning signs.
 - a. Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - b. Lettering on both sides of the sign.
 - c. Metal or wood posts shall be used.
 - d. Must include the City of Spring Valley Village official logo with a minimum size of one (1) foot.
 - e. Capital letters on that sign shall be no smaller than three (3) inches tall using the Bold Arial font style.
- ☐ The signs shall comply with the layout and dimensions on the attached Zoning Sign Design Diagram.

PLACEMENT

- ☐ One (1) sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street with a maximum of three (3) signs required per street frontage.
- ☐ Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- ☐ Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.

- ☐ Signs shall be no greater than twenty (20) feet from the property line and shall be a minimum of two (2) feet off the ground, unless otherwise directed by the Building Official or his/her designee.
- ☐ Signs shall be placed perpendicular to the roadway to enable reading from both sides.
- ☐ Signs shall be located so that the lettering is visible and may be clearly read from the street.

PROOF OF POSTING

- ☐ **The applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing.**
- ☐ The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- ☐ A minimum of seven (7) calendar days prior to the public hearing, the applicant shall file an affidavit, on a form provided by the City, with the Building Official verifying that the sign(s) was posted as required.

REMOVAL OF SIGNS

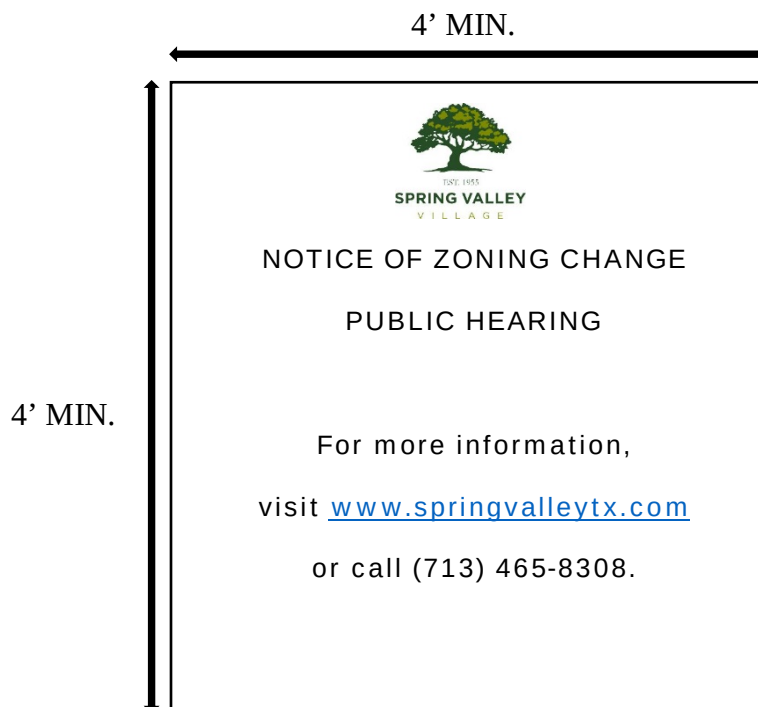
- ☐ **The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the Board.**

Preparer's Name: _____

Preparer's Signature: _____

NOTE: Violations of the sign ordinance will result in fines to the property owner and will delay the request for Zoning or Specific Use Permit. Failure to remove zoning signs per the sign ordinance will result in a citation of \$500 per sign/per day until removed.

CITY OF SPRING VALLEY VILLAGE ZONING SIGN DESIGN DIAGRAM



1' MIN (LOCK RATIO)



**Capital letters on the sign shall be no smaller
than 3" tall using the bold Arial font style.**

AFFIDAVIT OF SIGN POSTING



(Re)Zoning Case No. _____

Date of Board of Adjustment Meeting: _____

In accordance with the requirements of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I _____ hereby certify that I have posted or caused to be posted Zoning Change Notification sign(s) on the property subject to zoning change, located at _____

Said sign(s) meet the specifications of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Posting of said signs was accomplished on _____, 2_____, as provided for in Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s)-of-way along _____

I further certify that this affidavit was filed with the Building Department of the City of Spring Valley Village within the time provisions of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Executed this the _____ day of _____, 2_____.

Signature of Applicant or Authorized Representative for Zoning Case No. _____

Printed Name of Applicant or Authorized Representative for Zoning Case No. _____

Sworn and subscribed before me this the _____ day of _____, 2_____.

Notary Public

PLEASE NOTE: Failure to post the notification sign(s) on the property by the close of business (4:30 pm) fourteen (14) days prior to the Board of Adjustment public hearing shall result in the postponement of consideration by the Board.

STAFF USE ONLY:

Date/Time submitted: _____

Verified by: _____



SPRING VALLEY
VILLAGE

AFFIDAVIT OF SIGN MAINTENANCE

(Re)Zoning Case No. _____

Date of Board of Adjustment Meeting: _____

In accordance with the requirements of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I _____ hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at _____

Said sign(s) have been maintained in a manner consistent with the requirements contained in Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I further certify that this affidavit was filed with the Building Department of the City on _____, 2_____, within the time provisions of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I understand that I am required to remove said signs within seven (7) calendar days of any final action on the application taken by the City of Spring Valley Village Board of Adjustment regarding the zoning change.

Executed this the _____ day of _____, 2_____.

Signature of Applicant or Authorized Representative for Zoning Case No. _____

Printed Name of Applicant or Authorized Representative for Zoning Case No. _____

Sworn and subscribed before me this the _____ day of _____, 2_____.

Notary Public

PLEASE NOTE: Failure to maintain the signs prior to the Board of Adjustment public hearing may result in postponement of consideration if the applicant has not attempted to replace damaged or missing signs upon notification by Staff.

FOR STAFF USE ONLY:

Date/Time submitted: _____

Verified by: _____

DIVIDER PAGE



CITY OF SPRING VALLEY VILLAGE

ZONING SIGNAGE CRITERIA SUBMITTAL PACKET

(Planning & Zoning Commission)



ZONING SIGN CRITERIA

IF YOU HAVE ANY QUESTIONS, PLEASE CALL (713) 465-8308

A zoning sign is a sign erected on the property requested to publicize a Zoning Change, Variance, Special Exception, or Specific Use Permit. **The number of signs and the placement of signs shall be determined by the Building Official at the time of submittal.** It is the responsibility of the owner/project representative to contact the Building Department to verify the number and location of signs needed.

Property owners/applicants may use any sign company to meet zoning sign criteria. To order zoning signs, the applicant should contact a sign company; the sign company will install the zoning sign(s) in the Building Official designated location(s).

ADHERE TO THE FOLLOWING INSTRUCTIONS:

SIGNS DESIGN

- ☐ Signs shall be a minimum of four (4) feet by four (4) feet.
- ☐ The sign shall be constructed in accordance with the City's design standards for zoning signs.
 - a. Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - b. Lettering on both sides of the sign.
 - c. Metal or wood posts shall be used.
 - d. Must include the City of Spring Valley Village official logo with a minimum size of one (1) foot.
 - e. Capital letters on that sign shall be no smaller than three (3) inches tall using the Bold Arial font style.
- ☐ The signs shall comply with the layout and dimensions on the attached Zoning Sign Design Diagram.

PLACEMENT

- ☐ One (1) sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street with a maximum of three (3) signs required per street frontage.
- ☐ Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- ☐ Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.

- ☐ Signs shall be no greater than twenty (20) feet from the property line, and shall be a minimum of two (2) feet off the ground, unless otherwise directed by the Building Official or his/her designee.
- ☐ Sign shall be placed perpendicular to the roadway to enable reading from both sides.
- ☐ Signs shall be located so that the lettering is visible and may be clearly read from the street.

PROOF OF POSTING

- ☐ **The applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing.**
- ☐ The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- ☐ A minimum of seven (7) calendar days prior to the public hearing, the applicant shall file an affidavit, on a form provided by the City, with the Building Official verifying that the sign(s) was posted as required.

REMOVAL OF SIGNS

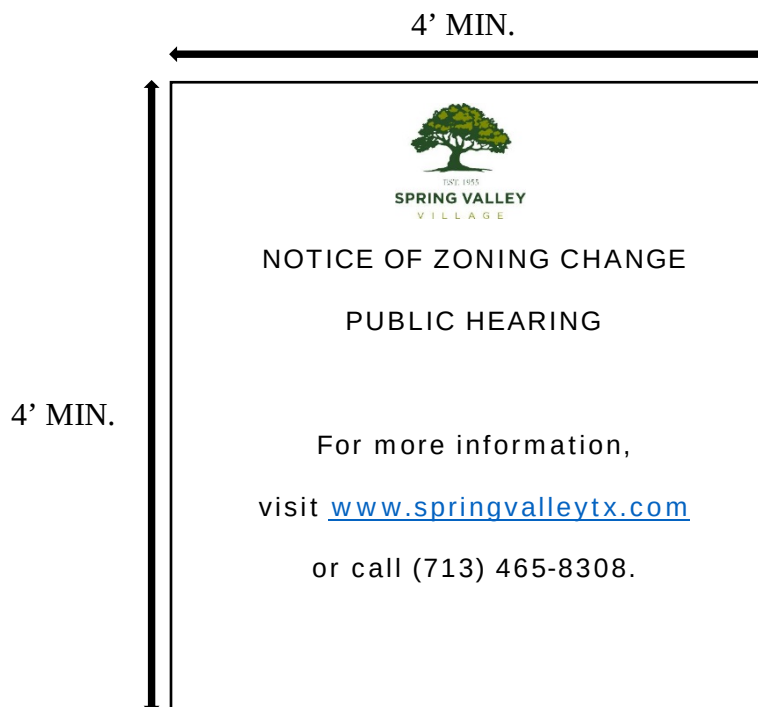
- ☐ **The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the City of Spring Valley Village.**

Preparer's Name: _____

Preparer's Signature: _____

NOTE: Violations of the sign ordinance will result in fines to the property owner and will delay the request for Zoning or Specific Use Permit. Failure to remove zoning signs per the sign ordinance will result in a citation of \$500 per sign/per day until removed.

CITY OF SPRING VALLEY VILLAGE ZONING SIGN DESIGN DIAGRAM



1' MIN (LOCK RATIO)



**Capital letters on the sign shall be no smaller
than 3" tall using the bold Arial font style.**



AFFIDAVIT OF SIGN POSTING

(Re)Zoning Case No. _____

Date of Planning and Zoning Commission Meeting: _____

In accordance with the requirements of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I _____ hereby certify that I have posted or caused to be posted Zoning Change Notification sign(s) on the property subject to zoning change, located at _____

Said sign(s) meet the specifications of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Posting of said signs was accomplished on _____, 2_____, as provided for in Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s)-of-way along _____

I further certify that this affidavit was filed with the Building Department of the City of Spring Valley Village within the time provisions of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Executed this the _____ day of _____, 2_____.

Signature of Applicant or Authorized Representative for Zoning Case No. _____

Printed Name of Applicant or Authorized Representative for Zoning Case No. _____

Sworn and subscribed before me this the _____ day of _____, 2_____.

Notary Public _____

PLEASE NOTE: Failure to post the notification sign(s) on the property by the close of business (4:30 pm) fourteen (14) days prior to the Planning and Zoning Commission public hearing shall result in the postponement of consideration by the Commission.

STAFF USE ONLY:

Date/Time submitted: _____

Verified by: _____



AFFIDAVIT OF SIGN MAINTENANCE

(Re)Zoning Case No. _____

Date of City Council Meeting: _____

In accordance with the requirements of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I _____ hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at _____

Said sign(s) have been maintained in a manner consistent with the requirements contained in Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I further certify that this affidavit was filed with the Building Department of the City on _____, 2_____, within the time provisions of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I understand that I am required to remove said signs within seven (7) calendar days of any final action taken by the City of Spring Valley Village regarding the zoning change.

Executed this the _____ day of _____, 2_____.

Signature of Applicant or Authorized Representative for Zoning Case No. _____

Printed Name of Applicant or Authorized Representative for Zoning Case No. _____

Notary Public

PLEASE NOTE: Failure to maintain the signs prior to the City Council public hearing may result in postponement of consideration if the applicant has not attempted to replace damaged or missing signs upon notification by Staff.

FOR STAFF USE ONLY:

Date/Time submitted: _____

Verified by: _____

MEETING DATE: June 25, 2019

TOPIC:	ORDINANCE NO. 2019-XX AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.
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BACKGROUND:	In the previous agenda item, the City Council held a public hearing considering the amendment of Section 01:03:02, Board of Adjustment, of Subsection 01:03, Other Administrative Duties of the City of Spring Valley Village in Executing This Comprehensive Zoning Ordinance, and Section 01:04:03, Public Hearing – Planning and Zoning Commission, of Subsection 01:04, Amendments, both of which are found in Section One, Purpose and Administration, of Exhibit "A" of Chapter 12, Planning and Zoning, of the City of Spring Valley Village Code of Ordinances to require public notice of hearings held before the Board of Adjustment and the Planning and Zoning Commission to be provided by posting of signs in addition al all other public notification requirements.
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ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**City of Spring Valley Village
City Council Agenda Item
Agenda Item Data Sheet**

If approved, this ordinance would implement the proposed revisions to Chapter 12, Planning and Zoning, of the City's Code of Ordinances.

RECOMMENDATION: On June 11, 2019, the Planning and Zoning Commission recommended approval of the Ordinance.

ATTACHMENTS:

- Ordinance No. 2019-XX
- Planning and Zoning Commission Voting Form

FUNDING ISSUES:

☒ Not applicable – no dollars are being spent or received.

☐ Full amount already budgeted in Acct/Project# _____

☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:

☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____

☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____

☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____

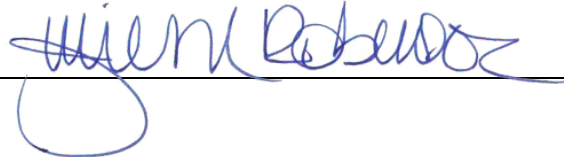
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Loren Smith, City Attorney

CITY ADMINISTRATOR APPROVAL:



ACTIONS TAKEN

APPROVAL	READING PASSED	OTHER
☐ YES ☐ NO		

ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council of the City of Spring Valley Village, Texas desires to improve communications with its residents on matters related to changes to the zoning regulations of the City; and

WHEREAS, City Council understands that two of the more important times that residents need to be notified of pending changes to the zoning regulations are when the Planning and Zoning Commission or the Board of Adjustment holds a public hearing on an issue presented to them related to a specific property; and

WHEREAS, City Council finds it to be in the best interest of the citizens of the City of Spring Valley Village, Texas to require placement of signage on property subject to a

public hearing before the Planning and Zoning Commission or the Board of Adjustment as set forth below;

NOW, THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. This ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the regulations, restrictions, terms and conditions provided for herein.

Section 3. Section 01:03:02, Board of Adjustment, of Subsection 01:03, Other Administrative Duties of the City of Spring Valley in Executing this Comprehensive Zoning Ordinance of Section One, Purpose and Administration, of Exhibit "A" of Chapter 12 Planning and Zoning, of the City's Code of Ordinances is hereby amended by deleting therefrom the language struck through below and adding thereto the language underscored below to read as follows:

~~"Board of Adjustment. The Board of Adjustment shall have the authority to grant Variances, Special Exceptions, and hear and decide appeals from any decision, determination or interpretation by the Office of the Building Official with respect to the provisions of this Comprehensive Zoning Ordinance. The Board shall also have the powers granted by and shall be controlled by the provisions of Chapter 211, Texas Local Government Code.~~

~~In exercising these powers, the Board of Adjustment shall give public notice of the hearing on same, and shall mail notices for such hearing, not less than fifteen (15) days prior to the date thereof, to the applicant for Special Exception or Variance and to the owners of property lying within two hundred (200) feet of any point of the Lot or tract of land or portion thereof, upon which a Variation or Special Exception to the provisions of this Ordinance is sought, and to all other owners and persons as shall be determined by the Board of Adjustment, and this provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Board of Adjustment in the United States mail. The Board of Adjustment shall adopt rules or procedures in accordance with the provisions of the Revised Civil Statutes of the State of Texas. The particular provisions governing appointment and membership on the Board of Adjustment, operating procedures, and elaboration of its express powers are set forth in Appendix One of this Ordinance and incorporated herein for all purposes.~~

“01:03:02 Board of Adjustment. The Board of Adjustment shall have the authority to grant variances, special exceptions, and hear and decide appeals from any decisions, determination or interpretation by the Office of the Building Official with respect to the provisions of this Comprehensive Zoning Ordinance. The Board shall also have the powers granted by and shall be controlled by the provisions of Chapter 211, Texas Local Government Code. The Board of Adjustment shall adopt rules or procedures in accordance with the provisions of the Revised Civil Statutes of the State of Texas. The particular provisions governing appointment and membership on the Board of Adjustment, operating procedures, and elaboration of its express powers are set forth in Appendix One of this Ordinance and incorporated herein for all purposes.

01:03:02:01 In exercising its powers, the Board of Adjustment shall give public notice of the hearing on the applications for variances or special exceptions. Public notice of hearings held before the Board of Adjustment, unless otherwise required by law, shall be provided as follows:

01:03:02:01:01 Mailing. Not less than fifteen (15) calendar days prior to the date of the public hearing, the Board of Adjustment shall mail written notice of the public hearing to each owner, as indicated by the most recent approved municipal tax roll, of real property lying within two hundred (200) feet of any point of the lot or tract of land or portion thereof, upon which a variance or special exception to the provisions of this Ordinance is sought, and to all other owners or persons as shall be determined by the Board of Adjustment. The mailed notice shall be given by U.S. mail, and shall be in letter form stating: (1) the time and place of the hearing; (2) a general description of the proposal; and (3) the legal description and general street location of the property subject to the public hearing; and (4) and a statement explaining that the public may be heard at the public hearing. This provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Board of Adjustment in the United States mail. Failure to receive mailed notice shall not invalidate any action taken on the application.

01:03:02:01:02 Posting of signs. Notice of required public hearings on applications for a variance or special exception (zoning change) shall also be provided by way of a sign posted on the property that is the subject of the application in accordance with the requirements set forth herein. The applicant shall be responsible for posting the required zoning change signage and for maintaining the required signage throughout the zoning change process.

Sign Design for non-residential property. The following standards shall apply to non-residential property:

- Signs shall be 4 feet by 4 feet.
- Signs shall be constructed in accordance with the City's design standards and verbiage for zoning signs which shall be provided to the applicant.
 - Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - Lettering on both sides of the sign.
 - Metal or wood posts shall be used.
 - Must include the City of Spring Valley Village official logo with a minimum size of 1 foot
 - Capital letters on the sign shall be no smaller than 3 inches tall using the bold Arial font style.

Signs for residential properties shall be obtained from the City Secretary's Office.

Sign Placement

- One sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street, with a maximum of three (3) signs required per street frontage.
- Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.
- Signs shall be no greater than twenty feet (20') from the property line and shall be a minimum of two feet (2') off the ground, unless otherwise directed by the Building Official or his/her designee.
- Signs shall be placed perpendicular to the roadway to enable reading from both sides.
- Signs shall be located so that the lettering is visible and may be clearly read from the street

Proof of Posting

- On non-residential property, the applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing. On residential property, the applicant shall erect the sign(s) on the property that is the subject of the application a minimum of seven (7) calendar days immediately preceding the date of the public hearing. **Failure to post the sign(s) for the time periods specified shall result in the postponement of the zoning change consideration by the Board.** The applicant shall be subject to an additional fee to republish and/or re-notify due to such postponement.
- The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- A minimum of seven (7) calendar days prior to the public hearing, the applicant shall file an affidavit, on a form provided by the city, with the Building Official verifying that the sign(s) was posted as required by this section.
- The provisions of this section shall not apply to any application initiated by the Board or the City Council.

Sign Maintenance.

- The applicant shall be responsible for maintaining all signs on the subject property throughout the zoning change process. The City of Spring Valley Village is not responsible for monitoring the required zoning change signs. Should the City of Spring Valley Village discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, the City of Spring Valley Village shall contact the applicant to investigate and, if needed, correct the situation. An affidavit from the applicant certifying that the applicant has corrected the sign(s) shall indicate that the intent of the posting requirement was met. Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to replace damages or missing signs upon notification.

Removal of Signs

- The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the Board.
- Failure to remove zoning signs within such timeframe will result in the issuance of a citation per sign and per day until removed.”

Section 4. Section 01:04:03, Public Hearing, Planning and Zoning Commission, of Subsection 01:04, Amendments of Section One, Purpose and Administration, of Exhibit “A” of Chapter 12 Planning and Zoning, of the City’s Code of Ordinances is hereby amended by deleting therefrom the language struck through below and adding thereto the language underscored below to read as follows:

~~“01:04.03 Public Hearing-Planning and Zoning Commission. The planning and Zoning Commission shall make a preliminary report and hold a public hearing thereon before submitting its final report. Written notice of all public hearings before the planning and Zoning Commission on proposed changes in classification shall be sent to owners of real property lying within two hundred feet (200') of the property on which the change in classification is proposed, such notice is to be given not less than ten (10) days before the date set for hearing to all such owners who have rendered their said property for City taxes as the ownership appears on the last approved City tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the City post office.~~

“01:04:03 Public Hearing – Planning and Zoning Commission. The Planning and Zoning Commission shall make a preliminary report and hold a public hearing on zoning changes before submitting its final report to the City Council. The Commission shall give public notice of the hearing on an application for zoning change. Public notice of hearings held before the Planning and Zoning Commission, unless otherwise required by law, shall be provided as follows:

01:04:03:01 Mailing. Not less than ten (10) calendar days prior to the date of the public hearing, the Planning and Zoning Commission shall mail written notice of the public hearing to each owner, as indicated by the most recent approved municipal tax roll, of real property lying within two hundred (200) feet of any point of the lot or tract of land or portion thereof, upon which a change to the provisions of this Ordinance is sought. The mailed notice shall be given by U. S. mail, and shall be in letter form stating: (1) the time and place of the hearing; (2) a general description of the proposal; and (3) the legal description and general street location of the property subject to the public hearing; and (4) and a statement explaining that the public may be heard at the public hearing. This provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Planning and Zoning Commission in the United States mail. Failure to receive mailed notice shall not invalidate any action taken on the application.

01:04:03:02 Posting of signs. Notice of required public hearings on applications for a zoning change shall also be provided by way of a

sign posted on the property that is the subject of the application in accordance with the requirements set forth herein. The applicant shall be responsible for posting the required zoning change signage and for maintaining the required signage throughout the zoning change process.

Sign Design for non-residential property. The following standards shall apply to non-residential property:

- Signs shall be 4 feet by 4 feet.
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 - Lettering on both sides of the sign.
 - Metal or wood posts shall be used.
 - Must include the City of Spring Valley Village official logo with a minimum size of 1 foot
 - Capital letters on the sign shall be no smaller than 3 inches tall using the bold Arial font style.

Signs for residential properties shall be obtained from the City Secretary's Office.

Sign Placement

- One sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street, with a maximum of three (3) signs required per street frontage.
- Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
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- Signs shall be no greater than twenty feet (20') from the property line and shall be a minimum of two feet (2') off the ground, unless otherwise directed by the Building Official or his/her designee.
- Signs shall be placed perpendicular to the roadway to enable reading from both sides.
- Signs shall be located so that the lettering is visible and may be clearly read from the street.

Proof of Posting

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- The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- A minimum of seven (7) calendar days prior to the public hearing before the Commission or City Council, the applicant shall file an affidavit, on a form provided by the city, with the Building Official verifying that the sign(s) was posted as required by this section.
- The provisions of this section shall not apply to any application initiated by the Commission or City.

Sign Maintenance.

- The applicant shall be responsible for maintaining all signs on the subject property throughout the zoning change process. The City of Spring Valley Village is not responsible for monitoring the required zoning change signs. Should the City of Spring Valley Village discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, the City of Spring Valley Village shall contact the applicant to investigate and, if needed, correct the situation. An affidavit from the applicant certifying that the applicant has corrected the sign(s) shall indicate that the intent of the posting requirement was met. Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to replace damages or missing signs upon notification.

Removal of Signs

- The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the City of Spring Valley Village.
- Failure to remove zoning signs within such timeframe will result in the issuance of a citation per sign and per day until removed."

Section 4. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 6. This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with section 52.011 of the Texas Local Government Code.

ADOPTED this ____ day of _____, 2019.

Tom Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

DIVIDER PAGE



EST. 1955
SPRING VALLEY
VILLAGE

PLANNING & ZONING COMMISSION VOTING FORM

DATE: JUNE 11, 2019

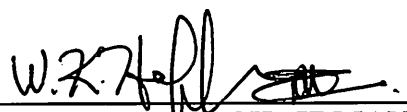
AGENDA ITEM #4:

CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance No. 2019-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT “A” OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT “A” OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

<u>MEMBER NAME</u>	<u>MOTIONED</u>	<u>SECONDED</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAINED</u>
CHARLIE CALDERWOOD	✓		✓		
TREY HOFFMAN			✓		
PATRICK JOHNSON		✓	✓		
MARYELLEN MCGLOTHLIN			✓		
ANNE-MARIE MCMICHAEL	<i>absent</i>				
LOUISE RICHMAN				✓	
AMY WINSTEAD	<i>absent</i>				
JOHN LISENBY, ALTERNATE	<i>absent</i>				

MOTION CARRIED ✓

MOTION DENIED _____


TREY HOFFMAN, CHAIRMAN
PLANNING & ZONING COMMISSION

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: June 25, 2019

TOPIC: Ordinance No. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, BY DELETING FROM APPENDIX "A" THEREOF SECTION 3.000 AND SUBSTITUTING THEREFOR A NEW SECTION 3.000; ESTABLISHING A SCHEDULE OF FEES FOR BUILDING AND CONSTRUCTION; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

BACKGROUND: For many years, building permit fees for both residential and commercial construction projects have been based on construction value. During the 2019 Legislative Session, the Texas Legislature passed House Bill 852 prohibiting cities from calculating residential building permit fees based on construction value, and the new law went into effect on May 21, 2019. Since House Bill 852 is already effective, it is important for the City to adopt a new residential building permit fee structure as soon as possible.

Specifically, HB 852 provides that: (1) in determining the amount of a building permit or inspection fee required in connection with the construction or improvement of a residential dwelling, a city may not consider: (a) the value of the dwelling; or (b) the cost of constructing or improving the dwelling; and (2) a city may not require the disclosure of information related to the value of or cost of constructing or improving a residential dwelling as a condition of obtaining a building permit except as required by the Federal Emergency Management Agency for participation in the National Flood Insurance Program.

There was no legislative change to how cities calculate building permit fees for commercial construction projects.

Summary of Proposed Revisions to Building and Construction Building Permit Fees Section of Master Fee Schedule.

(1) Reorganization of Building and Construction Fees section of the Master Fee Schedule. Since the City must change the calculations for residential building permit fees, the Building and Construction Fees section of the Master Fee Schedule has been reorganized into:

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**Spring Valley Village City Council
Agenda Item Data Sheet**

- Residential Building and Construction Fees
- Commercial Building and Construction Fees, and
- Residential and Commercial Building and Construction Permits (for Electrical, Mechanical and Plumbing which apply to both Residential and Commercial projects).
- Public Works Permits
- Street Excavations
- All Inspections/Building Permits
- Portable Storage Container Permits

(2) Proposed \$1.00 per square foot building permit fee for residential building projects. Cities have been advised that they could consider using a square footage based or a flat fee for residential building permits, so City staff pulled residential building permit data for the last eighteen months to calculate the average per square foot rate that would correspond to the building permit fee revenues generated under the current fee structure and then developed a proposed per square foot rate.

The average per square foot rate that is recommended is \$1.00 per square foot, and this rate includes the plan review fee that was previously charged separately. A spreadsheet providing a comparison of current and proposed residential building permit fees and comparing the proposed \$1.00 per square foot to the residential building permit fees that have been adopted by Hunter's Creek Village, Bunker Hill Village, Hilshire Village, and Hedwig Village is provided with this agenda item. Please note that Hedwig Village and Hilshire Village are also keeping commercial building permit fees based on construction value.

Since the residential plan review fee has been included in the proposed residential building permit fee of \$1.00 per square foot, no additional plan review fee is proposed for residential building permits. This matches what Hunter's Creek Village has adopted. In comparison, Bunker Hill Village adopted a per square foot fee for residential building permits (they have no commercial), and there is a drainage review fee of \$1,000.00 (and \$500.00 resubmittal fee) that is charged in addition to the per square foot fee. Hedwig Village and Hilshire Village have adopted a per square foot fee for residential and an additional plan review fee of 50% and 65%, respectively. Hedwig Village also charges \$1500 drainage review fee.

ACTIONS TAKEN

APPROVAL	READING PASSED	OTHER
☐ YES ☐ NO		

**Spring Valley Village City Council
Agenda Item Data Sheet**

(3) Proposed increase of Plan Review Fee from 5% to 25% of commercial building permit fees to ensure City's costs are covered. When the City originally adopted the Uniformed Building Code ("UBC") and a plan review fee in 1991, it was 65% of the building permit fee in accordance with UBC. In 2005, the City adopted the various building codes under the International Code Council ("ICC") including the International Residential Building Code and International Building Code, the plan review fee was lowered to 5% for both residential and commercial projects.

As part of the review of all of the building and construction building permit fees, Staff reviewed the costs associated with commercial plan reviews, and the City has not been recouping its plan review costs with the current 5% plan review fee.

The ICC currently recommends a plan review fee of 50% for commercial projects; however, Staff recommends that the plan review fee be increased from 5% of the commercial building permit fee to 25% of the commercial building permit fee. This increase will cover the City's costs associated with commercial plan reviews. For comparison purposes, Hedwig Village and Hilshire Village are currently charging a 50% and 65% plan review fee, respectively.

(4) Proposed increase in Permit Issuance Fee from \$50.00 to \$75.00 for all projects and for inspections and re-inspections. As part of the review of the City's building and construction permit fees, Staff discovered that the current Permit Issuance Fee and inspection/re-inspection fees of \$50.00 had been adopted in 1999 and no longer covers the City's costs for issuing permits and conducting the inspections and re-inspections. Consequently, Staff recommends increasing the Permit Issuance Fee as well as the inspection and re-inspection fees from \$50.00 to \$75.00.

(5) Proposed change to flat fees for other residential permits. Under the current Fee Schedule, residential permits for fences, pools and generator slabs are based on construction value. After review, Staff recommends that flat fees be established for these types of residential permits.

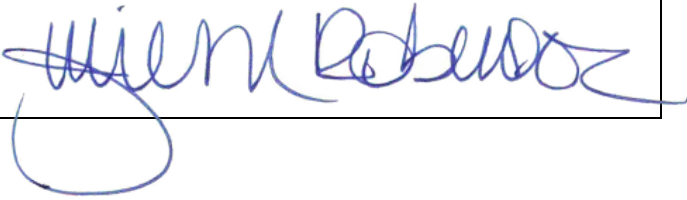
With all of the proposed changes, Staff projects that total building permit fee revenues will remain flat or increase slightly.

RECOMMENDATION: Staff recommends approval of the Ordinance.

ACTIONS TAKEN

APPROVAL	READING PASSED	OTHER
☐ YES ☐ NO		

**Spring Valley Village City Council
Agenda Item Data Sheet**

ATTACHMENTS:	- Ordinance No. 2019-XX - Comparison of Current and Proposed Residential Building Permit Fees Spreadsheet
FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING:	
	
SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Oscar Arevalo, Chief Building Official, and Matthew Hitt, Assistant to The City Administrator	

ACTIONS TAKEN		
APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER

ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, BY DELETING FROM APPENDIX "A" THEREOF SECTION 3.000 AND SUBSTITUTING THEREFOR A NEW SECTION 3.000; ESTABLISHING A SCHEDULE OF FEES FOR BUILDING AND CONSTRUCTION; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council of the City of Spring Valley Village, Texas desires to continue its governmental transparency through the adoption of revised building and construction fees for the convenience of the public; and

WHEREAS, the City Council finds it in the best interest of the health, safety and benefit of the citizens of the City of Spring Valley Village to adopt revised building and construction fees to better align the fees charged with the associated costs of review, inspection, permitting and regulation based on readily available data and information; and

WHEREAS, the City Council finds the building and construction fees set forth herein to accomplish this stated purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble to this Ordinance are hereby found to be true and correct.

Section 2. The Code of Ordinances of the City of Spring Valley Village, Texas, is hereby amended by deleting all of Section 3.000 from Appendix "A" thereof, said Appendix "A" being a "Schedule of Fees for the City of Spring Valley Village, Texas, and substituting there for a new Section 3.000 to provide as follows:

"3.000 BUILDING AND CONSTRUCTION FEES. Fees and charges shall be as follows:

3.001 Residential Building and Construction Fee Schedule

- (1) Residential Building Permit Issuance Fee..... \$75.00

- (2) Building Permit (Residential Building, Remodeling, Alterations, Repairs and Construction)

\$1.00 per sq. ft.* (Plus Permit Issuance Fee)

*Includes Plan Review Fee

- (3) Building Permit (Circular, Dish, Amateur Radio Antennas, and Solar Panels)

Permit Issuance Fee..... \$75.00 Each

- (4) Building Permit (Demolition or Move)

Permit Issuance Fee..... \$175.00

- (5) Building Permit (Generator Slab)

Permit Issuance Fee.....\$75.00

- (6) Building Permit (Foundation Repair)

Permit Issuance Fee.....\$75.00

- (7) Building Permit (Residential Fence)

Permit Issuance Fee..... \$75.00

- (8) Building Permit (Roofing)

Permit Issuance Fee..... \$75.00

- (9) Building Permit (Residential Swimming Pool, Spa, Hot Tub)

Permit Issuance Fee..... \$750.00

3.002 Commercial Building and Construction Fee Schedule

- (1) Commercial Building Permit Issuance Fee (included in Permit Minimums)
\$75.00

- (2) Building Permit (Commercial Buildings, Alterations, Repairs, Construction, Signs, Pools, Fences, Demolitions, Generator Slabs, Roofing, and Foundation Repairs)

<u>Valuation At Least</u>	<u>But Not more Than</u>	<u>Permit Minimum</u>	<u>Cost Per Thousand</u>
\$0.01	\$500.00	\$98.50	\$0.00
\$500.01	\$2,000.00	\$98.50	\$3.05
\$2,000.01	\$25,000.00	\$144.25	\$14.00
\$25,000.01	\$50,000.00	\$466.75	\$10.10

\$50,000.01	\$100,000.00	\$717.15	\$7.00
\$100,000.01	\$500,000.00	\$1,068.75	\$5.60
\$500,000.01	\$1,000,000.00	\$3,308.75	\$4.75
\$1,000,000.01	\$9,999,999.99+	\$5,683.75	\$3.65

Plus Plan Review Fee....25% of Building Permit Fee

(3) Fire Alarm Installation Permit Fees

PERMIT FEE SCHEDULE	
Permit Issuance Fee	\$75.00
0—10 devices	\$75.00
11—25 devices	\$100.00
26—100 devices	\$150.00
101—200 devices	\$300.00
201—600 devices	\$450.00
Over 600 devices	\$600.00 plus \$1.50 for each additional device
DEVICES	
Alarm Panels	Strobes
Power Supply Panels	Audio Visual
Alarm Signal Devices	Access Control
Pull Stations	Smoke Detectors
Tamper Switches	Heat Detectors
Water Flow Switches	Supervisory Devices
Horn	

3.003 Residential and Commercial Building and Construction Permits

(1) Building Permit (Electrical)

<u>Description of Item</u>	<u>Quantity</u>	<u>Each</u>
Permit Issuance Fee	1	\$75.00
Replacement of Services		
55 to 230 amperes	1	30.00
231 to 400 amperes	1	40.00
401 amperes and larger	1	50.00
Residential Installations or New Installations		
1 to 2 outlets	1	10.00
3 to 5 outlets	1	20.00
6 outlets and more	1	50.00
Mobile home service connections	1	50.00
New Service or Feeders		
Amperes of service or feeder size		
120 120/240 volt single phase and 240 120/208 volt three phase	1	0.30
277 480 volt single phase and 480 277/480 volt three phase	1	0.40
Lighting Circuit and Socket	1	2.00
Circuits for equipment with capacity		

More than one kilowatt		
1 kilowatt to 5 kilowatts	1	5.00
Each additional kilowatts	1	6.00
Miscellaneous Circuit Connections		
Electric Welder	1	50.00
120 Volt X-Ray Unit	1	10.00
208/240 Volt X-Ray Unit	1	50.00
Motion Picture Machine	1	30.00
Battery Charger		
First 100 amperes	1	15.00
Greater than 100 amperes	1	20.00
Each Power Rectifier		
First 100 amperes	1	15.00
Additional amperes	1	3.00
Temporary Meter	1	50.00
Replacement of panels where new is within 5 feet of original	1	5.00
Transformers and Capacitors		
100 Watts up to 5 KVA	1	5.00
Additional KVA	1	0.60
Replace faulty or damaged	1	50.00

Sign and Decorative Circuits		
First circuit	1	7.00
Additional circuit	1	5.00
Conduit only for sign circuit	1	7.00
Reconnecting Signs to Existing		
Outlets or Circuits		
First circuit	1	7.00
Additional circuit	1	3.00
Installed Electrical Motors		
First horse power	1	7.00
Additional horse power	1	3.00
Miscellaneous Items		
Mercury vapor lights P.O.L.	1	8.00
Motors moved at same address	1	12.00
Fuel Pumps or Dispensers	1	20.00
Meter Put Backs	1	75.00
Recalls	1	75.00
Empty Conduits	1	10.00
Temporary Saw Pole	1	25.00

(2) Building Permit (Mechanical-Heating, Air Conditioning and Ventilation)

<u>Description of Item</u>	<u>Quantity</u>	<u>Each</u>
Permit Issuance Fee	1	\$75.00
Installation up to 100,000 BTU	1	25.00
100,000 BTU and Up	1	25.00
Floor Furnace or Wall Heat	1	25.00
Vents	1	7.00
Heating Unit or Cooling Unit	1	25.00
Boiler or Compressor		
Three horse power up to 100,000 BTU	1	25.00
Boiler or Compressor from 15 horse power		
Over 100,000 BTU up to 500,000 BTU	1	25.00
Boiler or Compressor from 15 horse power to including 30 horse power over		
500,000 BTU up to 1,000,000 BTU	1	40.00
To and including 1,750,000 BTU	1	50.00
Over 1,750,000 BTU	1	90.00
Air Handling Unit and Including		
10,000 cubic feet per minute including ducts	1	10.00
Over 10,000 cubic feet per minute	1	17.00
Evaporator Coil	1	25.00

Ventilation Fan Connected to a Single Duct	1	7.00
Ventilation System which is not a portion of any hearing or a/c system not authorized by permit including hood duct systems	1	10.00
Domestic Incinerator	1	25.00
Commercial Industrial-Incinerator	1	75.00
Appliance or piece of equipment regulated by this Code but not classed in other appliance categories or for which no other fee is listed in this Code	1	10.00

(3) Building Permit (Plumbing)

<u>Description of Item</u>	<u>Quantity</u>	<u>Each</u>
Permit Issuance Fee	1	\$75.00
Fixture, Floor Drain or trap (including water and drainage)	1	8.00
House Sewer	1	20.00
House Sewer Replacement or Repair	1	20.00
Grease Trap	1	50.00
Water Piping and/or Water Treating		
Equipment Installation, Alteration or Repair	1	10.00
Drainage or Vent Piping		
Alteration or Repair	1	10.00
Vacuum Breakers or Backflow Protective Devices Installed before Installation of Piping or Equipment served		
One to Five	1	5.00

Additional	1	1.00
Water Line Installation	1	20.00
Rainwater Systems, Including Catch basins and Area Drain	1	7.00
Gas Piping Systems		
One to Five Outlets	1	10.00
Additional Outlet	1	2.50
Industrial Water Pretreatment Interceptor Including Trap and Vent type Grease Interceptors functioning as fixture Traps	1	10.00
Lawn Sprinkler System	1	10.00
Atmospheric Type Vacuum Breakers (hose bib)		
One to Five	1	5.00
Additional	1	2.50
Backflow Device Other than Atmospheric Type Vacuum Breakers	1	12.00

(4) Building Permit (Fire Sprinkler System—New Single-Family/Non-Residential)

Permit Issuance Fee..... \$75.00

For Each Floor..... \$75.00

(5) Building Permit (Re-inspection).

Fee Amount..... \$75.00 Each

3.004 Public Works Permits

(1) Franchise Utilities Permit..... Free

(2) Culvert Permit..... \$75.00

3.005 Street Excavations

- (1) Paved Streets, Concrete, per linear foot..... \$2.00
- (2) Paved Streets, Asphalt, per linear foot..... \$1.00
- (3) Dirt or Gravel Streets, per linear foot..... \$0.50

3.006 All Inspections/Building Permits

- (1) Applicable Permit Fees are doubled if work begins before the issuance of a valid permit.
- (2) A Re-Inspection Fee of \$75.00 is required for failed inspections and must be paid prior to the re-inspection.

3.007 Portable Storage Containers, Permits

Permit Issuance Fee..... \$75.00”

Section 3. All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 4. In the event any clause phrase, provision, sentence, or part of this Ordinance, or the “Schedule of Fees for the City of Spring Valley Village, Texas” adopted hereby, or the application of same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance or said schedule of fees as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 5. The rates established by this Ordinance shall be charged to each applicant whose permit has been approved and issued upon the effective date of this Ordinance.

Section 6. This Ordinance shall become effective upon its adoption by the City Council, in accordance with law.

DULY PASSED, APPROVED, AND ADOPTED this ____ day of June, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

DIVIDER PAGE

COMPARISON OF CURRENT AND PROPOSED RESIDENTIAL BUILDING PERMIT FEES

Current Fee Structure

Average Rate = To Current Rev

Proposed Rates

**Recommended
(includes plan
review fee)**

Hunters Creek Village (applies to residential & commercial)

Bunker Hill Village (only have residential) + \$1,000 drainage review fee

Hilshire Village (+65% plan review fee)

Hedwig Village (proposed rate for residential) + \$1,500 drainage review fee

Address	Valuation	Val: Fee Total	Square Footage	S.Q. Fee	S.Q. Fee Total	\$ 0.75	\$ 1.00	\$ 1.20	\$ 1.35	\$ 1.31	\$ 1.51
9010 Bace	\$ 875,000.00	\$ 5,266.00	8475	\$ 0.62	\$ 5,254.50	\$ 6,356.25	\$ 8,475.00	\$ 10,170.00	\$ 11,441.25	\$ 11,102.25	\$ 12,797.25
8717 Burkhardt	\$ 550,000.00	\$ 3,646.00	6543	\$ 0.56	\$ 3,664.08	\$ 4,907.25	\$ 6,543.00	\$ 7,851.60	\$ 8,833.05	\$ 8,571.33	\$ 9,879.93
8864 Butcher Ct	\$ 420,000.00	\$ 2,926.00	5345	\$ 0.55	\$ 2,939.75	\$ 4,008.75	\$ 5,345.00	\$ 6,414.00	\$ 7,215.75	\$ 7,001.95	\$ 8,070.95
8871 Butcher Ct	\$ 662,500.00	\$ 4,209.00	6734	\$ 0.63	\$ 4,242.42	\$ 5,050.50	\$ 6,734.00	\$ 8,080.80	\$ 9,090.90	\$ 8,821.54	\$ 10,168.34
8872 Butcher Ct	\$ 1,195,000.00	\$ 6,642.00	7724	\$ 0.86	\$ 6,642.64	\$ 5,793.00	\$ 7,724.00	\$ 9,268.80	\$ 10,427.40	\$ 10,118.44	\$ 11,663.24
1314 Beutel	\$ 693,000.00	\$ 4,359.00	5879	\$ 0.74	\$ 4,350.46	\$ 4,409.25	\$ 5,879.00	\$ 7,054.80	\$ 7,936.65	\$ 7,701.49	\$ 8,877.29
8714 Cedardale	\$ 800,000.00	\$ 4,892.00	6106	\$ 0.80	\$ 4,884.80	\$ 4,579.50	\$ 6,106.00	\$ 7,327.20	\$ 8,243.10	\$ 7,998.86	\$ 9,220.06
8926 Croes	\$ 573,120.00	\$ 3,766.00	5433	\$ 0.69	\$ 3,748.77	\$ 4,074.75	\$ 5,433.00	\$ 6,519.60	\$ 7,334.55	\$ 7,117.23	\$ 8,203.83
9723 Green Valley	\$ 515,708.00	\$ 3,476.00	6413	\$ 0.54	\$ 3,463.02	\$ 4,809.75	\$ 6,413.00	\$ 7,695.60	\$ 8,657.55	\$ 8,401.03	\$ 9,683.63
8321 Merlin	\$ 700,000.00	\$ 4,394.00	6205	\$ 0.71	\$ 4,405.55	\$ 4,653.75	\$ 6,205.00	\$ 7,446.00	\$ 8,376.75	\$ 8,128.55	\$ 9,369.55
1338 Mickey Way	\$ 748,000.00	\$ 4,633.00	6511	\$ 0.71	\$ 4,622.81	\$ 4,883.25	\$ 6,511.00	\$ 7,813.20	\$ 8,789.85	\$ 8,529.41	\$ 9,831.61
1410 Neeley	\$ 600,000.00	\$ 3,894.00	5434	\$ 0.72	\$ 3,912.48	\$ 4,075.50	\$ 5,434.00	\$ 6,520.80	\$ 7,335.90	\$ 7,118.54	\$ 8,205.34
8410 Winningham	\$ 978,913.00	\$ 5,785.00	6105	\$ 0.95	\$ 5,799.75	\$ 4,578.75	\$ 6,105.00	\$ 7,326.00	\$ 8,241.75	\$ 7,997.55	\$ 9,218.55
8905 Cardwell	\$ 2,005,000.00	\$ 9,746.00	9102	\$ 1.07	\$ 9,739.14	\$ 6,826.50	\$ 9,102.00	\$ 10,922.40	\$ 12,287.70	\$ 11,923.62	\$ 13,744.02
8821 Burkhardt	\$ 750,000.00	\$ 4,644.00	5403	\$ 0.86	\$ 4,646.58	\$ 4,052.25	\$ 5,403.00	\$ 6,483.60	\$ 7,294.05	\$ 7,077.93	\$ 8,158.53
8926 Echo Valley	\$ 676,000.00	\$ 4,274.00	5253	\$ 0.81	\$ 4,254.93	\$ 3,939.75	\$ 5,253.00	\$ 6,303.60	\$ 7,091.55	\$ 6,881.43	\$ 7,932.03
8714 Cedardale	\$ 800,000.00	\$ 4,892.00	6106	\$ 0.80	\$ 4,884.80	\$ 4,579.50	\$ 6,106.00	\$ 7,327.20	\$ 8,243.10	\$ 7,998.86	\$ 9,220.06
8324 Merlin	\$ 700,000.00	\$ 4,394.00	6104	\$ 0.72	\$ 4,394.88	\$ 4,578.00	\$ 6,104.00	\$ 7,324.80	\$ 8,240.40	\$ 7,996.24	\$ 9,217.04
9006 Lupton	\$ 585,000.00	\$ 3,820.00	5067	\$ 0.76	\$ 3,850.92	\$ 3,800.25	\$ 5,067.00	\$ 6,080.40	\$ 6,840.45	\$ 6,637.77	\$ 7,651.17
1314 Pech Rd	\$ 1,010,250.00	\$ 5,932.00	5917	\$ 1.00	\$ 5,917.00	\$ 4,437.75	\$ 5,917.00	\$ 7,100.40	\$ 7,987.95	\$ 7,751.27	\$ 8,934.67
1310 Spring Oaks	\$ 750,000.00	\$ 4,644.00	6201	\$ 0.75	\$ 4,650.75	\$ 4,650.75	\$ 6,201.00	\$ 7,441.20	\$ 8,371.35	\$ 8,123.31	\$ 9,363.51
8730 Burkhardt	\$ 740,000.00	\$ 4,593.00	6652	\$ 0.69	\$ 4,589.88	\$ 4,989.00	\$ 6,652.00	\$ 7,982.40	\$ 8,980.20	\$ 8,714.12	\$ 10,044.52
Total		\$ 104,827.00			\$ 104,859.91	\$ 104,034.00	\$ 138,712.00	\$ 166,454.40	\$ 187,261.20	\$ 181,712.72	\$ 209,455.12
Average		\$ 4,764.86	6305	\$ 0.75	\$ 4,766.36	\$ 4,728.82	\$ 6,305.09	\$ 7,566.11	\$ 8,511.87	\$ 8,259.67	\$ 9,520.69