

**MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, OCTOBER 15, 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 Tom Donaho

Council Member David Dominy

Council Member Joy McCormack

Council Member Marcus Vajdos (arrived at 6:04 p.m.)

Members Absent:

None.

2. INTRODUCTIONS

Julie M. Robinson, City Administrator

Todd Stewart, Attorney

Roxanne Benitez, City Secretary

Pat Riley, Public Works Director

Michelle Yi, City Treasurer

Matthew Hitt, Assistant to the City Administrator

Loyd Evans, Chief of Police (left at 6:16 p.m.)

David Dixon, Police Commissioner

Mark Schulze, Police Captain

3. PROCLAMATIONS / ANNOUNCEMENTS

None.

4. PUBLIC COMMENTS

None.

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 Regular City Council Meeting on September 24, 2019

5.2 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 RENEWAL OF THE INTERLOCAL AGREEMENT

BETWEEN HARRIS COUNTY AND THE CITY OF SPRING VALLEY VILLAGE TO HOUSE, SUPPORT, MAINTAIN, AND CONFINE MUNICIPAL PRISONERS IN HARRIS COUNTY JAILS, AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE.

- 5.3 Approval of Pay Estimate No. 3 for Westview Drive Sidewalk Improvements Project to DVL Enterprises, LLC in the Amount of \$28,606.50.

Council Member Carpenter made a motion to approve all items on the Consent Agenda, and Council Member Dominy seconded the motion. Motion carried 5-0.

At this time, Council Member Carpenter made a motion to take Agenda Items 17 and 20 out of order, and Council Member McCormack seconded the motion. Motion carried 5-0.

- 17. DISCUSSION AND DIRECTION CONCERNING:** Review and Possible Revision of the City of Spring Valley Village's Solicitation Regulations. (Council Member Carpenter)

Council Member Carpenter advised that he would like to have the ordinances pertaining to solicitation regulations amended to allow residents the right to restrict solicitors from visiting their home. It was the consensus of the City Council for the City Attorney to review the current regulations and bring back possible revisions that would provide additional protection for residents from solicitors.

- 20. 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 AN AGREEMENT FOR PROFESSIONAL SERVICES BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND BBG CONSULTING, INC; 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.

Mayor Ramsey read the Resolution by caption only. Council Member Carpenter made a motion to approve Resolution Number 19-38, approving the terms and conditions of the agreement for professional services by and between the City of Spring Valley Village and BBG Consulting, Inc., and Council Member McCormack seconded the motion. Motion carried 5-0.

OLD BUSINESS

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

Chief Evans provided the report.

1. Number of Calls for Service – 939
2. Number of Traffic Violations – 497
3. Number of K-9 Deployments – 129

Chief Evans provided a re-cap on the Fall Festival and advised that there would be street closures on Halloween as in previous years.

- 7. PRESENTATION, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:**

Request from Spring Branch Memorial Sports Authority ("SBMSA") for Additional Cost Sharing Related to the SBMSA Athletic Complex Project at 9016 Westview Drive.

Keith Stubbs and Lewis Gissel, SBMSA Board Members, as well as Travis Stanford, with the Spring Branch Independent School District, appeared before City Council. Mr. Stubbs provided an update on the construction and advised that Phase I was complete, Phase II would start in December, and the entire project would be complete by April 2020. Mr. Stubbs also advised that the walking trail would be accessible to Spring Valley Village residents on weekends and evenings after school. Mr. Stubbs advised that the City previously approved to pay \$17,500 and asked the City if they would also pay for half of the costs associated with drainage additions which was \$61,000 total.

There was discussion concerning the history of the interior walking path required by SBISD and the sidewalk that the City Council had previously agreed to fund a portion of in order to provide pedestrian access to the Complex from Westview Drive. City Administrator Julie Robinson provided an overview of the discussion that occurred during the February 26, 2019 Council Workshop meeting concerning the City's decision to fund the construction of a sidewalk and the impact of the additional impervious cover on drainage requirements for the project since the interior walking trail would in fact be reconstructed as directed by SBISD. Additionally, during the February Workshop meeting, SBMSA was advised that the additional cost of the drainage infrastructure would not be funded by the City.

After discussion, it was the consensus of the City Council that the City would not pay for any costs associated with additional drainage work for the project. It was also the consensus of the City Council that the City would pay half of the additional costs associated with sidewalk portion of the project (\$3,913.00) in addition to the previously approved \$17,500.00, for a total amount of \$21,413.00. City Administrator Julie Robinson advised that the previously approved Development Agreement would be revised to include the new amount and be on the November City Council meeting agenda for approval. Ms. Robinson also advised Mr. Stubbs that the Revised Development Agreement would be on the Council's agenda in November and that SBMSA would be required to sign it prior to the City providing any payment under the Agreement.

- 8. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Village Fire Department Commissioners Meeting on September 25, 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)

Mayor Pro Tem Carpenter advised that there were several action items on that evening's agenda for consideration and added that they continue to search for a property that can be used as a temporary location while the Fire Station additions and renovations are under construction.

- 9. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 19-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING A MUTUAL RELEASE AGREEMENT BY AND BETWEEN THE VILLAGE FIRE DEPARTMENT AND, INDIVIDUALLY, EACH OF ITS MEMBER CITIES HILSHIRE VILLAGE, TEXAS, HUNTERS CREEK VILLAGE, TEXAS, PINEY POINT VILLAGE, TEXAS, HEDWIG VILLAGE, TEXAS, AND SPRING VALLEY VILLAGE, TEXAS (COLLECTIVELY REFERRED TO AS

“VFD”) AND THE CITY OF BUNKER HILL VILLAGE, TEXAS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH MUTUAL RELEASE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Mayor Ramsey read the Resolution by caption only. Council Member Vajdos made a motion to approve Resolution Number 19-33, approving a Mutual Release Agreement by and between the Village Fire Department and individually each of its member cities Hilshire Village, Texas, Hunters Creek Village, Texas, Piney Point Village, Texas, Hedwig Village, Texas, and Spring Valley Village, Texas (Collectively referred to as “VFD”) and the City of Bunker Hill Village, Texas, and Council Member McCormack seconded the motion. Motion carried 5-0.

- 10. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 19-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING AMENDMENT #5 TO THE VILLAGE FIRE DEPARTMENT INTERLOCAL COOPERATION AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.

Mayor Ramsey read the Resolution by caption only. Council Member Dominy made a motion to approve Resolution Number 19-34, approving Amendment #5 to the Village Fire Department Interlocal Cooperation Agreement, and Council Member McCormack seconded the motion. Motion carried 5-0.

- 11. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 19-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING AN INTERLOCAL AGREEMENT FOR FIRE PROTECTION AND EMERGENCY SERVICES BETWEEN THE CITIES OF BUNKER HILL VILLAGE, TEXAS, HEDWIG VILLAGE, TEXAS, HILSHIRE VILLAGE, TEXAS, HUNTERS CREEK VILLAGE, TEXAS, PINEY POINT VILLAGE, TEXAS AND SPRING VALLEY VILLAGE, TEXAS, AND THE VILLAGE FIRE DEPARTMENT; AUTHORIZING THE MAYOR TO EXECUTE THE SAME; PROVIDING FOR THE INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.

Mayor Ramsey read the Resolution by caption only. Council Member Dominy made a motion to approve Resolution Number 19-35, approving an Interlocal Agreement for fire protection and emergency services between the Cities of Bunker Hill Village, Texas, Hedwig Village, Texas, Hilshire Village, Texas, Hunters Creek Village, Texas, Piney Point Village, Texas, and Spring Valley Village, Texas, and Council Member McCormack seconded the motion. Motion carried 5-0.

- 12. BRIEFING, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Progress of Implementation of Sustainability Initiative. (Council Member Donaho)

Council Member Donaho briefed the Council on the progress of the implementation of the Sustainability Initiative to date. . Council Member Donaho advised that they are working on policies regarding conservation and sustainability, which would be presented to City Council once they were complete.

At this time, Council Member Vajdos made a motion to take Agenda Items 14 out of order, and Council Member Dominy seconded the motion. Motion carried 5-0.

NEW BUSINESS

- 14. BRIEFING, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Status of Professional Office Building Development on the Northwest Corner of Campbell Road and the I-10 Feeder Road. (Richard Barbles, Stream Realty)

Richard Barbles with Stream Realty advised that a couple of months after the land was closed on last year, their anchor tenant fell through. He also advised that he has been speaking with several prospective anchor tenants each day and hopes to break ground sometime between December 2019 and February 2020. It was the consensus of the City Council to extend the deadline to break ground on the project to March 31, 2020. In the event that the project had not broken ground by the new deadline, Mr. Barbles would be required to provide a status on the project to the City Council in April of 2020.

At this time, Council Member Dominy made a motion to take Agenda Items 15 out of order, and Council Member Vajdos seconded the motion. Motion carried 5-0.

- 15. 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 A PROPOSAL FOR PROFESSIONAL ENGINEERING AND SURVEYING SERVICES FOR THE GREEN VALLEY AND WINNINGHAM (WEST OF VOSS ROAD) PAVING AND UTILITY IMPROVEMENTS PROJECT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND GESSNER ENGINEERING, LLC; 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.

Mayor Ramsey read the Resolution by caption only. Jeremy Peters, Fred Paine, and Sarah Korpita were present on behalf of Gessner Engineering. Council Member Dominy made a motion to approve Resolution Number 19-36, approving the terms and conditions of the proposal for professional engineering and surveying services for the Green Valley and Winningham (West of Voss Road) Paving and Utility Improvements Project by and between the City of Spring Valley Village, Texas and Gessner Engineering, LLC, and Council Member McCormack seconded the motion. Motion carried 5-0.

- 13. DISCUSSION AND DIRECTION CONCERNING:** Possible Safety Improvements Related to the Crosswalk at Bingle Road and Merlin Drive and the Intersection of Old Voss Road/Bracher Street and Westview Drive. (Council Members Carpenter and McCormack)

The City Council discussed different safety concerns raised by residents concerning the intersection of Westview Drive and Voss/Bracher and the crosswalk at Bingle Road and Merlin Drive. After discussion, it was the consensus of the City Council that:

- (1) City staff proceed with replacing the stop signs to meet current regulations, adding a new “Stop Ahead” sign on the westbound lane of Westview Drive, and add street striping and rumble strips as appropriate to improve visibility of the 4-way stop;

- (2) City staff investigate short-term options for improving safety of the crosswalk located at Bingle Road and Merlin Drive; and
- (3) City staff meet with one of the engineering firms to discuss the traffic and safety issues at both locations and develop a traffic study for both locations that would include an evaluation of the impact of any proposed safety improvements on traffic routing.

16. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of Village Fire Department FY 2020 Budget Amendment for Facility Fund 4 for the Village Fire Station Additions and Renovations Project.

City Treasurer Michelle Yi advised that the proposed amendment was \$1.5 million total, , and was unanimously approved at the September 11, 2019 Village Fire Commission Special Called Meeting. Ms. Yi also advised that the City's proportionate share of the additional costs is \$243,750, and this amount had been included in the Recommendations For Use Of Unassigned General Fund, Fund Balance From FY 2018. If approved, the additional costs will be included in the City's FY 2020 Budget Amendment.

Council Member Vajdos made a motion to approve the Village Fire Department FY 2020 Budget Amendment for Facility Fund 4 for the Village Fire Station Additions and Renovations Project with the City's cost being \$243,750.00, and Council Member Carpenter seconded the motion. Motion carried 5-0.

18. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution No. 19-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS SUPPORTING THE METROPOLITAN TRANSIT AUTHORITY'S METRONEXT TRANSIT PLAN, SUBSEQUENT BOND ELECTION AND EXTENSION OF THE GENERAL MOBILITY PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

Mayor Ramsey read the Resolution by caption only. Mayor Ramsey advised the Council that he had been contacted by the Metropolitan Transit Authority ("METRO") requesting the support from Spring Valley Village for the upcoming METRO bond election. There was discussion concerning the Council providing political endorsements and the impact of the bond election on the General Mobility Program.

No action was taken.

19. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance No. 2019-XX – AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING THE CITY PERSONNEL MANUAL, AS ADOPTED BY ORDINANCE NUMBER 95-05 DULY PASSED AND APPROVED ON MARCH 29, 1995, BEING AMENDMENT NO. 11 TO THE PERSONNEL MANUAL, TO AMEND APPENDIX "A," "JOB ALIGNMENT AND SALARY RANGES FOR ALL CITY POSITIONS" TO INCLUDE A NEW POSITION HAVING THE JOB TITLE OF "DIRECTOR OF COMMUNITY DEVELOPMENT" AND PLACED AT GRADE 16; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

Mayor Ramsey read the Ordinance by caption only. Council Member McCormack made a motion to approve Ordinance No. 2019-22, and Council Member Carpenter seconded the

motion. Motion carried 5-0.

21. BRIEFING AND DISCUSSION CONCERNING: City Authority to Regulate Political Signs on Private Property.

Attorney Todd Stewart and City Administrator Julie Robinson provided an overview of the City's authority to regulate political signs on both public and private property. The City may remove political signs from the public rights-of-way at any time. However, pursuant to Section 259.003 of the Texas Election Code, the City may not prohibit political signs from being placed on private property – and this would also include restricting how long political signs may be up. The only aspect of a political sign that the City may enforce is a sign that meets the requirements of Subsection (d) of Section 259.003 of the Texas Election Code. So, as long as political signs are on private property with the consent of the property owner and do not exceed the size and elements spelled out in Subsection (d), the City is prohibited from requiring the removal of political signs from private property – regardless of how long they may be erected. Council directed that City staff post information about the City's authority related to regulation of political signs on the City's social media platforms.

22. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Recommendations For Use Of Unassigned General Fund, Fund Balance From FY 2018.

City Treasurer Michelle Yi advised that the Unassigned Fund Balance from the FY 2018 General Fund was \$1,257,932 and presented Staff's formal recommendations as follows:

Audited Unassigned General Fund, Fund Balance from FY 2018	\$1,257,932
Fiscal Year 2018-2019	
<u>Inter-fund Transfer to Capital Projects Fund</u>	\$ 432,370
• City's Portion of Walking Path on SBMSA Athletic Complex \$17,500.00	
• Conceptual Design Services for Phase II of City Park \$16,000	
• Park Improvement Phase II Design Fees \$38,500	
• Park Improvement Phase II Construction \$340,370	
• Bingle Road Traffic Study/Improvements \$20,000	
<u>Inter-fund Transfer to Utility Fund</u>	\$ 73,196
• New Production Well \$73,196	
<u>General Fund Expenditures</u>	\$ 41,620
• Village Fire Department Budget Amendment #2 for Legal Fees and Roof Replacement \$26,620	
• Implementation of Interface between BluePrince and Incode \$10,000	
• Project Accounting Module from Incode \$5,000	

Fiscal Year 2019-2020

Transfer to Capital Project Fund

\$243,750

- City's portion of additional Village Fire Department station renovation \$243,750

Transfer to Capital Replacement Fund

\$466,996

- Replacement of Ground Storage Tank #2 Engineering Design and Construction \$466,996

There was discussion concerning the recommended Transfer to Capital Replacement Fund for the Replacement of Ground Storage Tank #2 Engineering Design and Construction of \$466,996.00. While funds would be set aside as recommended, City staff was directed to bring back information on options for the replacement/rehabilitation of Ground Storage Tank #2 for further discussion by the Council.

Council Member Donaho made a motion to approve the staff recommendations presented to the City Council for the use of the Unassigned General Fund, Fund Balance from FY 2018, and Council Member McCormack seconded the motion. Motion carried 5-0.

- 23. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2019-XX - AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING AMENDMENT NO. 1 TO THE ORIGINAL BUDGET OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, FOR THE FISCAL YEAR 2018-2019; FUNDING CERTAIN OBLIGATIONS OF THE CITY DURING THE BUDGET PERIOD NECESSARY FOR THE PROVISION OF CITY SERVICES; CONTAINING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER DETAILS RELATING TO THE SUBJECT.

Mayor Ramsey read the Ordinance by caption only. Council Member McCormack made a motion to approve Ordinance No. 2019-23, and Council Member Carpenter seconded the motion. Motion carried 5-0.

- 24. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Briefing by City Administrator:

1. Success of 2019 Fall Festival

City Treasurer Michelle Yi advised that the event was a great success with more sponsors than in previous years.

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

Public Works Director Pat Riley provided an update for the Council and advised that concrete was currently being placed with all residents given prior notice.

4. Status of New Production Well

Public Works Director Pat Riley advised that the drilling structure had been removed and added that the contractors were in the pumping and development phases.

5. Status of Westview Drive Sidewalk Project

Public Works Director Pat Riley advised that the grass had been replaced, all handrails had been installed, the project passed ADA inspection, and the punch list was complete.

3. Status of Automated Meter Project

Assistant to the City Administrator Matthew Hitt advised that Ferguson had completed the installation of the meters originally accounted for in the contract. There are approximately 70 additional meters that need to be ordered to replace meters that were used to install second meters and provide meters for some accounts that were inadvertently not included in the original meter count for the contract. A change order would be presented at the November City Council meeting for the additional meters and funding needed for the change order had already been identified in the Utility Fund.

6. Status of Phase II Park Renovations Landscape Improvements

Assistant to the City Administrator Matthew Hitt advised that the project was substantially completed in time for the Fall Festival but that benches, picnic tables, and light poles would be installed at a later date.

25. 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:

25.1 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.

City Council did not convene into Executive Session.

26. RECONVENE

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

No action was taken.

28. ADJOURNMENT

Council Member Dominy made a motion to adjourn the meeting at 8:48 p.m., and Council Member Donaho seconded the motion. Motion carried 5-0.

Signed: _____

Tom S. Ramsey
Mayor

Attest: _____

Roxanne Benitez
Roxanne Benitez, TRMC, CPM, CMCC
City Secretary