EST. 1955

SPRING VALLEY

VILLAGE

Regular City Council Meeting

July 14, 2020

6:00 p.m.

Marcus Vajdos, Mayor
Bo Bothe
Tom Donaho

Allen Carpenter, Mayor Pro Tem
David Dominy
Joy McCormack

EST. 1955
SPRING VALLEY
VILLAGE

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, July 14, 2020, beginning at 6:00 p.m., For the Purpose of Considering and Acting upon the Following Items of Business:

In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of Spring Valley Village will conduct the meeting scheduled at 6:00 p.m. on Tuesday, July 14, 2020 in the City Hall Council Chambers, located at 1025 Campbell Road, in part by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19).

The meeting agenda and agenda packet are posted online at www.springvalleytx.com.

The video link to this meeting is https://us02web.zoom.us/j/84372196301

The public toll-free dial-in numbers to participate in the telephonic meeting are 1-346-248-7799 (Houston), 1-253-215-8782 (US), and 1-301-715-8592 (US); enter the Meeting ID: 843 7219 6301 and #.

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT

2. INTRODUCTIONS

3. PROCLAMATIONS / ANNOUNCEMENTS / SWEARING-IN

None.

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 Special Called City Council Meeting on June 23, 2020

5.2 Minutes for City Council Meeting on June 23, 2020

5.3 Resolution No. 20-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 2 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND W.W. PAYTON CORPORATION, FOR NEW PRODUCTION WELL IMPROVEMENTS PROJECT; 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.

5.4 Resolution No. 20-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING A POLICY FOR SPONSORSHIPS FOR CITY PROJECTS; AND PROVIDING AN EFFECTIVE DATE.

OLD BUSINESS

6. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** June 2020 Police Department Staff Report (Chief Evans):

   1. Number of Calls for Service
   2. Number of Traffic Violations
   3. Number of K-9 Deployments
   4. Activities Concerning Response to COVID-19

7. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Village Fire Department Commissioners Meeting on June 24, 2020 and Any Special Meetings That May Have Occurred since June 24, 2020. (Mayor Pro Tem Carpenter / Council Member Bothe)

8. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** City Update Concerning COVID-19.

NEW BUSINESS

9. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 2020-XX - AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF SPRING VALLEY VILLAGE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020"; AND LEVYING AD VALOREM TAX; PLEDGING CERTAIN NET REVENUES; AUTHORIZING THE EXECUTION OF A TRANSFER AND PAYING AGENCY AGREEMENT, AND OTHER MATTERS IN CONNECTION THEREWITH.

10. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution No. 20-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 5 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AND TRIPLE B SERVICES FOR THE HILLDALE, BADE & CARDWELL PAVING AND UTILITY IMPROVEMENTS PROJECT (CSB #2018-08-101); 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.

11. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Request for a Variance by Echo Place, LLC for the Property Located at 1020 Fries Road, from Chapter 9 Subdivisions, Section 9.103 (i)(3), Lot Depth, of the Code of Ordinances, Allowing for a Lot Depth of 100 feet Where 120 feet is Required.

12. **CONDUCT A PUBLIC HEARING CONCERNING:** A Preliminary and Final Re-Plat of Echo Valley Estates Replat No. 1 Partial Replat No. 1, A Plot Containing 0.530 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1020 Fries Road.

    A. Presentation of Preliminary and Final Re-Plat by Applicant

    B. Those In Favor

    C. Those Opposed

    D. Adjourn Public Hearing

13. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Preliminary and Final Re-Plat of Echo Valley Estates Replat No. 1 Partial Replat No. 1, A Plot Containing 0.530 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1020 Fries Road.

14. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance Number 2020-XX – AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE CREATING AND APPROVING A PLANNED AREA DEVELOPMENT ("PAD") OF APPROXIMATELY 1.17 ACRES OF LAND JUST EAST OF THE NORTH EAST INTERSECTION OF KATY FREEWAY AND ADKINS ROAD, BEING OUT OF LOT 17 AND LOT 2 OF THE WEST PARK SUBDIVISION, IN THE THOMAS A. HOSKINS SURVEY, ABSTRACT NO. 342, HARRIS COUNTY, TEXAS, WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT TO ALLOW CONSTRUCTION OF A THREE STORY PROFESSIONAL BUILDING OVER A FOUR LEVEL PARKING STRUCTURE, WITH ONE LEVEL BELOW GROUND, FOR A MAXIMUM HEIGHT OF EIGHTY-FIVE FEET (85'), ADDITIONAL SURFACE PARKING, AND ALLOWING PROFESSIONAL, MEDICAL AND SURGICAL USES; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

    A. Presentation of Requested PAD by Applicant

    B. Those In Favor

C. Those Opposed

D. Adjourn Public Hearing

15. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 2020-XX – AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE CREATING AND APPROVING A PLANNED AREA DEVELOPMENT ("PAD") OF APPROXIMATELY 1.17 ACRES OF LAND JUST EAST OF THE NORTH EAST INTERSECTION OF KATY FREEWAY AND ADKINS ROAD, BEING OUT OF LOT 17 AND LOT 2 OF THE WEST PARK SUBDIVISION, IN THE THOMAS A. HOSKINS SURVEY, ABSTRACT NO. 342, HARRIS COUNTY, TEXAS, WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT TO ALLOW CONSTRUCTION OF A THREE STORY PROFESSIONAL BUILDING OVER A FOUR LEVEL PARKING STRUCTURE, WITH ONE LEVEL BELOW GROUND, FOR A MAXIMUM HEIGHT OF EIGHTY-FIVE FEET (85'), ADDITIONAL SURFACE PARKING, AND ALLOWING PROFESSIONAL, MEDICAL AND SURGICAL USES; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

16. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Appointments / Reappointments to Boards and Commissions:

A. Planning & Zoning Commission

B. Board of Adjustment

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

1. Green Valley Drive & Winningham Lane (West of Voss) Roadway, Drainage and Utility Improvements 2020
2. Harris County Flood Control District Briar Branch Maintenance Project and Encroachment Issue
3. Status of New Production Well
4. Status of Development of City Mobile App

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 551.074 – Personnel Matter – Discussion to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the City Administrator.

19. **RECONVENE**

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

21. **<u>ADJOURNMENT</u>**

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 July 14, 2020 agenda of items to be considered by City Council was posted on or before the 9th day of July, 2020, at 11:00 a.m. pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code.

Attest: Roxanne Benitez

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 SPECIAL CALLED CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, JUNE 23, 2020 AT 5:00 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 Special Called Meeting of the Spring Valley Village City Council was called to order by Mayor Vajdos at 5:07 p.m.

Members Present:
Mayor Marcus Vajdos (by video conference)
Mayor Pro-Tem Allen Carpenter
Counicl Member Bo Bothe
Council Member David Dominy (by video conference)
Council Member Tom Donaho (by video conference)
Council Member Joy McCormack

Members Absent:
None.

2. DISCUSSION AND DIRECTION CONCERNING: Budget Policy Assumptions To Use In Development of Fiscal Year 2020-2021 Budget.

City Administrator Julie Robinson presented the budget policy assumptions that City staff is currently using to develop the FY 2021 Budget and requested direction from the Council with regard to those assumptions to ensure that both Staff and the Council are on the same page. The budget policy assumptions were:

Revenues

- To forecast revenues, use a conservative approach including trend analysis and take into account factors that may not be reflected in data yet such as financial fluctuations related to COVID-19.
- Evaluate current tax rate of $0.4250 and determine whether any reduction is possible after analyzing current and anticipated future impacts related to COVID-19.
- Use 98% collection rate to estimate property tax revenues. For FY 2020, the City used a 99% collection rate. However, for the last two fiscal years, the collection rate was just under 98% (97.83% collection rate for fiscal year 2019 and 97.79% for current fiscal year as of May 2020).
- If needed, reduce transfer from General Fund to CIP Fund by the amount needed to balance the FY 2021 Budget. It is anticipated that this would only be for FY 2021 to offset any reductions in Municipal Court Fines and Interest Income resulting from COVID-19.
- Incorporate a Plan Review Fee Deposit to be held in escrow to offset the City's incurred expenses for building and drainage plan review services.
- Continue to not include ambulance fee revenue to allow Village Fire Department to retain that revenue to support the service.

Expenditures/Expenses

- To forecast expenditures/expenses, use a conservative approach including trend analysis and take into account factors that may not be reflected in data yet such as unfunded mandates, and specific needs of Departments in order to maintain and/or improve service levels to the residents.
- Inclusion of 15% increase for health insurance. We will not know the increase until late August or early September.
- For all City employees, 4% increase for salaries, which would be a 2% Cost of Living Adjustment (COLA) and a 2% merit increase. [Police Department (approximately $74,935) and all other City Departments (approximately $45,737)].
- Replacement of two (2) Police Department vehicles, instead of four (4) vehicles, as two of the Police vehicles were replaced in FY 2020 leaving the replacement of other two Police vehicles to be budgeted in FY 2021.
- Use of Child Safety Fund revenues to fund appropriate Police Department projects.

Capital Improvement Projects

- 2019 & 2020 Certificates of Obligation debt payment amount to be transferred from General Fund to Debt Service Fund instead of rolling into tax rate.
- Continue with Capital Projects for the General Fund approved on March 24, 2020, a copy of which is provided with this agenda item.

There was discussion concerning each of the budget policy assumptions, the impact of COVID-19 on the current budget and the FY 2021 budget, and minimizing the proposed revenue over expenditure amount for FY 2020. During the discussion, the Council directed that the following budget policy assumptions be modified:

Revenues

- Use 99% collection rate to estimate property tax revenues.
- Incorporate a Plan Review Fee Deposit in the amount of $1,000 through an amendment to the Master Fee Schedule.

Expenditures/Expenses

- Include a 12% increase for health insurance. Council also requested information on the budgeted and final health insurance increases for the previous 3 years.

There was lengthy discussion concerning the budget policy assumption related to the proposed 4% increase for City employee salaries. Following discussion, Council requested information for 2% and 3% increases for City employee salaries.

With the exception of the budget policy assumption related to the percentage increase for City employee salaries, it was the consensus of the Council that all of the budget policy assumptions presented and as modified by the Council were acceptable to and approved by the Council. Ms. Robinson advised that next budget workshop meeting would be held on July 14, 2020.

3. ADJOURNMENT

Council Member Carpenter made a motion to adjourn the meeting at 6:11 p.m., and Council

Member Bothe seconded the motion. Motion carried 5-0.

Signed: _____
Marcus Vajdos
Mayor

Attest: _____
Roxanne Benitez, TRMC, CPM, CMCC
City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, JUNE 23, 2020 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 Vajdos at 6:19 p.m.

Members Present:
Mayor Marcus Vajdos (by video conference)
Mayor Pro-Tem Allen Carpenter
Council Member Bo Bothe
Council Member David Dominy (by video conference)
Council Member Tom Donaho (by video conference)
Council Member Joy McCormack

Members Absent:
None.

2. INTRODUCTIONS

Julie M. Robinson, City Administrator
Loyd Evans, Police Chief
Roxanne Benitez, City Secretary
Pat Riley, Public Works Director
Michelle Yi, City Treasurer
Zachary Meadows, Director of Community Development
Matthew Hitt, Assistant to the City Administrator
David Dixon, Police Commissioner
Loren Smith, City Attorney

3. PROCLAMATIONS / ANNOUNCEMENTS / SWEARING-IN

3.1 Administer Oath of Office to Bo Bothe

City Secretary Roxanne Benitez administered the oath of office to Council Member Bothe prior to the commencement of the June 23 Special Called City Council meeting.

3.2 Recognition to Eagle Scout Cameron Ahmed in Appreciation of his Contributions to the City of Spring Valley Village.

Director of Public Works Pat Riley acknowledged Mr. Ahmed's contributions to the City.

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.**

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 City Council Meeting on May 19, 2020

5.2 Resolution No. 20-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, RATIFYING THE ACTIONS OF THE MAYOR IN AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM TO THE OFFICE OF THE GOVERNOR ON BEHALF OF THE CITY; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

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

OLD BUSINESS

6. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: May 2020 Police Department Staff Report Regarding Activities Related to Response to COVID-19. (Chief Evans)

Chief Evans briefed the Council on the Department's activities concerning the response to COVID-19 and added that there were no major incidents. He also advised that they have returned to issuing citations as there have been several vehicles speeding on the City's major thoroughfares and has been an increase in crime, which is at an all-time high.

7. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Activities of the Village Fire Department Commissioners Meeting on May 27, 2020 and Any Special Meetings That May Have Occurred Since May 27, 2020. (Mayor Pro Tem Carpenter / Council Member Bothe)

Mayor Pro Tem Carpenter advised that there was one vacancy at the Village Fire Department. He also advised that there were twenty (20) positive COVID-19 reported cases in all of the Memorial Villages. Mayor Pro Tem Carpenter advised that antibody tests were made available to employees of the Memorial Villages, the Village Fire Department, and Spring Valley Village Council Members as well as their families. He also advised that they should receive an update on the Village Fire Department building remodel at the next Commissioners meeting, and that an item would be discussed concerning the Fire Department retaining annual ambulance reimbursement funds so that requests would not need to be sent to each Village each year.

8. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: City Update Concerning COVID-19.

City Administrator Julie Robinson advised that City Hall employees were back onsite full-time. She also advised that the Municipal Court would be back in session on Thursday, June

25, and added that, prior to the Municipal Court re-opening, the Court's re-opening plan was approved by the Harris County Health Authority and Administrative District Judge as required. Ms. Robinson advised that howthis court setting goes logistically would determine how future Municipal Court settings would be held.

9. DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Possible Options and Impacts for Converting Cul-de-sacs on Traweek and Lariat to Green Space as Part of the Loeser, Traweek, Lone Star, Lariat and West Tex Paving and Utility Improvement Project.

As directed by the Council during the May 19 City Council meeting, City Administrator Julie Robinson advised that she, Director of Public Works Pat Riley, and Director of Community Development Zachary Meadows had met with Village Fire Department to discuss the Village Fire Department's needs related to access from Lariat to the commercial development at 9090 Katy Freeway. Mr. Kattner confirmed that fire access from Lariat was accounted for in the 9090 Katy Freeway development, and he advised that the City only needed to install 150 feet of pavement south from W. Tex to meet the Fire Code requirements and provide adequate fire access to the 9090 Katy Freeway structure. Additionally, Mr. Kattner advised that, since Lariat Road and Traweek Drive are dead-end streets, the City install up to 150 feet of pavement in the reconstruction of Lariat and eliminate the cul-de-sac completely. Based on the Fire Code, the City could install 125 feet of pavement in the reconstruction of Traweek which would still allow access by the residents and eliminate the cul-de-sac completely.. There was discussion concerning how often the cul-de-sacs are used by residents, notification of the residents of the proposed changes, and the cost savings that would be experienced as a result of eliminating the cul-de-sacs and returning those areas to greenspace. Following discussion, it was the direction of the Council to proceed with installing 150 feet of pavement on Lariat Road, installing approximately 125 feet of pavement on Traweek Drive, and eliminating the cul-de-sacs on both Lariat Road and Traweek Drive and convert those areas to greenspaces.

There was also a discussion concerning the type of curbing to be used for this project, and it was the direction of the Council to install curbing that is consistent with the surrounding area which is a 6" monument curb. Based on the discussion, Ms. Robinson advised that she would place a policy discussion item concerning the types of curbing to be used for future street reconstruction projects on a future Council agenda.

10. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Draft Policy for Sponsorships for City Projects.

City Administrator Julie Robinson advised that Council Member McCormack, Assistant to the City Administrator Matthew Hitt, and she had discussed the policy and made revisions to the policy, and the changes as directed by the Council during the April 28 City Council meeting were incorporated into the revised draft policy. . After discussion, the Council had no further revisions. Ms. Robinson advised that the final policy would be on the agenda for the July 14 City Council meeting for approval.

NEW BUSINESS

11. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of Notice of Sale and Preliminary Official Statement for Tax and Revenue Certificates of Obligation, Series 2020.

Drew Masterson, with Masterson Advisors LLC, advised that approval of the Notice of Sale and Preliminary Official Statement for Tax and Revenue Certificates of Obligation by the Council was required in order to proceed with issuing certificates of obligation and presenting the notice of sale at the July 14 City Council meeting. Council Member Dominy made a motion to approve the notice of sale and preliminary official statement for tax and revenue certificates of obligation, Series 2020, and Council Member McCormack seconded the motion. Motion carried 5-0.

12. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2020-XX – AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS AMENDING CHAPTER 3, BUILDING CONSTRUCTION, OF THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE BY AMENDING SECTION 3.1503(g), MINIMUM PIPE SIZES; AMENDING SECTION 3.1503(h), PIPE CONNECTIONS TO CITY FACILITIES; AMEDING SECTION 3.1504(g), DRAINAGE AREA MAP; AND AMENDING SECTION 3.1505(c), EXCEPTIONS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED $2,000.00 FOR EACH VIOLATION OF THIS ORDINANCE WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE VIOLATION; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.

Mayor Vajdos read the Ordinance by caption only. Charles Eastland, with Cobb Fendley, briefed the Council on the purpose of the proposed revisions to the drainage criteria and advised that the recommended amendments would benefit future drainage reviews and allow for efficiency. Council Member Bothe made a motion to approve Ordinance No. 2020-19, and Council Member McCormack seconded the motion. Motion carried 5-0.

13. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution No. 20-XX – A RESOLUTION OF THE CITY COUNCIL OF CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING THE HARRIS COUNTY MULTI-HAZARD MITIGATION ACTION PLAN UPDATE IN ITS ENTIRETY AND SPECIFICALLY SECTION 23, SPRING VALLEY VILLAGE, OF VOLUME II – PLANNING PARTNER ANNEXES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Vajdos read the Resolution by caption only. Following a brief discussion. Council Member McCormack made a motion to approve Resolution Number 20-19, and Council Member Dominy seconded the motion. Motion carried 5-0.

14. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2020-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 ADOPT A NEW SECTION 18.12, TEMPORARY EMERGENCY INCIDENT TELECOMMUTING POLICY, OF CHAPTER 18, EMERGENCY OPERATIONS PROCEDURES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

Mayor Vajdos read the Ordinance by caption only. City Administrator Julie Robinson

briefed the Council on the purpose and provisions of the proposed emergency telecommuting policy. Following discussion, Council Member Carpenter made a motion to approve Ordinance No. 2020-20, and Council Member McCormack seconded the motion. Motion carried 5-0.

15. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance No. 2020-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. 12 TO THE PERSONNEL MANUAL, TO ADOPT A NEW CHAPTER 19, INFORMATION SYSTEMS ACCEPTABLE USE POLICY; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

Mayor Vajdos read the Ordinance by caption only. Council Member Carpenter made a motion to approve Ordinance No. 2020-21, and Council Member Bothe seconded the motion. Assistant to the City Administrator Matthew Hitt briefed the Council on the purpose and provisions of the proposed information systems acceptable use policy and advised that, in order to be eligible for additional cybersecurity insurance coverage, the City must adopt a formal policy. City Administrator Julie Robinson advised that employees would be required to sign an acknowledgement form annually as well as receive training each year. Following discussion, Council Member Carpenter amended his motion to approve Ordinance No. 2020-21, with additional language requiring employees to sign an acknowledgement form annually, and Council Member Bothe seconded the amended motion. Motion carried 5-0.

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

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

   Public Works Director Pat Riley provided an update for the Council and advised that the work was almost complete. City Administrator Julie Robinson advised the Council that she and Mr. Riley have been reviewing the final Change Order submitted by Triple B Services with Binkley & Barfield, and she anticipates that there will be an agenda item related to the final Change Order on the July 14, 2020 Council agenda.

2. Status of New Production Well

   Public Works Director Pat Riley advised that the design of the CMU (concrete masonry unit) building had been submitted, and Staff was currently working on design comments.

3. Status of Development of City Mobile App

   Assistant to the City Administrator Matthew Hitt advised that the app was currently being tested internally by Staff and would be provided to the Council for review and comment following completion of the Staff testing.

4. Update on Community Development Block Grant – MIT Grant Program

   City Administrator Julie Robinson advised that the grant program was a result of Hurricane Harvey and would be given in two disbursements. Ms. Robinson also advised that the City would apply for the second disbursement as a majority of the funds from the first disbursement were allocated to the City of Houston and Harris County, and

added that Patrick Wilshire, with Grant Management, would be assisting with the grant application process.

5. Update on City Events

City Administrator Julie Robinson advised that the June 12 Movie Night was a success and added that there were three (3) additional Movie Night events scheduled between now and September. Ms. Robinson also advised that there would not be a Fall Festival for this year as a result of COVID-19, and Staff was looking at other event options. Ms. Robinson advised that the October 24 Villages recycling event and Snow Day in January were still on schedule.

17. **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:

17.1 Section 551.074 – Personnel Matter – Discussion to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the City Administrator.

Council adjourned into the Executive Session at 7:37 p.m.

18. **RECONVENE**

The City Council meeting reconvened at 8:10 p.m.

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

No action was taken.

20. **ADJOURNMENT**

Council Member Donaho made a motion to adjourn the meeting at 8:11 p.m., and Council Member Dominy seconded the motion. Motion carried 5-0.

Signed: _____
Marcus Vajdos
Mayor

Attest: _____
Roxanne Benitez, TRMC, CPM, CMCC
City Secretary

MEETING DATE: July 14, 2020

TOPIC:

Resolution No. 20-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 2 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND W.W. PAYTON CORPORATION, FOR NEW PRODUCTION WELL IMPROVEMENTS PROJECT; 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:

The City of Spring Valley Village entered into a contract with WW Payton on March 26, 2019, for the New Production Well Project. The original contract provided that the work would be substantially completed within 365 days after the date of Commencement of the Work and ready for final payment within 400 days of Commencement of the Work. The date of Commencement of the Work was May 23, 2019, so the original substantial completion date was May 22, 2020, and original final payment date was June 26, 2020.

During the January 28, 2020 meeting, the Council authorized the change from a fiberglass building to a CMU building in order to protect this critical infrastructure for the City's drinking water system (known as "hardening the target"). During the discussion, there was discussion about the fact that this change would result in an increase in construction time for the project to allow for the design, specifications, drawings, and review of plans for the CMU building. The design work is in progress; however, with COVID-19, WW Payton is now experiencing delays in obtaining the electrical switchgear for the CMU building

Additionally, the review and approval process for the CMU building has taken the City into the peak water demand summer months. As a result, the City will not allow the contractor to shut down Water Well 1 until after the peak water demand period ends.

Consequently, WW Payton has submitted Change Order No. 2 to request an extension of the original contract days to accommodate the design and construction of the CMU building, issues with obtaining the electrical switchgear resulting from COVID-19, and the City's peak water demand period. Change Order No. 2 requests the addition of 279 days to the contract. If approved, the New Production Well Project would be substantially complete in March of 2021. This request does not include an increase the total price of the contract.

	Since this Project is funded with a Texas Water Development Board ("TWDB") bond, WSP and the City have consulted with TWDB about the contract day extension requested by Change Order No. 2, and TWDB does not anticipate an issue. If approved by the Council, Change Order No. 2 will be sent to TWDB for review, and TWDB anticipates providing the City with a letter of approval.
RECOMMENDATION:	WSP and Staff have reviewed Change Order No. 2 and recommend approval of the Resolution.
ATTACHMENTS:	• Resolution Number 20-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: Pat Riley, Public Works Director	**CITY ADMINISTRATOR APPROVAL:**

RESOLUTION NUMBER 20-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 2 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND W.W. PAYTON CORPORATION, FOR NEW PRODUCTION WELL IMPROVEMENTS PROJECT; 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 Change Order Number 2 to the Agreement by and between the City of Spring Valley Village, Texas and W. W. Payton Corporation for the New Production Well Project ("Change Order Number 2"), 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 2 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 2 and any and all documents necessary to effectuate such Change Order Number 2 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 2, 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 2 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 2.

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

DULY PASSED AND APPROVED on this the 14th day of July, 2020.

_____
Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

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

EXHIBIT “A”

TO

RESOLUTION NUMBER 20-XX

July 02, 2020

Julie M. Robinson, ICMA-CM
City Administrator
City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055

RE: Time Extension Request and Change Order No. 2
New Production Well Project
City Project No. 2019-01-01B
TWDB SWIFT Project No. 51056

Dear Ms. Robinson:

Please find attached one copy of the following items for the above referenced project:

1. W.W. Payton Corp. Request for Extension of Time for City Project No. 2019-01-01B (Payton Job No. 684), Date June 11, 2020.
2. City of Spring Valley Village – Change Order No. 2 – Change in Contractor's Contract Time for Concrete Masonry Unit (CMU) Building.

WSP USA has reviewed this change order and recommends approval for the project time extension.

We appreciate the opportunity to be of service. If you have any questions or require additional information, please contact us at (281) 668-3533.

Kind regards,

John W. Nelson, P.G.
Senior Supervising Hydrogeologist

cc: Pat Riley (City of Spring Valley Village)
Peter Lyman, P.E. (WSP)

WSP USA
16200 Park Row, Suite 200
Houston, TX 77084

Tel.: +1 713-468-4956

wsp.com

W.W. PAYTON CORPORATION
GENERAL CONTRACTOR SERVING TEXAS
P.O. BOX 1056 KATY, TEXAS 77492-1056
(281) 371-7068

June 11, 2020

City of Spring Valley Village
1025 Campbell Rd
Houston, Texas 77055

Attn: Mr. Pat Riley

Ref: City of Spring Valley Village
New Production Well
City Project No. 219-01-0lB
Payton Job No. 684
Sub: Request for Extension of Time

Gentlemen:

The original completion date for the above referenced project is June 25, 2020. The following is a summary of additional days with cause for delay that we are requesting:

Construction of CMU Building in lieu of Outdoor Electrical Equipment and FRP Chlorine Buildings
November 2019 through June 2020 (8 months)
In November 2019 we proposed to construct a CMU building to house the Electrical and Disinfection equipment as we believe it makes for a better end product for the Owner. The decision-making and building design process have caused substantial delays.

Electrical Switchgear
Approval of the Electrical Switchgear is being held until new building drawings are completed by AECOM. The switchgear has been submitted and are in hand of the Engineer. Due to Covid-19 the switchgear is now taking 16-20 weeks from release of approved shop drawings to ship. Normal would have been right at 16 weeks. This is still an unknown dependent on approval of drawings.

Due to this we are asking for a time extension as indicated below. Based on the information above and for the high demand of water in the summer months we will need to move the shutdown to November 2020. The full plant shutdown will last 2-3 months while the city is on interconnect.

Based on approval of the Electrical Switchgear by the end of June a tentative completion date will be end of March 2021.

Sincerely,

Chad Payton

CHANGE ORDER / C.O. No. __2_____

PROJECT: Spring Valley Village New Production Well
TWDB SWIFT No.: 51056 PROJECT No.: 2019-01-01B

TO: W. W. Payton Corporation
Contractor and P. O. Box 1056 – Katy, TX 77492
Address for Written Notice 30655 FM 529 Brookshire, TX 77423

1.01 DESCRIPTION OF CHANGES – CHANGE ORDER NO. 2

		CONTRACT CHANGE AMOUNT	CONTRACT CHANGE TIME
ITEM 1 CONTRACTOR COSTS & SCOPE:	Change in Contractor's Contract Cost & Time Extension – Concrete Masonry Unit (CMU) Building	$0.00	279 Days
JUSTIFICATION:	City of Spring Valley Village requested that the Contractor construct a CMU building in lieu of fiber reinforced plastics (FRP) buildings to house the chemical and electrical equipment. The additional time includes the City, Engineer and Contractor discussions; preparation of the CMU building specifications and drawings plus City, Contractor and TWDB review; CMU building, excavation and sub-surface preparation, concrete foundation for electrical equipment and HVAC; and City's use of Well 1 during the higher 2020 water demand months.		
	TOTALS:	**$0.00**	**279 Days**

1.02 ACCEPTANCE BY CONTRACTOR
Contractor agrees to perform change(s) included in this Change Order for the price and time indicated. The prices for changes include all Contractor costs associated with this Change Order.

Contractor Signature and Title _____ Date _____

1.03 ACCEPTANCE BY THE CITY

Public Works Director _____ Date _____ Mayor _____ Date _____

City Administrator _____ Date _____ City Secretary _____ Date _____

END OF DOCUMENT

Spring Valley Village City Council
Agenda Item Data Sheet

MEETING DATE: July 14, 2020

TOPIC:	**RESOLUTION NUMBER 20-XX** **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING A POLICY OF SPONSORSHIPS FOR CITY PROJECTS; AND PROVIDING AN EFFECTIVE DATE.**
BACKGROUND:	During the June 23, 2020 meeting, the City Council reviewed and discussed a revised version of the sponsorship policy. The Council had no further comments or suggestions for the policy, so it is presented for formal approval. The proposed Resolution would adopt the same Sponsorship Policy that was presented in June.
RECOMMENDATION:	Staff recommends approval of the Resolution.
ATTACHMENTS:	• Resolution Number 20-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: Matthew Hitt, Assistant to the City Administrator	**CITY ADMINISTRATOR APPROVAL:**

RESOLUTION NUMBER 20-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING A POLICY FOR SPONSORSHIPS FOR CITY PROJECTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Spring Valley Village desires to have a written policy outlining the policy and processes for Sponsorships for City Projects, and the City does not currently have such a policy; and

WHEREAS, the City Council is of the opinion that the Policy for Sponsorships for City Projects attached hereto as Exhibit "A" should be adopted.

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 Policy for Sponsorships for City Projects attached hereto as Exhibit "A."

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

DULY PASSED AND APPROVED AND ADOPTED on this the _____ day of _____, 2020.

_____
Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

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

EXHIBIT “A”

TO

RESOLUTION NUMBER 20-XX

Effective Date: _____
Approved: _____

CITY OF SPRING VALLEY VILLAGE
ADMINISTRATIVE POLICIES AND PROCEDURES

TOPIC: Sponsorships for City Projects

Purpose

This policy sets the standards, guidelines and approval criteria for solicitation, consideration and acceptance of sponsorships for City Projects. This policy does not apply to City events. This policy is designed to protect the mission, image and values of the City of Spring Valley Village, its equipment, facilities, services, and projects. No sponsorship shall be approved that will compromise or damage the public trust or conflict with or compromise the City's reputation, mission, image, values or aesthetic interests.

Spring Valley Village will neither seek nor accept sponsorships from political organizations. The approval of a sponsorship does not constitute an endorsement by the City of the sponsor, its organization, products, or services. The City will not make any statements that directly or indirectly advocate or endorse a sponsor, their products, or services.

No materials or communications, including, but not limited to print, video, internet, broadcast, or display items developed to promote or communicate the sponsorship using City's name, marks, or logo, may be issued without written approval from the City Administrator or designee(s).

This policy is also designed to:

- Ensure a transparent process for considering sponsorship opportunities;
- Provide the City of Spring Valley Village with full and final decision making authority on any sponsorship opportunity, thus protecting its integrity and the integrity of its facilities and services; and
- Provide a clear process for sponsorships for consistent application by City staff, the Council, potential sponsors, and the public and understand the various sponsorship opportunities available.

Definition of Sponsorship

"*Sponsorship"* is financial support from an outside person or entity, including other governmental or quasi-governmental organizations, (collectively "outside entity') to associate the outside entity's name, logo, products or services with the City. Sponsorship is a business relationship in which the City and the outside entity exchange financial remuneration for the public display of an agreed-upon sponsorship recognition message.

Possible Sponsorship Opportunities

The City of Spring Valley Village will consider sponsorships of various City projects. Generally such sponsorships are used to help with the cost of the project to which they are given.

All sponsorships must be made to the City of Spring Valley Village, and all sponsorship requests must be approved by the City Council. In the event a potential sponsorship is submitted to the City for a project, it will be presented to the City Council for consideration with a recommendation from City Staff concerning possible sponsorship benefits appropriate for the project.

Evaluation Criteria

The following criteria shall be considered by the City in evaluating sponsorship requests:

- The extent and prominence of the sponsorship.
- The importance of the sponsorship to the mission, values and image of the City.
- The level of support proposed to be provided by the sponsor.
- The cooperation necessary and degree of support from other City departments to implement the sponsorship.
- The value of the resources that is provided to the City in fulfilling its overall mission.
- Other factors that might affect or undermine the public trust or public confidence in the City's impartiality or interfere with the efficient delivery of City services or operations, including, but not limited to, the existence of, or possibility for, conflicts of interest between the sponsor and City officers, employees, or City affiliates; the potential for the sponsorship to tarnish the City's reputation or standing among its citizens, or the potential to otherwise impair the ability of City to govern its citizens, or distract the City and its officers and employees from its mission.

Sponsorship Agreement

Upon approval of a sponsorship request, the sponsor and City shall enter into a Sponsorship Agreement.

Spring Valley Village City Council
Agenda Item Data Sheet

MEETING DATE: July 14, 2020

TOPIC: **Ordinance No. 2020-XX**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF SPRING VALLEY VILLAGE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020"; AND LEVYING AD VALOREM TAX; PLEDGING CERTAIN NET REVENUES; AUTHORIZING THE EXECUTION OF A TRANSFER AND PAYING AGENCY AGREEMENT, AND OTHER MATTERS IN CONNECTION THEREWITH.

BACKGROUND: A resolution authorizing publication of a notice of intent to issue Combination Tax and Revenue Certificates of Obligation, Series 2020 was approved by Council on May 19, 2020, and published twice in the newspaper of general circulation in the City on May 27, 2020 and June 3, 2020, for street and road improvements.

The actual sale of the certificates will occur on the morning of July 14, 2020. Consequently, an ordinance authoring the issuance of the City's Combination Tax and Revenue Certificates of Obligation, Series 2020, must be approved by Council during the July 14, 2020 meeting. The ordinance authorizes levying an ad valorem tax; pledging certain net revenues; authorizing the execution of a transfer and paying agency agreement; and other matters in connection with the issuance. The official numbers from the sale will be provided to the Council during the meeting.

The transaction is set to close on August 4, 2020.

RECOMMENDATION: Staff recommends approval of the Ordinance.

ATTACHMENTS:
- Ordinance No. 2020-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:**
Neil Thomas, Bond Counsel	

CERTIFICATE OF CITY SECRETARY

THE UNDERSIGNED HEREBY CERTIFIES that:

1. On July 14, 2020, the City Council (the "*Governing Body*") of the City of Spring Valley Village, Texas (the "*City*") convened in regular session at its regular meeting place in the City (the "*Meeting*"), the duly constituted members of the Governing Body being as follows:

Marcus Vajdos	Mayor
Tom Donaho	Councilmember
Joy McCormack	Councilmember
Bo Bothe	Councilmember
David Dominy	Councilmember
Allen Carpenter	Councilmember

and all of such persons were present at the Meeting, except the following: , thus constituting a quorum. Among other business considered at the Meeting, the attached Ordinance (the "*Ordinance*") entitled:

> AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF SPRING VALLEY VILLAGE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020; AND LEVYING AN AD VALOREM TAX; PLEDGING CERTAIN NET REVENUES; AUTHORIZING THE EXECUTION OF A TRANSFER AND PAYING AGENCY AGREEMENT; AND OTHER MATTERS IN CONNECTION THEREWITH

was introduced and submitted to the Governing Body for passage and adoption. After presentation and discussion of the Ordinance, a motion was made and seconded that the Ordinance be finally passed and adopted. The motion was carried by the following vote:

voted "For"_____ voted "Against"_____ abstained ____

all as shown in the official Minutes of the Governing Body for the Meeting.

2. The attached Ordinance is a true and correct copy of the original on file in the official records of the City; the duly qualified and acting members of the Governing Body on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Governing Body was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Ordinance would be considered; and the Meeting and deliberation of the aforesaid public business, including the subject of the Ordinance, was posted and given in advance thereof in compliance with the provisions of Texas Government Code chapter 551, as amended.

IN WITNESS WHEREOF, I have signed my name officially on this _____.

_____
City Secretary
City of Spring Valley Village, Texas

Ordinance Number 2020 - __

AN ORDINANCE

AUTHORIZING THE ISSUANCE OF

CITY OF SPRING VALLEY VILLAGE, TEXAS,

COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION,

SERIES 2020;

AND LEVYING AN AD VALOREM TAX;

PLEDGING CERTAIN NET REVENUES; AUTHORIZING

THE EXECUTION OF A TRANSFER AND

PAYING AGENCY AGREEMENT;

AND OTHER MATTERS IN CONNECTION THEREWITH

CITY OF SPRING VALLEY VILLAGE, TEXAS

ADOPTED July 14, 2020

TABLE OF CONTENTS

Page

ARTICLE ONE
THE CERTIFICATES

SECTION 1.1 Authorization and Terms; Purpose 2
SECTION 1.2 Redemption 3
SECTION 1.3 Execution, Registration, Delivery, and Dating 5
SECTION 1.4 Registration, Transfer, and Exchange 6
SECTION 1.5 Mutilated, Destroyed, Lost, and Stolen Certificates 7
SECTION 1.6 Persons Deemed Owners 7
SECTION 1.7 Cancellation 7
SECTION 1.8 Book-Entry Only 8

ARTICLE TWO
DEFINITIONS AND OTHER PROVISIONS OF GENERAL APPLICATION

SECTION 2.1 Definitions 9
SECTION 2.2 Notices 13
SECTION 2.3 Effect of Headings and Table of Contents; Recitals 13
SECTION 2.4 Ordinance a Contract; Amendments 13
SECTION 2.5 Benefits of Ordinance 14
SECTION 2.6 Repealer 14
SECTION 2.7 Governing Law 14
SECTION 2.8 Severability 14
SECTION 2.9 Public Meeting 15
SECTION 2.10 Authority of Officers 15

ARTICLE THREE
FORMS

SECTION 3.1 Forms Generally 16
SECTION 3.2 Form of Definitive Certificate 17
SECTION 3.3 Form of Registration Certificate of Comptroller of Public Accounts 23
SECTION 3.4 Form of Certificate of Paying Agent 23
SECTION 3.5 Form of Assignment 24
SECTION 3.6 Form of Initial Certificate 24
SECTION 3.7 Insurance Legend 25

ARTICLE FOUR
TAXES, REVENUES, AND FUNDS; INVESTMENTS

SECTION 4.1 Certificate Fund 26
SECTION 4.2 Deposits to Certificate Fund; Excess Certificate Proceeds 26
SECTION 4.3 System Account 26
SECTION 4.4 Construction Accounts 27
SECTION 4.5 Investments and Security For Funds 27
SECTION 4.6 Tax Levy 27

TABLE OF CONTENTS

Page

SECTION 4.7 Net Revenues 28
SECTION 4.8 Issuance of Additional Obligations 29

ARTICLE FIVE
COVENANTS

SECTION 5.1 To Maintain Agency 30
SECTION 5.2 To Maintain and Operate the System and Insure Property 30
SECTION 5.3 Rates and Charges 31
SECTION 5.4 Records and Accounts, Annual Audit 31
SECTION 5.5 Special Covenants 31
SECTION 5.6 Covenants to Maintain Tax-Exempt Status 32
SECTION 5.7 Remedies in Event of Default 35

ARTICLE SIX
DEFEASANCE

SECTION 6.1 Discharge of Obligations 36

ARTICLE SEVEN
SALE

SECTION 7.1 Sale of the Certificates 38
SECTION 7.2 Payment of Costs of Issuance; Engagement of Bond Counsel 38
SECTION 7.3 Official Statement 38

ARTICLE EIGHT
CONTINUING DISCLOSURE UNDERTAKING

SECTION 8.1 Definitions 39
SECTION 8.2 Updated Information and Data 39
SECTION 8.3 Material Event Notices 40
SECTION 8.4 Limitations, Disclaimers, and Amendments 41

AN ORDINANCE
AUTHORIZING THE ISSUANCE OF
CITY OF SPRING VALLEY VILLAGE, TEXAS,
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION,
SERIES 2020;
AND LEVYING AN AD VALOREM TAX;
PLEDGING CERTAIN NET REVENUES; AUTHORIZING
THE EXECUTION OF A TRANSFER AND
PAYING AGENCY AGREEMENT;
AND OTHER MATTERS IN CONNECTION THEREWITH

RECITALS

1. The City Council (the "*Governing Body*") of the City of Spring Valley Village, Texas (the "*Issuer*"), a general law city, has given notice of its intent to issue certificates of obligation (the "*Certificates*") in an amount not to exceed $8,800,000 for the purpose of paying contractual obligations to fund design, acquisition, construction, equipping, and improvement of (1) streets and roadways and related improvements, and for the purchase of materials, supplies, machinery, land, and rights-of-way related thereto; (2) drainage improvements, and for the purchase of materials, supplies, machinery, land, and rights-of-way related thereto; and (3) for the certain costs related and incidental thereto and the issuance costs of the Certificates. The notice was published once a week for two consecutive weeks in a newspaper of general circulation in the Issuer, the first publication being before and not less than 45 days prior to the tentative date stated in the notice for the passage of this ordinance.

2. No petition signed by at least 5% of the qualified electors of the Issuer protesting the issuance of the Certificates has been presented to or filed with the City Secretary of the Issuer prior to the date set in such notice for passage of this Ordinance, nor has any such petition been filed as of this date.

3. The Governing Body has found and determined that $7,785,000 in aggregate principal amount of the Certificates described in such notice should now be issued and sold, and has adopted this ordinance authorizing issuance of such Certificates.

4. It is in the Issuer's best interest to issue the certificate of obligations described herein.

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

ARTICLE ONE
THE CERTIFICATES

SECTION 1.1 *Authorization and Terms; Purpose.*

A. *Authorization, Title, Principal Amount, and Purpose.* The Certificates are hereby authorized to be issued in the aggregate principal amount of $7,785,000 and are entitled the Issuer's "COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020", to pay contractual obligations incurred to make permanent public improvements and for other public purposes all as stated in Recital 1 hereto, pursuant to the authority conferred by and in conformity with the laws of the State of Texas, particularly Texas Government Code section 1502.052, and the Certificate of Obligation Act of 1971, Texas Local Government Code sections 271.041 through 271.064, each as now in effect. The Certificates shall have a Dated Date of August 1, 2020 (which is the "*Dated Date*" of the Certificates and to be inserted below "*Dated Date*" immediately below the title thereof).

B. *Denominations, Maturities, Rates of Interest.* The Stated Maturities of the Certificates are February 15 of the years and the aggregate principal amounts set forth below in this Subsection, and interest on the Certificates of each Stated Maturity accrues from the Issue Date or the most recent Interest Payment Date to which interest has been paid or duly provided for, until such Certificates are paid or due provision therefor is made at or after the Maturity thereof, at the per annum rates set forth opposite such Stated Maturity below, calculated on the basis of a 360-day year of twelve 30-day months and payable semiannually on each February 15 and August 15 commencing February 15, 2021:

Year of Stated Maturity	Principal Amount	Interest Rate (%)	Year of Stated Maturity	Principal Amount	Interest Rate (%)
2022	$290,000	%	2032	$415,000	%
2023	305,000		2033	430,000	
2024	310,000		2034	450,000	
2025	320,000		2035	465,000	
2026	325,000		2036	485,000	
2027	345,000		2037	505,000	
2028	355,000		2038	525,000	
2029	370,000		2039	545,000	
2030	385,000		2040	560,000	
2031	400,000				

C. *Payment*. The principal of the Certificates is payable upon surrender, and the interest on the Certificates is payable, at the corporate trust office of The Bank of New York Mellon Trust Company, N.A. (the "*Paying Agent*"). in Dallas, Texas or at such other city as designated by the Issuer upon Notice to the Registered Owners. Such place is herein referred to as the "*Place of Payment*".

The Issuer shall transfer the principal of the Certificates to the Paying Agent on or prior to the date it is due.

If the specified date for any payment of principal (or Redemption Price) of or interest on the Certificates is a Saturday, Sunday, or legal holiday or equivalent (other than a moratorium) for banking institutions generally in the city of the Place of Payment, such payment may be made on the next succeeding day which is not one of the foregoing days without additional interest and with the same force and effect as if made on the specified date for such payment.

D. *Payment of Interest; Interest Rights Preserved*. Interest on any Certificate is payable to the Registered Owner thereof as of the Record Date and is payable (i) by check sent by United States Mail, first-class postage prepaid, by the Paying Agent, to the address of the Registered Owner appearing in the Security Register, or (ii) by such other method acceptable to the Paying Agent requested in writing by the Registered Owner at the Registered Owner's risk and expense.

In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "*Special Record Date*") will be established by the Paying Agent, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest ("*Special Payment Date*", which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each Registered Owner of a Certificate appearing on the registration books of the Paying Agent at the close of business on the last business day next preceding the date of mailing of such notice. Notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor having been mailed as aforesaid, such Defaulted Interest must be paid to the Persons in whose names the Certificates (or their respective Predecessor Certificates) are registered on such Special Record Date.

E. *Legal Tender*. The principal of and interest on the Certificates is payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, without exchange or collection charges to the Registered Owner.

SECTION 1.2 *Redemption.*

A. *Optional and Mandatory Redemption.* The Certificates are subject to redemption at the option of the Issuer and by mandatory redemption prior to Stated Maturity on the Redemption Dates and Redemption Prices as provided in the Form of Certificate in **Section 3.2**.

B. *Exercise of Redemption Option.* At least 45 days prior to a date of redemption (the "*Redemption Date"*) (unless a shorter notification period shall be satisfactory to the Paying Agent), the Issuer shall notify the Paying Agent of its decision to exercise the right to optionally redeem Certificates, the principal amount of each Stated Maturity to be redeemed, and the Redemption Date. The decision of the Issuer to exercise the right to redeem Certificate shall be entered in the minutes of the Governing Body.

C. *Selection of Certificates for Redemption.* If less than all Outstanding Certificates of the same Stated Maturity are to be redeemed on a Redemption Date, the Paying Agent shall select at random and by lot the Certificates to be redeemed, provided that if less than the entire principal amount of a Certificate is to be redeemed, the Paying Agent shall treat such Certificate then subject to redemption as representing the number of Certificates Outstanding which is obtained by dividing the principal amount of such Certificate by $5,000.

D. *Notice of Redemption.* Not less than 30 days prior to a Redemption Date, the Issuer shall cause a notice of redemption to be sent by United States Mail, first-class postage prepaid, in the name of the Issuer and at the Issuer's expense, by the Paying Agent to each Holder of a Certificate to be redeemed in whole or in part at the address of the Holder appearing on the Security Register at the close of business on the business day next preceding the date of mailing such notice, and any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Holder. All notices of redemption shall state:

(1) the Redemption Date,

(2) the redemption price (the "*Redemption Price*"),

(3) the principal amount and identification (by Issuer and Certificate name, CUSIP number, Stated Maturity, interest rate, Dated Date, and, in the case of partial redemption, the Certificate numbers and respective principal amounts) of Certificates to be redeemed,

(4) that on the Redemption Date the Redemption Price of each of the Certificates to be redeemed will become due and payable and that interest thereon shall cease to accrue from and after said date, and

(5) that the Certificates to be redeemed are to be surrendered for payment of the Redemption Price at the Place of Payment, and the address of such Place of Payment.

E. *Limitation on Transfer/Exchange of Certificates.* Neither the Issuer nor the Paying Agent is required to transfer or exchange any Certificates selected for redemption within 45 days of the Redemption Date, provided however, such limitation shall not be applicable to an exchange by the Holder of the unredeemed balance of a Certificate which is subject to partial redemption.

F. *Payment of the Redemption Price.* If a Certificate is subject by its terms to redemption and has been called for redemption and notice of redemption thereof has been duly given as hereinabove provided, such Certificate (or the principal amount thereof to be redeemed) so called for redemption shall become due and payable, and if money sufficient for the payment of such Certificates (or of the principal amount thereof to be redeemed) at the then applicable Redemption Price is held for the purpose of such payment by the Paying Agent, then on the Redemption Date, interest on the Certificate (or the principal amount thereof to be redeemed) called for redemption shall cease to accrue and such Certificates shall no longer be deemed Outstanding hereunder.

If any Certificate called for redemption shall not be so paid upon surrender thereof for redemption, the same shall continue to bear interest from the Redemption Date therefore at the rate borne by such Certificates.

SECTION 1.3 *Execution, Registration, Delivery, and Dating.*

The Mayor of the Issuer shall execute the Certificates on behalf of the Issuer and such signature shall be attested by the City Clerk of the Issuer. The signature of either of said officers on the Certificates may be manual or facsimile. Certificates bearing the manual or facsimile signatures of individuals who were at the time the proper officers of the Issuer bind the Issuer, notwithstanding that such individuals or either of them cease to hold such offices prior to the certification and delivery of such Certificates.

The Mayor of the Issuer is authorized and directed to execute and the City Clerk of the Issuer to attest the Initial Certificates in the name of Cede & Co. The Mayor of the Issuer is further authorized and directed to submit the Initial Certificates, together with the record of the proceedings authorizing the issuance thereof and any and all other necessary orders, certificates, and records, to the Attorney General of Texas for approval. After the Attorney General has approved such Certificates, the Mayor of the Issuer shall cause such Certificates to be delivered to the Comptroller of Public Accounts of the State of Texas for registration. If requested by the Attorney General or its representatives, or if otherwise deemed necessary to properly evidence the intent of the Issuer in the adoption of this Ordinance, the Mayor or Mayor pro tem of the Issuer may make such ministerial changes in the written text of this Ordinance as such officer determines are consistent with the intent and purposes of this Ordinance, which determination shall be final. Upon registration of the Certificates, the Comptroller is authorized and directed to deliver the Certificates in accordance with instructions of the Mayor of the Issuer. At any time thereafter the Issuer may deliver such Certificates to the Paying Agent together with definitive Certificates to be issued in exchange therefor, and the Paying Agent is directed, within not more than five business days following receipt of instructions from the payee named therein designating the Persons, Stated Maturities, and denominations to and in which such Certificates are to be transferred, register and deliver such definitive Certificates as provided in such instructions. The officers or acting officers of the Governing Body are authorized to execute and deliver on behalf of the Governing Body such certificates and instruments as may be necessary to accomplish or in furtherance of the delivery of the Certificates to and payment therefor by the Purchasers.

All Certificates registered and delivered by the Paying Agent hereunder are to be dated by the Paying Agent the date of their registration.

No Certificate is entitled to any right or benefit under this Ordinance, or is valid or obligatory for any purpose, unless there appears on such Certificate either a certificate of registration substantially in the form provided in **Section 3.3**, executed by the Comptroller of Public Accounts of the State of Texas or his duly authorized agent by manual signature, or a certificate of registration substantially in the form provided in **Section 3.4**, executed by the Paying Agent by manual signature, and either such certificate upon any Certificate is conclusive

evidence, and the only evidence, that such Certificate has been duly certified or registered and delivered.

SECTION 1.4 *Registration, Transfer, and Exchange.*

The Issuer shall cause to be kept at the Place of Payment a register (herein referred to as the "*Security Register*") in which, subject to such reasonable regulations as the Issuer or the Paying Agent may prescribe, the Paying Agent shall provide for the registration of the Certificates and of transfers of the Certificates as herein provided.

Upon surrender for transfer of any Certificate at the Place of Payment, the Issuer shall execute, and the Paying Agent shall register and deliver, in the name of the designated transferee or transferees, one or more new Certificates of the same Stated Maturity, of any authorized denominations, and of a like aggregate principal amount. New Certificates registered, and delivered in an exchange or transfer will be delivered by the Paying Agent at the Place of Payment or sent by United States mail at the Registered Owner's written request, risk, and expense.

At the option of the Registered Owner, Certificates may be exchanged for other Certificates of the same Stated Maturity, of any authorized denominations, and of like aggregate principal amount, upon surrender of the Certificates to be exchanged at the Place of Payment. Whenever any Certificates are so surrendered for exchange, the Issuer shall execute, and the Paying Agent shall register and deliver, the Certificates which the Registered Owner of Certificates making the exchange is entitled to receive.

All Certificates issued in any transfer or exchange of Certificates shall be delivered to the Registered Owners at the principal corporate trust office of the Paying Agent or sent by United States Mail, first class, postage prepaid to the Registered Owners, and, upon the registration and delivery thereof, the same shall be the valid obligations of the Issuer, evidencing the same obligation to pay, and entitled to the same benefits under this Ordinance, as the Certificates surrendered in such transfer or exchange.

Every Certificate presented or surrendered for transfer or exchange must be duly endorsed, or be accompanied by a written instrument of transfer in form satisfactory to the Paying Agent duly executed, by the Registered Owner thereof or his attorney duly authorized in writing.

No service charge may be made to the Registered Owner for any registration, transfer, or exchange of Certificates, but the Issuer or the Paying Agent may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Certificates.

Neither the Issuer nor the Paying Agent is required (1) to transfer or exchange any Certificate during a period beginning 45 days prior to a redemption date hereunder and ending at the close of business on the day of mailing of a notice of redemption or (2) thereafter to transfer or exchange in whole or in part any Certificate so selected for redemption.

SECTION 1.5 *Mutilated, Destroyed, Lost, and Stolen Certificates.*

If (1) any mutilated Certificate is surrendered to the Paying Agent, or the Issuer and the Paying Agent receive evidence to their satisfaction of the destruction, loss, or theft of any Certificate, and (2) there is delivered to the Issuer and the Paying Agent such security or indemnity as they require to save each of them harmless, then, in the absence of notice to the Issuer or the Paying Agent that such Certificate has been acquired by a bona fide purchaser, the Issuer shall execute and upon its request the Paying Agent shall register and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost, or stolen Certificate, a new Certificate of the same Stated Maturity, and of like tenor and principal amount, bearing a number not contemporaneously outstanding.

In case any such mutilated, destroyed, lost, or stolen Certificate has become or is about to become due and payable, the Issuer in its discretion may pay such Certificate instead of issuing a new Certificate.

Upon the issuance of any new Certificate under this Section, the Issuer or the Paying Agent may require the payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses connected therewith.

Every new Certificate issued pursuant to this Section in lieu of any mutilated, destroyed, lost, or stolen Certificate constitutes an original additional contractual obligation of the Issuer, whether or not the mutilated, destroyed, lost, or stolen Certificate is at any time enforceable by anyone, and the new Certificate is entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Certificates.

The provisions of this Section are exclusive and preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost, or stolen Certificates.

SECTION 1.6 *Persons Deemed Owners.*

The Issuer and the Paying Agent, and any agent of either, may treat the Registered Owner as the owner of a Certificate for purposes of receiving payment of principal of and (*subject* to **Section 1.1**) interest on the Certificate and for all other purposes whatsoever, whether or not the Certificate is due or overdue, and neither the Issuer nor the Paying Agent, or any agent of either, is affected by notice to the contrary. All payments made to or duly provided for the Bondholder in accordance with this Ordinance will be valid and effectual and will discharge the liability of the Issuer to the extent of the sums paid in or duly provided for.

SECTION 1.7 *Cancellation.*

All Certificates surrendered for payment, redemption, transfer, exchange, or replacement, if surrendered to the Paying Agent, are to be promptly canceled by it and, if surrendered to the Issuer, are to be delivered to the Paying Agent and, if not already canceled, are to promptly be canceled by the Paying Agent. The Issuer may at any time deliver to the Paying Agent for cancellation any Certificates previously certified and delivered which the Issuer acquires in any

manner whatsoever, and all Certificates so delivered are to be promptly canceled by the Paying Agent. No Certificate may be certified in lieu of or in exchange for any Certificate canceled as provided in this Section, except as expressly provided by this Ordinance. All canceled Certificates held by the Paying Agent are to be disposed of in accordance with the standard document retention policies of the Issuer.

SECTION 1.8 *Book-Entry Only*.

Notwithstanding the provisions contained in **Sections 1.3**, **1.4** and **1.5** relating to the payment, redemption and transfer/exchange of the Certificates, the Issuer hereby approves and authorizes the use of "Book-Entry Only" securities clearance, settlement and transfer system provided by The Depository Trust Company ("*DTC*"), a limited purpose trust company organized under the laws of the State of New York, in accordance with DTC's requirements and procedures, and authorizes the Issuer and the Paying Agent to take such as actions as are necessary to qualify the Certificates with DTC and to deliver the Certificates through DTC.

Pursuant to the rules and procedures of DTC now in effect, the Certificates shall be deposited with DTC (or with the Paying Agent on behalf of DTC) who shall hold said Certificates for its participants (the "*DTC Participants*"). While the Certificates are so held, the Registered Owner of the Certificates on the Security Register for all purposes, including payment and notices, shall be Cede & Co., as nominee of DTC, notwithstanding the ownership of each actual purchaser or owner of each Certificate (the "*Beneficial Owners*") being recorded in the records of DTC and DTC Participants.

In the event DTC determines to discontinue serving as securities depository for the Certificates or otherwise ceases to provide book-entry clearance and settlement of securities transactions in general or the Issuer determines that DTC is incapable of properly discharging its duties as securities depository for the Certificates, the Issuer covenants and agrees with the Registered Owners of the Certificates to cause Certificates to be printed in definitive form and provide for the certificated certificates to be issued and delivered to DTC Participants and Beneficial Owners, as the case may be. Thereafter, the Certificates in definitive form shall be assigned, transferred and exchanged on the Security Register maintained by the Paying Agent and payment of such Certificates shall be made in accordance with the provisions of **Sections 1.3**, **1.4** and **1.5**.

ARTICLE TWO
DEFINITIONS AND OTHER PROVISIONS OF GENERAL APPLICATION

SECTION 2.1 *Definitions.*

For all purposes of this Ordinance, except as otherwise expressly provided or unless the context otherwise requires:

(1) The terms defined in this Section have the meanings assigned to them in this Section.

(2) All terms defined herein include the plural as well as the singular.

(3) All references in this Ordinance to designated "*Articles*", "*Sections*", "*Exhibits*", and other subdivisions are to the designated Articles, Sections, Exhibits, and other subdivisions of this Ordinance as originally adopted.

(4) The words "*herein*", "*hereof*", and "*hereunder*" and other words of similar import refer to this Ordinance as a whole and not to any particular Article, Section, Exhibit, or other subdivision.

"*Certificate Fund*" means the special fund of the Issuer created and established by the provisions of **Section 4.1**.

"*Certificates*" means any obligation of the Issuer authorized to be issued by **Article One**, whether initially delivered or issued in exchange for or upon transfer or in lieu of any Predecessor Certificate.

"*Collection Date*" means, for any year, the date that annual ad valorem taxes levied by the Issuer in that year become delinquent.

"*Debt Service Requirement*" has the meaning stated in **Section 4.6**.

"*Fiscal Year*" means the annual financial accounting period for the Issuer as established by the Issuer on or prior to the date of this Ordinance; provided, however, the Governing Body may change such annual financial accounting period to end on another date if such change is found and determined to be necessary for accounting purposes or is required by applicable law.

"*Governing Body*" means the City Council of the Issuer.

"*Governmental Obligations*" means (1) direct obligations of, or obligations the timely payment of the principal of and interest on which are fully and unconditionally guaranteed by, the United States of America, or (2) obligations authorized under Texas law from time to time for discharge and final payment of political or governmental obligations which, at the time of deposit have been assigned ratings in the highest rating category by a nationally recognized

investment rating firm, *but* in the case of both *Clauses* (1) and (2) only if such obligations may not be called for redemption prior to maturity.

"*Gross Revenues*" for any period means all revenue during such period in respect or on account of the operation or ownership of the System, *excluding* refundable deposits, restricted gifts, refunds for amounts advanced in aid of construction, and grants in aid of construction, but including earnings and income derived from the investment or deposit of money in any special fund or account (other than earnings on the Certificate Fund) created and established for the payment or security of the Certificates.

"*Interest Payment Date*" means a date specified in the Certificates as a fixed date on which an installment of interest thereon is due and payable.

"*Issue Date*" means the date on which Certificates are first registered and delivered to the Purchasers in exchange for the purchase price therefor.

"*Issuer*" has the meaning stated in the Recitals.

"*Maintenance and Operating Expenses*" means all current expenses of operating and maintaining the System not paid from the proceeds of the Certificates, including the cost of all salaries, labor, materials, interest, repairs, and extensions necessary to provide efficient service, and each proper item of expense, but only if, in the case of repairs and extensions, they are, in the judgment of the Governing Body, necessary to keep the System in operation and render adequate service to the Issuer and its residents, or respond to a physical accident or condition that would otherwise impair the Certificates or Prior Obligations or Parity Obligations.

"*Maturity*" when used with respect to any Certificate means the date on which the principal of such Certificate becomes due and payable as therein provided, whether at the Stated Maturity, by call for redemption, or otherwise.

"*Net Revenues*" for any period means the Gross Revenues less the Maintenance and Operating Expenses.

"*Ordinance*" means this Ordinance as finally passed and adopted by the Governing Body or as it may from time to time be supplemented, modified, or amended in accordance with the provisions hereof.

"*Outstanding*" when used with respect to Certificates means, as of the date of determination, all Certificates theretofore issued and delivered under this Ordinance, except, without duplication:

(1) *Canceled Certificates*: Certificates theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;

(2) *Gross Cash Defeasance*: Certificates for whose payment or redemption money in the necessary amount has been theretofore deposited with the Paying Agent in trust for the Registered Owner of such Certificates, provided that, if such Certificates are

to be redeemed, notice of such redemption has been duly given pursuant to this Ordinance, irrevocably provided for to the satisfaction of the Paying Agent, or waived;

(3) *Replaced Certificates*: Certificates in exchange for or in lieu of which other Certificates have been registered and delivered pursuant to this Ordinance;

(4) *Paid Missing Certificates*: Certificates alleged to have been destroyed, lost, or stolen which have been paid as provided in **Section 1.5**; and

(5) *Net Cash Defeasance* : Certificates for the payment of the principal of and interest on which money or Governmental Obligations or both are held by the Paying Agent or other bank or trust company and with the effect specified in **Section 6.1**;

provided, however, that in determining whether the Registered Owners of the requisite principal amount of Certificates Outstanding have given any request, demand, authorization, direction, notice, consent, or waiver hereunder, Certificates owned by the Issuer or any other obligor upon the Certificates are disregarded and deemed not Outstanding, except that, in determining whether the Paying Agent is protected in relying upon any such request, demand, authorization, direction, notice, consent, or waiver, only Certificates which the Paying Agent knows to be so owned are required to be so disregarded.

"*Parity Obligations"* means the obligations of the Issuer now or hereafter issued with a lien on Net Revenues on a parity with the lien on Net Revenues granted the Certificates.

"*Paying Agent*" means the corporation named as the "*Paying Agent*" herein until a successor Paying Agent becomes such pursuant to the applicable provisions of this Ordinance, and thereafter "*Paying Agent*" means such successor Paying Agent.

"*Person*" means any individual, corporation, partnership, joint venture, association, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof.

"*Place of Payment*" means a corporate trust office of the Paying Agent in the State of Texas, as established in **Section 1.1**.

"*Predecessor Certificates*" of any particular Certificate means every previous Certificate evidencing all or a portion of the same debt as that evidenced by such particular Certificate, and, for purposes of this definition, any Certificate registered and delivered under **Section 1.5** in lieu of a mutilated, lost, destroyed, or stolen Certificate is deemed to evidence the same debt as the mutilated, lost, destroyed, or stolen Certificate.

"*Prior Obligations"* means the obligations of the Issuer so defined in **Section 4.7.**

"*Purchaser*" means the initial purchaser or purchasers of the Certificates named in **Section 7.1** of this Ordinance.

"*Registered Owner*" mean the registered owner, whose name appears in the Security Register, for any Certificate.

"*Regular Record Date*" for the interest payable on any Interest Payment Date means the close of business on the 15th day (whether or not a business day) of the calendar month next preceding such Interest Payment Date.

"*Security Register*" has the meaning stated in **Section 1.4**.

"*Stated Maturity*" when used with respect to any Certificate means the date specified in such Certificate as the fixed date on which the principal of such Certificate is due and payable.

"*Subordinate Lien Obligations*" means any bonds, notes, warrants, certificates of obligation, or any similar obligations hereafter issued by the Issuer that are payable, in whole or in part, from and equally and ratably secured by a lien on and pledge of the Net Revenues, such pledge being subordinate and inferior to the lien on and pledge of Net Revenues to payment of the Certificates.

"*System*" means all of the Issuer's waterworks and sewer system, together with all future extensions, improvements, and additions thereto and replacements thereof, *excluding* from the foregoing, however, to the extent now or hereafter authorized or permitted by law, facilities of any kind which are declared by the Governing Body, prior to the acquisition or construction thereof by the Issuer, not to be a part of the System and which are acquired or constructed by or on behalf of the Issuer with the proceeds from the issuance of "*Special Facilities Obligations*", which are hereby defined as being special revenue obligations of the Issuer which are not payable from Net Revenues but which are payable from and secured by other liens on and pledges of any revenues, sources, or payments, not pledged to the payment of the Certificates.

SECTION 2.2 *Notices.*

Where this Ordinance provides for notice to Registered Owners of any event, such notice is sufficiently given (unless otherwise herein expressly provided) if in writing and mailed, first-class postage prepaid, to each Registered Owner, at the address of such Registered Owner as it appears in the Security Register. Neither the failure to mail such notice, nor any defect in any notice so mailed, to any particular Registered Owner affects the sufficiency of such notice with respect to all other Registered Owners. Any notice so mailed shall be conclusively presumed to have been duly given, whether or not the Registered Owner receives such notice. Where this Ordinance provides for notice in any manner, such notice may be waived in writing by the Person entitled to receive such notice, either before or after the event with respect to which such notice is given, and such waiver is the equivalent of such notice. Waivers of notice by Registered Owners are to be filed with the Issuer, but such filing is not a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 2.3 *Effect of Headings and Table of Contents; Recitals.*

The section headings herein and in the Table of Contents are for convenience only and do not affect the construction hereof.

The Recitals contained in the preamble hereof are hereby found to be true, and such Recitals are hereby made a part hereof for all purposes and are adopted as part of the judgment and findings of the Governing Body.

SECTION 2.4 *Ordinance a Contract; Amendments.*

This Ordinance constitutes a contract with the Registered Owners entered into upon the initial purchase of the Certificates, is binding on the Issuer and its successors and assigns whether or not so expressed, and may not be amended or repealed by the Issuer so long as any Certificate remains Outstanding except as permitted in this Section.

The Issuer may, without the consent of or notice to any Registered Owner, from time to time and at any time amend this Ordinance in any manner not detrimental to the interests of the Registered Owners, including the curing of any ambiguity, inconsistency, or formal defect or omission herein or therein. In addition, the Issuer may, with the written consent of the Registered Owners of a majority in aggregate principal amount of the Certificates then Outstanding affected thereby, amend, add to, or rescind any of the provisions of this Ordinance; provided that, without the consent of the Registered Owners of all of the affected Outstanding Certificates, no such amendment, addition, or rescission may (1) change the Stated Maturity of the Certificates or any Interest Payment Date for an installment of interest thereon, reduce the principal amount thereof, or the rate of interest thereon, change the place or places at, or the coin or currency in, which any Certificate or the interest thereon is payable, or in any other way modify the terms or sources of payment of the principal of or interest on the Certificates, (2) give any preference to any Certificate over any other Certificate, (3) modify any of the provisions of the proviso to the definition of the term "*Outstanding*", or (4) modify any of the provisions of this Section, except to increase the percentage provided hereby or to provide that certain other provisions of this Ordinance cannot be modified or waived without the consent of the Registered Owner of each Certificate affected thereby.

Any consent to any amendment hereof by the Registered Owner of any Certificate binds every future Registered Owner of the same Certificate and the Registered Owner of every Certificate issued upon transfer or in lieu thereof or in exchange therefor, in respect of anything done or suffered to be done by the Issuer in reliance thereon, whether or not notation of such action is made upon such Certificate.

SECTION 2.5 *Benefits of Ordinance.*

Nothing in this Ordinance, expressed or implied, is intended or may be construed to confer upon any Person (other than the Issuer and Registered Owners) any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance or any provision hereof, this Ordinance and all its provisions being intended to be and being for the sole and exclusive benefit of the Issuer and the Registered Owners.

SECTION 2.6 *Repealer.*

All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed and declared to be

inapplicable to the extent of such conflict, and the provisions of this Ordinance are controlling as to the matters prescribed herein.

SECTION 2.7 *Governing Law.*

This Ordinance is to be construed in accordance with and governed by the laws of the State of Texas and the United States of America.

SECTION 2.8 *Severability.*

If any provision of this Ordinance or the application thereof to any Person or circumstance is held to be invalid, illegal, or unenforceable, the remainder of this Ordinance and the application of such provision to other Persons and circumstances is nevertheless valid, legal, and enforceable and the Governing Body hereby declares that this Ordinance would have been enacted without such invalid provision or application.

SECTION 2.9 *Public Meeting.*

The Governing Body officially finds, determines, and declares that notice of the adoption of this Ordinance was posted as required by law at a location within the Issuer in a place readily accessible to the general public at all times for at least 72 hours preceding the scheduled time of the meetings at which this Ordinance is read and approved; that such meetings were open to the public; and that public notice of the time, place, and purpose of such meetings was given as required by Texas Government Code chapter 551, as amended.

SECTION 2.10 *Authority of Officers.*

The Mayor, the Mayor Pro Tem, the City Secretary or any assistant City Secretary, Manager, Attorney, or Director of Finance of the Issuer, or any of them, are authorized to evidence adoption of this Ordinance and to do any and all things proper and necessary to carry out the intent hereof.

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ARTICLE THREE
FORMS

SECTION 3.1 *Forms Generally.*

The Certificates, the Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be reproduced on the initial Certificates, the Registration Certificate of the Paying Agent to be reproduced on subsequently delivered Certificates, and the form of Assignment to be reproduced on each of the Certificates are to be substantially in the forms set forth in this Article with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance, and the Certificates may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including any reproduction of an opinion of counsel or notice of insurance) thereon as may, consistently herewith, be determined by the officers executing such Certificates as evidenced by their execution thereof. Any portion of the text of any Certificates may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Certificate.

The Certificates may be printed, lithographed, engraved, typewritten, photocopied, or produced by any combination of these methods, or produced in any other manner, all as determined by the officers executing such Certificates as evidenced by their execution thereof. The initial Certificates to be delivered to the Attorney General may be issued either (i) as a single fully registered certificate in the total principal amount of the Certificates with principal installments to become due and payable as provided in **Section 1.1** hereof and numbered consecutively T-1 and upward, or (ii) as fully registered certificates, being one note for each stated maturity in the applicable principal amount and denomination and to be numbered consecutively from T-1 and upward (hereinafter called the "Initial Certificate(s)").

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SECTION 3.2 *Form of Definitive Certificate.*

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Issuer or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

REGISTERED NO. ..... REGISTERED $.....

United States of America
State of Texas
CITY OF SPRING VALLEY VILLAGE, TEXAS
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION,
SERIES 2020

Interest Rate:	Dated Date:	Stated Maturity:	CUSIP NO:
.....	August 1, 2020	.....	.....

REGISTERED OWNER:.....

PRINCIPAL AMOUNT:.....DOLLARS

The City of Spring Valley Village, Texas (hereinafter together with its successors referred to as the "*Issuer*"), a body politic and municipal corporation duly organized and existing under and by virtue of the laws of the State of Texas, for value received, hereby promises to pay, but solely to and from the extent of the sources described herein, to the Registered Owner specified above or registered assigns, on the Stated Maturity specified above, the Principal Amount specified above, and to pay interest thereon to the Person herein specified from the Issue Date thereof, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, until such principal is paid or duly provided for on or after such Stated Maturity or any earlier Redemption Date, semiannually on February 15 and August 15 in each year commencing February 15, 2021, at the per annum Interest Rate specified above, computed on the basis of a 360-day year of twelve 30-day months and, except as otherwise permitted by the Ordinance hereinafter referred to, to make the payments to the United States of America in the amounts and on the date therein described when due. Principal of this Certificate is payable at its Stated Maturity to the Registered Owner hereof, upon presentation and surrender, at the principal payment office of the Paying Agent executing the Registration Certificate of Paying Agent appearing hereon, which shall initially be The Bank of New York Mellon Trust Company, N.A., or its successor in its designated place of payment, initially Dallas, Texas (the "*Place of Payment*").

The interest so payable on, and paid or duly provided for on or within 10 days after, any Interest Payment Date will be paid to the Person in whose name this Certificate (or one or more Predecessor Certificates evidencing the same debt) is registered at the close of business on the Regular Record Date for such interest, which is the 15th day (whether or not a business day) of the calendar month next preceding such Interest Payment Date. Any such interest not so paid or duly provided for ceases to be payable to the Person in whose name such Certificate is registered on such Regular Record Date, and shall be paid to the Person in whose name this Certificate (or one or more Predecessor Certificates) is registered at the close of business on a Special Record Date for the payment of such Defaulted Interest to be fixed by the Paying Agent, notice whereof being sent to the Registered Owners of the Certificates not less than five business days prior to the Special Record Date. All such interest is payable at the Place of Payment. Such interest is payable (1) by check or draft mailed to the address of the Registered Owner as the same appears on the Security Register of the Issuer kept by the Paying Agent, as Registrar, or (2) in accordance with other customary arrangements acceptable to the Paying Agent made by the Registered Owner. The principal of this Certificate is payable at the Place of Payment upon presentation and surrender of this Certificate. All such payments must be made in such coin or currency of the United States of America as at the time of payment is legal tender for payment of public and private debts.

If the specified date for any such payment is a Saturday, Sunday, or legal holiday or equivalent (other than a moratorium) for banking institutions generally in the city in which the Place of Payment is located, such payment may be made on the next succeeding day which is not one of the foregoing days without additional interest and with the same force and effect as if made on the specified date for such payment.

This Certificate is one of the series specified in its title issued in the aggregate principal amount of $7,785,000 (the "*Certificates*") pursuant to an Ordinance adopted by the governing body of the Issuer (the "*Ordinance*"), to pay contractual obligations to fund design, acquisition, construction, equipping, and improvement of (1) streets and roadways and related improvements, and for the purchase of materials, supplies, machinery, land, and rights-of-way related thereto; (2) drainage improvements, and for the purchase of materials, supplies, machinery, land, and rights-of-way related thereto; and (3) for the certain costs related and incidental thereto and the issuance costs of the Certificates, under and in strict conformity with the laws of the State of Texas, particularly Texas 1502.052 section and the Certificate of Obligation, Act of 1971, as amended, Texas Local Government Code sections 271.041 through 271.064, as amended.

The Certificates with a Stated Maturity on or after February 15, 2029 may be redeemed at the option of the Issuer, on notice mailed to the Registered Owners thereof not less than 30 days prior to the Redemption Date as provided in this Ordinance, as a whole or from time to time in part in integral multiples of $5,000 principal on any date prior to their Stated Maturity, but not before February 15, 2028, upon payment of the Redemption Price, which is the principal amount thereof together with interest, if any, accrued from the most recent Interest Payment Date to the Redemption Date. The optional redemption of certificates may be conditioned upon issuance of one or more series of refunding bonds or obligations to pay the redemption price of the Certificates to be redeemed on or prior to the redemption date.

[Certificates maturing on the dates specified below are subject to mandatory redemption prior to maturity in the principal amounts and on the redemption dates set out below, at a price equal to such principal amounts plus accrued interest from the most recent interest payment date to such redemption dates:

Certificates maturing [Stated Maturity]

Redemption Date	Principal
(***[Maturity Date]***)	Amount
	$
(Stated Maturity)	

Certificates maturing [Stated Maturity]

Redemption Date	Principal
(***[Maturity Date]***)	Amount
	$
(Stated Maturity)	

Certificates maturing [Stated Maturity]

Redemption Date	Principal
(***[Maturity Date]***)	Amount
	$
(Stated Maturity)	

Such Certificates to be redeemed shall be selected by lot from and among the Certificates of such maturity then subject to redemption. The Issuer, at its option, may credit against any mandatory sinking fund redemption requirement Certificates of the maturity then subject to redemption which have been purchased and canceled by the Issuer or have been redeemed and theretofore applied as a credit against any mandatory sinking fund redemption requirement.]

Certificates of a denomination larger than $5,000 may be redeemed in part (in, and leaving unredeemed, an authorized denomination) and upon any partial redemption of any such Certificate the same must be surrendered in exchange for one or more new Certificates of the same Stated Maturity in authorized denominations for the unredeemed portion of principal. Certificates (or portions thereof) for whose redemption and payment provision is made in accordance with the Ordinance cease to bear interest from and after the Redemption Date.

If this Certificate (or any portion of the principal sum hereof) has been duly called for redemption and notice of such redemption duly given, then upon such redemption date this Certificate (or the portion of the principal sum hereof to be redeemed) is due and payable, and, if money for the payment of the redemption price and the interest accrued on the principal amount to be redeemed to the date of redemption is held for the purpose of such payment by the Paying Agent, interest ceases to accrue and to be payable hereon from and after the redemption date on the principal amount hereof to be redeemed.

The Certificates of this series are payable from the proceeds of an ad valorem tax levied upon all taxable property within the Issuer, within the limitations prescribed by law, and are further payable from and secured by a lien on and pledge of the Net Revenues derived from the operation of the Issuer's waterworks and sanitary sewer system (the "*System*") as identified and defined in the Ordinance. In the Ordinance, the Issuer reserves and retains the right to issue additional obligations prior and superior in right to, on a parity with, or subordinate to the Certificates with respect to the lien on Net Revenues, and the Certificates are issued with the pledge of Net Revenues subordinate to the pledge of Net Revenues to the Issuer's other outstanding obligations, and any other obligations of the Issuer hereafter issued which are issued with a pledge of Net Revenues prior and senior to or on a parity with the pledge of Net Revenues to the Certificates.

Reference is hereby made to the Ordinance, copies of which are on file in the principal corporate trust office of the Paying Agent, and to all of the provisions of which the Registered Owner by his acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied and the revenues pledged for the payment of the Certificates; the terms and conditions relating to the transfer or exchange of the Certificates; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Registered Owner; the rights, duties, and obligations of the Issuer and the Paying Agent; the terms and provisions upon which this Certificate may be redeemed or discharged at or prior to the Stated Maturity thereof, and deemed to be no longer Outstanding thereunder; and for the other terms and provisions specified in the Ordinance. Capitalized terms used herein have the same meanings assigned in the Ordinance.

The Ordinance permits, with certain exceptions as therein provided, the amendment thereof and the modification of the rights and obligations of the Issuer and the rights of the Registered Owners of the Certificates under the Ordinance at any time by the Issuer with the consent of the Registered Owners of a majority in aggregate principal amount of such Certificates at the time outstanding affected by such modification. Any such consent by the Registered Owners of this Certificate or any Predecessor Certificate herefor evidencing the same debt is conclusive and binding upon such Registered Owner and all future Registered Owners of this Certificate and of any Certificate issued upon the transfer or in lieu hereof or in exchange herefor, whether or not notation of such consent is made upon this Certificate.

As provided in the Ordinance and subject to certain limitations therein set forth, this Certificate is transferable on the Security Register of the Issuer, upon surrender of this Certificate for transfer to the Paying Agent at the Place of Payment, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent duly executed by, the Registered Owner hereof or its attorney duly authorized in writing, and thereupon one or more new fully registered Certificates of the same Stated Maturity, of authorized denominations, and for the same aggregate principal amount will be issued to the designated transferee or transferees.

The Certificates are issuable as fully registered Certificates in denominations of principal, equal to $5,000 and any integral multiple thereof. Upon surrender of this Certificate for exchange to the Paying Agent at the Place of Payment, and subject to certain limitations set forth

in the Ordinance, one or more new fully registered Certificates of the same Stated Maturity, of designated authorized denominations, and for the same aggregate principal amount will be issued to the Registered Owner of this Certificate.

No service charge may be made for any transfer or exchange hereinabove referred to, but the Issuer or the Paying Agent may require payment of a sum sufficient to cover any tax or governmental charge payable in connection therewith.

The Issuer, the Paying Agent, and any agent of either of them may treat the Person in whose name this Certificate is registered as the Registered Owner hereof for the purpose of receiving payment as herein provided and for all other purposes, whether or not this Certificate be overdue, and none of the Issuer, the Paying Agent, and any such agent is affected by notice to the contrary.

It is hereby certified, covenanted, and represented that all acts, conditions, and things required to be performed, exist, and be done precedent to the issuance of this Certificate in order to render the same a legal, valid, and binding obligation of the Issuer have been performed, exist, and have been done, in regular and due time, form, and manner, as required by law, and that issuance of the Certificates does not exceed any constitutional or statutory limitation. In case any provision in this Certificate or any application thereof is deemed invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions and applications is not in any way affected or impaired thereby. The terms and provisions of this Certificate and the Ordinance are to be construed in accordance with and governed by the laws of the State of Texas.

Unless either a Registration Certificate hereon has been executed by the Comptroller of Public Accounts of the State of Texas or his duly authorized agent or by the Paying Agent, respectively, by manual signature, this Certificate shall not be entitled to any benefit under the Ordinance or be valid or obligatory for any purpose.

IN WITNESS WHEREOF, the Issuer has caused this Certificate to be duly executed.

CITY OF SPRING VALLEY VILLAGE,
TEXAS

By.....
Mayor

ATTEST:

.....
City Secretary

[The remainder of this page intentionally left blank.]

SECTION 3.3 *Form of Registration Certificate of Comptroller of Public Accounts.*

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS*****

OFFICE OF THE COMPTROLLER	§	
OF PUBLIC ACCOUNTS	§	
	§	REGISTER NO.....
THE STATE OF TEXAS	§	

I HEREBY CERTIFY that this Certificate has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and duly registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS my signature and seal of office this .....

.....
Comptroller of Public Accounts
of the State of Texas

(SEAL)

*** Note to Printer: Not to appear on printed Certificates**

SECTION 3.4 *Form of Certificate of Paying Agent.*

CERTIFICATE OF PAYING AGENT*

This Certificate has been duly issued under the provisions of the within-mentioned Ordinance; the Certificate or Certificates of the above-entitled and designated series originally delivered having been approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts, as shown by the records of the Paying Agent.

Registration Date:……

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.,
as Paying Agent

By
Authorized Officer

*** Note to Printer: Not to appear on initial Certificates**

SECTION 3.5 *Form of Assignment.*

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns, and transfers unto (Print or typewrite name, address, and zip code of transferee): .....
.....
.....
(Social Security or other identifying number: .....)
the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints ...
.....
attorney to transfer the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

DATED: .....

Signature guaranteed:

.....

.....

NOTICE: The signature on this assignment must correspond with the name of the registered owner as it appears on the face of the within Certificate in every particular.

SECTION 3.6 Form of Initial Certificate.

The Initial Certificate shall be in the form set forth in **Section 3.2** except that the form of a single fully registered Certificate shall be modified as follows:

(i) immediately under the name of the Certificate the headings "Interest Rate _____", "Stated Maturity _____", and "CUSIP No._____" will be omitted;

(ii) Paragraph one will read as follows:

The City of Spring Valley Village, Texas (hereinafter together with its successors referred to as the "Issuer"), a body politic and municipal corporation duly organized and existing under and by virtue of the laws of the State of Texas, for value received, hereby promises to pay, but solely to and from the extent of the sources described herein, to the Registered Owner specified above or registered assigns, the hereinabove stated the Principal Amount on February 15 in each of the years and in principal amounts and bearing interest at per annum rates in accordance with the following schedule:

Year of Stated Maturity	Principal Amount ($)	Interest Rate (%)

(Information to be inserted from schedule in **Section 1.1** hereof).

(or so much thereof as shall not have been paid upon prior redemption) and to pay interest thereon computed on the basis of a 360-day year of twelve 30-day months to the Person herein specified from the Issue Date, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, until such principal is paid or duly provided for on or after such Stated Maturity or any earlier Redemption Date, semiannually on February 15 and August 15 in each year commencing February 15, 2021, at the per annum Interest Rates specified above, computed on the basis of a 360-day year of twelve 30-day months. Principal installments of this Certificate are payable at its Stated Maturity or on a prepayment date to the registered owner hereof by The Bank of New York Mellon Trust Company, N.A. (the "Paying Agent"), upon its presentation and surrender, at its designated offices in Dallas, Texas (the "Place of Payment").

SECTION 3.7 *Insurance Legend.*

If bond insurance is obtained by the Issuer or the Purchaser for the Certificates, the Definitive Certificates and the Initial Certificate(s) shall bear an appropriate legend as provided by the insurer.

ARTICLE FOUR
TAXES, REVENUES, AND FUNDS; INVESTMENTS

SECTION 4.1 *Certificate Fund.*

To pay interest on and to provide a sinking fund for the payment, redemption, and retirement of the Certificates, the Issuer hereby creates and shall maintain solely for such purposes (subject to the provisions of **Section 5.5**) a special fund designated as its "CERTIFICATES OF OBLIGATION, SERIES 2020, INTEREST AND SINKING FUND" (the "*Certificate Fund*"). The Issuer authorizes and directs its authorized officials to withdraw from the Certificate Fund and to transfer to the Paying Agent money on deposit in the Certificate Fund sufficient to pay the amount of principal or interest falling due on the Certificates, such transfer of funds to the Paying Agent to be made in such manner as will cause immediately available funds to be deposited with the Paying Agent on or before the last business day next preceding each Maturity or Interest Payment Date for the Certificates.

SECTION 4.2 *Deposits to Certificate Fund; Excess Certificate Proceeds.*

The Issuer, prior to a Maturity or Interest Payment Date for the Certificates, may deposit any of the Net Revenues to the Certificate Fund in accordance with **Section 4.3**. The Net Revenues, if deposited, shall be expended annually to pay principal of and interest on the Certificates as the same become due and payable. The Net Revenues so deposited shall be accounted for and transferred to the Paying Agent in accordance with the provisions of **Section 4.1** governing other money in the Certificate Fund.

The Issuer shall deposit accrued interest and premium, if any, received from the Purchaser and ad valorem taxes levied and collected to pay principal of or interest on the Certificates to the Certificate Fund. In addition, the Issuer shall deposit any surplus proceeds, including investment income therefrom, from the sale of the Certificates not expended for authorized purposes to the Certificate Fund.

SECTION 4.3 *System Account.*

The Issuer shall keep all Gross Revenues derived from operation of the System separate and apart from all other funds, accounts, and money of the Issuer and shall deposit amounts collected into the Issuer's "WATERWORKS AND SEWER SYSTEM ACCOUNT" (the "*System Account*"). The Issuer shall pledge and appropriate money in the System Account as required for the following purposes and in the order of priority shown:

First: as a first charge on and claim against the Gross Revenues, to pay reasonable and proper Maintenance and Operating Expenses required by statute or ordinances authorizing the issuance of any indebtedness of the Issuer;

Second: to deposit amounts required in the special funds and accounts established for payment of any obligations of the Issuer with a lien on Gross Revenues or Net Revenues prior or superior to the lien granted to secure payment of the Certificates;

Third: to deposit amounts required in the special funds and accounts established for the payment of the Certificates or any additional obligations of the Issuer secured by the Net Revenues on a parity with the Certificates; and

Fourth: any Net Revenues remaining in the System Account after satisfying the foregoing payments, or making adequate and sufficient provision for the payment, security and benefit thereof, to be appropriated and used for any other Issuer purpose now or hereafter permitted by law.

SECTION 4.4 *Construction Accounts.*

Except as provided in **Section 4.2**, the Issuer will deposit proceeds derived from the sale of the Certificates (after paying costs of issuance) into special construction account or accounts created for the projects to be constructed with such proceeds. Pending completion of construction of the projects financed with such proceeds interest earned on the such proceeds must be accounted for, maintained, deposited, and expended as permitted by the provisions of Texas Government Code section 1201.043, as from time to time in effect, or as otherwise required by applicable law. Thereafter, such interest must be accounted for, maintained, deposited, and expended in accordance with **Section 4.5**.

SECTION 4.5 *Investments and Security For Funds.*

The Issuer is required to keep all money in such funds and accounts at a depository of the Issuer except when invested pursuant to this Section. Subject to **Section 5.6**, money in any fund established by this Ordinance may, at the option of the Issuer, be invested in a manner permitted by the provisions of the Public Funds Investment Act of 1987, Texas Government Code chapter 2256, subchapter A, as then in effect, the Public Funds Collateral Act, Texas Government Code chapter 2257, as then in effect, or by any other law applicable to the Issuer; provided that all such investments must be made so that money required to be expended will be available at the proper time or times. The Issuer shall credit or debit all interest and income or losses from deposits and investments in any fund or account established pursuant to the provisions of this Ordinance shall be credited to such fund or account. The Issuer shall sell investments promptly as necessary to prevent any default in connection with the Certificates.

All money on deposit in the Funds for which this Ordinance makes provision (except any portion thereof as may be at any time properly invested as provided herein) shall be secured in the manner and to the fullest extent required by the laws of Texas for the security of public funds, and money on deposit in such Funds shall be used only for the purposes permitted by this Ordinance.

SECTION 4.6 *Tax Levy.*

To provide for the payment of the Debt Service Requirements, which are defined to be (i) the interest on the Certificates and (ii) a sinking fund for payment of principal of the Certificates at Stated Maturity or earlier redemption or a sinking fund of 2% (whichever amount is greater), the Issuer levies and shall levy for the current year and each succeeding year thereafter while the Certificates or any interest thereon is Outstanding, a sufficient tax on each

$100 of taxable property in the Issuer, within the limitations prescribed by law, adequate to pay such amounts, full allowance being made for delinquencies and costs of collection. Such tax shall be assessed and collected each year, and the same may not be diverted to any other purpose. The Issuer shall pay the taxes so levied and collected into the Certificate Fund. The Governing Body hereby declares its purpose and intent to provide and levy such tax, it having been determined that the existing and available taxing authority of the Issuer for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding indebtedness.

The Issuer shall determine the amount of taxes to be provided annually for the Debt Service Requirement in the following manner:

A. Prior to establishing the annual tax rate, the Governing Body shall determine:

(1) the amount of Debt Service Requirements to become due and payable on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding calendar year;

(2) the amount on deposit in the Certificate Fund (including surplus Certificate proceeds transferred to the Certificate Fund under **Section 4.2**) after (a) deducting therefrom the total amount of Debt Service Requirements to become due on Certificates prior to the Collection Date for the ad valorem taxes then to be levied and (b) adding thereto the amount of the Net Revenues, if any, to be appropriated and allocated to pay such Debt Service Requirements, if any, prior to the Collection Date for the ad valorem taxes then to be levied; and

(3) the amount of Net Revenues, if any, to be appropriated and to be set aside for the payment of the Debt Service Requirements on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding Fiscal Year.

B. The Issuer shall assess and levy annually each year a tax to pay the Debt Service Requirements sufficient to provide tax revenues in the amount established in paragraph (1) above less the sum total of the amounts established in paragraphs (2) and (3), after taking into consideration delinquencies and costs of collecting such annual taxes.

SECTION 4.7 *Net Revenues.*

The Issuer covenants and agrees that the Net Revenues are hereby irrevocably pledged to the payment of the principal of and interest on the Certificates and the pledge of Net Revenues herein made for the payment of the Certificates shall constitute a lien on the Net Revenues in accordance with the terms and provisions hereof and be valid and binding without any physical delivery thereof or further act by the Issuer. The pledge of Net Revenues hereunder is subordinate to the prior pledge of Net Revenues to secure the Issuer's outstanding obligations secured by a pledge of Net Revenues to the extent of such pledge (together with prior obligations hereafter issued pursuant to **Section 4.8** (the "*Prior Obligations*").

Section 1208, Government Code, applies to the issuance of the Certificates and the pledge of the Net Revenues of the System granted by the Issuer under this Section, and such pledge is therefore valid, effective and perfected. If Texas law is amended at any time while the Certificates are Outstanding such that the pledge of the Net Revenues of the System granted by the Issuer under this Section is subject to the filing requirements of Chapter 9, Business & Commerce Code, then to preserve to the Bondholders the perfection of the security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

SECTION 4.8 *Issuance of Additional Obligations.*

The Issuer hereby expressly reserves the right to hereafter issue bonds, notes, warrants, certificates of obligation, or similar obligations, payable, wholly or in part, as appropriate, from and secured by a pledge of and lien on the Net Revenues of the System prior and superior in right to, on a parity with the Certificates as Parity Obligations, or subordinate to the pledge of and lien on the Net Revenues in favor of the Certificates, without limitation as to principal amount, but subject to any terms, conditions, or restrictions applicable thereto under existing ordinances, laws, or otherwise.

ARTICLE FIVE
COVENANTS

SECTION 5.1 *To Maintain Agency.*

The Issuer will at all times until the Certificates are duly paid maintain an agency meeting the qualifications herein described, for the performance of the duties of the Paying Agent hereunder The Bank of New York Trust Company, N.A., is hereby appointed Paying Agent for such purposes. The Issuer retains the right to replace the Paying Agent, and the Paying Agent may be removed from its duties hereunder at any time upon not less than 30 days' notice with or without cause by action of the Governing Body entered in its minutes, but no such removal is effective until a successor has accepted the duties of the Paying Agent hereunder by written instrument.

Every Paying Agent appointed hereunder must at all times be a commercial bank or trust company organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise corporate trust powers, having a combined capital and surplus of at least $10,000,000, subject to supervision or examination by federal or state authority, registered as a transfer agent with the Securities and Exchange Commission. If such corporation publishes reports of condition at least annually pursuant to law or to the requirements of such supervising or examining authority, then for the purposes of this Section the combined capital and surplus of such corporation shall be deemed to be its combined capital and surplus as set forth in its most recent report of condition so published. Upon any change in the Paying Agent, the City agrees to promptly cause a written notice thereof to be sent to each Registered Owner affected by the change, which notice shall also give the address of the new Paying Agent, which shall be the designated Place of Payment.

This Section is subject to the provisions of **Section 8.2**.

The terms of the Transfer and Paying Agency Agreement with the initial Paying Agent are hereby approved in substantially the form and to the effect presented to the Governing Body on this date, and the Mayor and the Mayor Pro Tem of the Issuer, or either of them, and the City Clerk and any Assistant or Acting City Clerk of the Issuer, or any of them, are hereby authorized to execute and deliver such Transfer and Paying Agency Agreement.

SECTION 5.2 *To Maintain and Operate the System and Insure Property.*

The Issuer covenants and agrees that while the Certificates remain Outstanding it will maintain and operate the System with all possible efficiency and maintain casualty and other insurance on the properties of the System and its operations of a kind and in such amounts customarily carried by municipalities in the State of Texas engaged in a similar type of business and that it will faithfully and punctually perform all duties with reference to the System required by the laws of the State of Texas. All money received from losses under such insurance policies, other than public liability policies, are hereby pledged as security for the Certificates until and unless the proceeds are paid out in making good the loss or damage in respect of which such proceeds are received, either by replacing the property destroyed or repairing the property

damaged, and adequate provision for making good such loss or damage must be made within 90 days after the date of loss. The payment of premiums for all insurance policies required under the provisions hereof shall be considered Maintenance and Operating Expenses. Nothing in this Ordinance may be construed as requiring the Issuer to expend any funds which are derived from sources other than the operation of the System but nothing herein may be construed as preventing the Issuer from doing so.

SECTION 5.3 *Rates and Charges.*

The Issuer hereby covenants and agrees that rates and charges for services afforded by the System will be established and maintained to provide Gross Revenues sufficient at all times:

A. to pay all Maintenance and Operating Expenses;

B. to produce Net Revenues sufficient (but subject to the maximum amount of Net Revenues pledged hereunder), together with any other lawfully available funds, to produce an amount of Net Revenues sufficient to pay the interest on and principal of the Certificates and any additional obligations of the Issuer hereafter issued on a parity therewith; and

C. to pay other legally incurred indebtedness payable from the Net Revenues or secured by a lien on the System or the Net Revenues thereof.

SECTION 5.4 *Records and Accounts, Annual Audit.*

The Issuer covenants and agrees that so long as any of the Certificates remain Outstanding it will keep and maintain separate and complete records and accounts pertaining to the operations of the System in which complete and correct entries shall be made of all transactions relating thereto, as provided by Texas Government Code section 1502.067, as amended, or other applicable law. The Registered Owners or any duly authorized agent or agents of the Registered Owners may inspect the System and all properties comprising the same. The Issuer agrees that, following the close of each Fiscal Year, it will cause an audit of its books and accounts to be made by an independent firm of Certified Public Accountants. Copies of each annual audit shall be furnished to the Executive Director of the Municipal Advisory Council of Texas at his office in Austin, Texas, and, upon written request, to the original purchaser of the Certificates and any subsequent Registered Owner thereof. Expenses incurred in making the annual audit of the operations of the System are Maintenance and Operating Expenses.

SECTION 5.5 *Special Covenants.*

The Issuer covenants that:

A. *Lawful Authority:* it has the lawful power to pledge the Net Revenues supporting the Certificates and has lawfully exercised said powers under the laws of the State of Texas;

B. *No Encumbrance:* as long as any Certificates or any interest thereon remain Outstanding, the Issuer will not sell, lease or encumber (except in the manner provided in **Section 4.8**) the System or any substantial part thereof, provided that this covenant shall not be

construed to prohibit the sale of such machinery, or other properties or equipment which has become obsolete or otherwise unsuited to the efficient operation of the System; and

C. *No Franchise:* to the extent that it legally may, the Issuer further covenants and agrees that, so long as any of the Certificates, or any interest thereon, are Outstanding, no franchise shall be granted for the installation or operation of any competing systems other than those owned by the Issuer, and the operation of any such systems by anyone other than the Issuer is hereby prohibited.

SECTION 5.6 *Covenants to Maintain Tax-Exempt Status.*

A. Definitions. When used in this Section, the following terms have the following meanings:

"Closing Date" means the date on which the Certificates are first authenticated and delivered to the initial purchasers against payment therefor.

"Code" means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Closing Date.

"Computation Date" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Gross Proceeds" means any proceeds as defined in Section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in Section 1.148-1(c) of the Regulations, of the Certificates.

"Investment" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Nonpurpose Investment" means any investment property, as defined in section 148(b) of the Code, in which Gross Proceeds of the Certificates are invested and which is not acquired to carry out the governmental purposes of the Certificates.

"Rebate Amount" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Regulations" means any proposed, temporary, or final Income Tax Regulations issued pursuant to Sections 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Certificates. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary or final Income Tax Regulation designed to supplement, amend or replace the specific Regulation referenced.

"Yield" of

(1) any Investment has the meaning set forth in Section 1.148-5 of the Regulations; and

(2) the Certificates has the meaning set forth in Section 1.148-4 of the Regulations.

B. Not to Cause Interest to Become Taxable. The Issuer shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which if made or omitted, respectively, would cause the interest on any Certificate to become includable in the gross income, as defined in section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the Issuer receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Certificate, the Issuer shall comply with each of the specific covenants in this Section.

C. No Private Use or Private Payments. Except as permitted by section 141 of the Code and the Regulations and rulings thereunder, the Issuer shall at all times prior to the last Stated Maturity of Certificates:

(1) exclusively own, operate and possess all property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Certificates, and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed or improved with such Gross Proceeds in any activity carried on by any person or entity (including the United States or any agency, department and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and

(2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Certificates or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds, other than taxes of general application within the Issuer or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

D. No Private Loan. Except to the extent permitted by section 141 of the Code and the Regulations and rulings thereunder, the Issuer shall not use Gross Proceeds of the Certificates to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be "loaned" to a person or entity if: (1) property acquired, constructed or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes; (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output or similar contract or arrangement; or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.

E. Not to Invest at Higher Yield. Except to the extent permitted by section 148 of the Code and the Regulations and rulings thereunder, the Issuer shall not at any time prior to the final Stated Maturity of the Certificates directly or indirectly invest Gross Proceeds in any

Investment, if as a result of such investment the Yield of any Investment acquired with Gross Proceeds, whether then held or previously disposed of, exceeds the Yield of the Certificates.

F. Not Federally Guaranteed. Except to the extent permitted by section 149(b) of the Code and the Regulations and rulings thereunder, the Issuer shall not take or omit to take any action which would cause the Certificates to be federally guaranteed within the meaning of section 149(b) of the Code and the Regulations and rulings thereunder.

G. Information Report. The Issuer shall timely file the information required by section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.

H. Rebate of Arbitrage Profits. Except to the extent otherwise provided in section 148(f) of the Code and the Regulations and rulings thereunder:

(1) The Issuer shall account for all Gross Proceeds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of accounting for at least six years after the day on which the last outstanding Certificate is discharged. However, to the extent permitted by law, the Issuer may commingle Gross Proceeds of the Certificates with other money of the Issuer, provided that the Issuer separately accounts for each receipt and expenditure of Gross Proceeds and the obligations acquired therewith.

(2) Not less frequently than each Computation Date, the Issuer shall calculate the Rebate Amount in accordance with rules set forth in section 148(f) of the Code and the Regulations and rulings thereunder. The Issuer shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Certificates until six years after the final Computation Date.

(3) As additional consideration for the purchase of the Certificates by the Purchasers and the loan of the money represented thereby and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, the Issuer shall pay to the United States out of its general fund, other appropriate fund, or, if permitted by applicable Texas statute, regulation or opinion of the Attorney General of the State of Texas, the Certificate Fund, the amount that when added to the future value of previous rebate payments made for the Certificates equals (i) in the case of a Final Computation Date as defined in Section 1.148-3(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and (ii) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date. In all cases, the rebate payments shall be made at the times, in the installments, to the place and in the manner as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by Section 148(f) of the Code and the Regulations and rulings thereunder.

(4) The Issuer shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3), and if an error is made, to discover

and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under Section 1.148-3(h) of the Regulations.

I. Not to Divert Arbitrage Profits. Except to the extent permitted by section 148 of the Code and the Regulations and rulings thereunder, the Issuer shall not, at any time prior to the earlier of the Stated Maturity or final payment of the Certificates, enter into any transaction that reduces the amount required to be paid to the United States pursuant to *Subsection H* of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Certificates not been relevant to either party.

J. Elections. The Issuer hereby directs and authorizes the Mayor Mayor Pro Tem, Secretary, Manger, Attorney, or Director of Finance of the Issuer, either or any combination of them, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as they deem necessary or appropriate in connection with the Certificates, in the Certificate as to Tax Exemption or similar or other appropriate certificate, form or document.

K. Bonds Not Hedge Bonds. (1) At the time the original bonds refunded by the Bonds were issued, the Issuer reasonably expected to spend at least 85% of the spendable proceeds of such bonds within three years after such bonds were issued.

(2) Not more than 50% of the proceeds of the original bonds refunded by the Bonds were invested in Nonpurpose Investments having a substantially guaranteed Yield for a period of 4 years or more.

SECTION 5.7 *Remedies in Event of Default.*

In addition to all the rights and remedies provided by the laws of the State of Texas, the Issuer covenants and agrees particularly that in the event the Issuer (a) defaults in the payments to be made to the Certificate Fund, or (b) defaults in the observance or performance of any other of the covenants, conditions, or obligations set forth in this Ordinance, the Registered Owners of any of the Certificates shall be entitled to seek a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the governing body of the Issuer and other officers of the Issuer to observe and perform any covenant, condition, or obligation prescribed in this Ordinance.

No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedies herein provided shall be cumulative of all other existing remedies and the specification of such remedies shall not be deemed to be exclusive.

ARTICLE SIX
DEFEASANCE

SECTION 6.1 *Discharge of Obligations.*

Any Certificate is deemed paid and is no longer considered to be Outstanding within the meaning of this Ordinance when payment of the principal of and interest on such Certificate to the Stated Maturity thereof or (if notice of redemption has been duly given, irrevocably provided for, or waived as provided herein) to the redemption date has been made or has been provided for by deposit with the Paying Agent for such payment (or with any other bank or trust company which has agreed to hold the same for such purpose) (1) money sufficient to make such payment, (2) Governmental Obligations certified by an independent public accounting firm of national reputation to be of such maturities and interest payment dates and to bear such interest as will, without further investment or reinvestment of either the principal amount thereof or the interest earnings therefrom, be sufficient to make such payment, or (3) a combination of money and Governmental Obligations together so certified sufficient to make such payment, provided that all the expenses pertaining to the Certificates with respect to which such deposit is made have been paid or the payment thereof provided for to the satisfaction of the Paying Agent (and to such other bank or trust company).

If such deposit is made with respect to some but not all of the Certificates then Outstanding, the Issuer shall designate the Stated Maturities of Certificates with respect to which such deposit is made. If such deposit is sufficient so to provide for the payment of the principal of and interest on some but not all Outstanding Certificates of a particular Stated Maturity so designated, the Paying Agent shall select the Outstanding Certificates of such Stated Maturity with respect to which such deposit is made by such random method as the Paying Agent deems fair and appropriate and which may provide for the selection of portions (equal to and leaving unredeemed an authorized denomination) of Certificates a denomination larger than $5,000.

Notwithstanding anything herein to the contrary, no such deposit has the effect described in this Section (a) if made during the subsistence of a default in the payment of any Certificate unless made with respect to all of the Certificates then Outstanding or (b) unless accompanied by an opinion of counsel of recognized standing in the field of federal income taxation to the effect that neither such deposit nor the investment thereof adversely affects the excludability of interest on any Certificate from the gross income of any owner thereof for federal income tax purposes.

The Paying Agent (or other bank or trust company) with which a deposit is made of money and Governmental Obligations for such purpose shall hold the deposit in a segregated account in trust or escrow for the Registered Owners of the Certificates with respect to which such deposit is made and, together with any investment income therefrom, the deposit may be disbursed solely to pay the principal of and interest on such Certificates when due, except that cash receipts may be withdrawn and paid to the Issuer provided the date and amount of such withdrawals are taken into account in the most recent verification of the accounting firm referred to in this Section. No money or Governmental Obligations so deposited may be invested or reinvested unless in Governmental Obligations and unless such money and Governmental Obligations not invested and such new investments are together certified by an independent

public accounting firm of national reputation to be of such amounts, maturities, and interest payment dates and to bear such interest as will, without further investment or reinvestment of either the principal amount thereof or the interest earnings therefrom, be sufficient to make such payment.

At such times as a Certificate is deemed to be paid hereunder, as aforesaid, it is no longer entitled to the benefits of this Ordinance, except for the purposes of any such payment from such money or Governmental Obligations and for the provisions of **Sections 1.4** and **1.5** and for the continuing compliance of the Issuer with the provisions of **Section 5.6**.

Upon such deposit as described above, such Certificates shall no longer be regarded to be outstanding or unpaid. Provided, however, the Issuer has reserved the option, to be exercised at the time of the defeasance of the Certificates, to call for redemption at an earlier date those Certificates which have been defeased to their maturity date, if the Issuer (i) in the proceedings providing for the firm banking and financial arrangements, expressly reserves the right to call the Certificates for redemption, (ii) gives notice of the reservation of that right to the owners of the Certificates immediately following the making of the firm bank and financial arrangements, and (iii) directs that notice of the reservation be included in any redemption notices that it authorizes.

ARTICLE SEVEN
SALE

SECTION 7.1 *Sale of the Certificates.*

The sale of the Certificates to _____ (the "*Purchaser*"), at the price of par in the amount of $_____ plus a net premium of $_____ less an underwriters discount of $_____ plus accrued interest thereon from the Dated Date to the date of initial delivery, is hereby confirmed and determined to be in compliance with the terms of the Notice of Sale.

Delivery of the Certificates shall be made to the Purchaser as soon as practicable after the adoption of this Ordinance, upon payment therefor in accordance with the terms of sale.

SECTION 7.2 *Payment of Costs of Issuance; Engagement of Bond Counsel.*

The Issuer has in consultation with its financial advisor, Masterson Advisors LLC set aside an amount of the proceeds of the Certificates to pay costs of issuance of the Certificates. The amount of such proceeds will be designated in a closing letter prepared by the financial advisor, and in the absence of contrary written instructions included as part of such closing letter to deposit such proceeds with the Issuer, the Paying Agent will pay such costs of issuance on behalf of the Issuer in accordance with invoices.

The Issuer hereby confirms engagement of Norton Rose Fulbright US LLP as Bond Counsel ("*Bond Counsel*") for the City in accordance with the terms of the Letter of Engagement between the Issuer and Bond Counsel.

SECTION 7.3 *Official Statement.*

The Issuer hereby approves and ratifies distribution of the Preliminary Official Statement and Notice of Sale and Bidding Instructions relating to the Certificates. The Issuer further approves and authorizes distribution of the Official Statement, dated the date hereof, substantially in the form of the Preliminary Official Statement but completed and modified to reflect the terms of sale of the Certificates and such other changes as the Mayor of the Issuer shall approve. The Mayor of the Issuer and City Clerk of the Issuer are authorized to execute and deliver for and on behalf of the Issuer sufficient copies of such Official Statement, and, in the form and content manually executed by said officials of the Issuer, the same shall be deemed approved by this Governing Body and constitute the Official Statement duly authorized for distribution.

ARTICLE EIGHT
CONTINUING DISCLOSURE UNDERTAKING

SECTION 8.1 *Definitions.*

As used in this Article, the following terms have the meanings ascribed to such terms below:

"*EMMA*" means the Electronic Municipal Market Access system.

"*MSRB*" means the Municipal Securities Rulemaking Board.

"*Rule*" means SEC Rule 15c2-12, as amended from time to time or officially interpreted by the SEC.

"*SEC*" means the United States Securities and Exchange Commission.

SECTION 8.2 *Updated Information and Data.*

The Issuer shall provide annually to the MSRB through EMMA, within six months after the end of each fiscal year ending in or after September 30, 2019, financial information and operating data with respect to the Issuer of the general type included in the Preliminary Official Statement provided to the Purchaser in connection with its initial approval of its purchase of the Certificate of Obligations, being the information described in Exhibit A hereto. Any financial statements so to be provided shall be (1) prepared in accordance with the accounting principles set forth in Appendix A to the Official Statement, or as may otherwise hereafter be established consistent with Texas law and Generally Accepted Accounting Principles, and (2) audited, if the Issuer commissions an audit of such statements and the audit is completed within the period during which they must be provided. If audited financial statements are not so provided, then the Issuer shall provide audited financial statements for the applicable fiscal year to the MSRB through EMMA, when and if audited financial statements become available but if such audited financial statements are unavailable the Issuer will provide such financial statements on an unaudited basis within the above-described six-month period.

If the Issuer changes its fiscal year, it will notify the MSRB through EMMA of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB through EMMA or filed with the SEC, or may be provided in any other manner consistent with the Rule.

SECTION 8.3 *Material Event Notices.*

The Issuer shall notify the MSRB through EMMA of any of the following events with respect to the Certificates in a timely manner, and not more than 10 business days after occurrence of the event:

1. Principal and interest payment delinquencies;

2. Non-payment related defaults, if material;

3. Unscheduled draws on debt service reserves reflecting financial difficulties;

4. Unscheduled draws on credit enhancements reflecting financial difficulties;

5. Substitution of credit or liquidity providers, or their failure to perform;

6. Adverse tax opinions the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax-exempt status of the Certificates, or other material events affecting the tax status of the Certificates;

7. Modifications to rights of Registered Owners of the Certificates, if material;

8. Certificate calls, if material, and tender offers;

9. Defeasances;

10. Release, substitution, or sale of property securing repayment of the Certificates; if material;

11. Rating changes;

12. Bankruptcy, insolvency, receivership, or similar event of the Issuer, which shall occur as described below;

13. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of its assets, other than in the ordinary course of business, the entry into of a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

14. Appointment of a successor or additional trustee or the change of name of a trustee, if material;

15. Incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms

of a financial obligation of the obligated person, any of which affect security holders, if material; and

16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the obligated person, any of which reflect financial difficulties.

For these purposes, (a) any event described in the immediately preceding paragraph (12) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the Issuer in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers of the Issuer in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer, and (b) the Issuer intends the words used in the immediately preceding paragraphs (15) and (16) and the definition of "Financial Obligation" means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of a debt obligation or any such derivative instrument; provided that "financial obligation" shall not include municipal securities (as defined in the Securities Exchange Act of 1934, as amended) as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

The Issuer shall notify the MSRB through EMMA., in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with **Section 8.2** by the time required by such Section.

SECTION 8.4 *Limitations, Disclaimers, and Amendments.*

The Issuer shall be obligated to observe and perform the covenants specified in this Section with respect to the Issuer and the Certificates while, but only while, the Issuer remains an "*obligated person*" with respect to the Certificates within the meaning of the Rule, except that the Issuer in any event will give the notice required by **Section 8.3** of any Certificate calls and defeasance that cause the Issuer to be no longer such an "*obligated person*".

The provisions of this Article are for the sole benefit of the Registered Owners and beneficial owners of the Certificates, and nothing in this Article, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Article and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the financial results, condition, or prospects of the Issuer or the State of Texas or hereby undertake to update any information provided in accordance with this Article or otherwise, except as expressly provided herein. The Issuer does not make any representation or

warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY CERTIFICATE ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS ARTICLE, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR *MANDAMUS* OR SPECIFIC PERFORMANCE.

No default by the Issuer in observing or performing its obligations under this Article shall constitute a breach of or default under this Ordinance for purposes of any other provision of this Ordinance.

Nothing in this Article is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

The provisions of this Article may be amended by the Issuer from time to time to adapt to changed circumstances resulting from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Article, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (a) the Registered Owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the Outstanding Certificates consent to such amendment or (b) a Person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the Registered Owners and beneficial owners of the Certificates. The Issuer may also amend or repeal the provisions of this Article if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction determines that such provisions are invalid, but in either case only to the extent that its right to do so would not prevent the Purchaser from lawfully purchasing the Certificates in the offering described herein. If the Issuer so amends the provisions of this Article, it shall include with any amended financial information or operating data next provided in accordance with **Section 8.2** an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided.

This Ordinance is in force and effect from and after its final passage, and it is so ordained.

PASSED AND ADOPTED on July 14, 2020.

CITY OF SPRING VALLEY VILLAGE, TEXAS

/s/ Marcus Vajdos
Mayor

ATTEST:

/s/ Roxanne Benitez
City Secretary

EXHIBIT A

In the Preliminary Official Statement dated _____ __, 2020, the quantitative financial information and operating data with respect to the Issuer of general type contained in Schedules 1 through 6 and 8 through 14 and certain information in the annual financial statements in Appendix B.

MEETING DATE: July 14, 2020

TOPIC:	**Resolution No. 20-XX** **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 5 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AND TRIPLE B SERVICES FOR THE HILLDALE, BADE & CARDWELL PAVING AND UTILITY IMPROVEMENTS PROJECT (CSB #2018-08-101); 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:	As explained during the April 28, 2020 meeting, the City and Binkley & Barfield have been working to resolve the outstanding issues and expenses on the Hilldale, Bade & Cardwell Paving and Utility Improvements Project ("Project") in order to get it completed. During a virtual meeting between the City, Binkley & Barfield, and Triple B Services on March 26, 2020, the City Administrator requested that Triple B Services submit separate change orders for the following work so we could begin to unravel and resolve the different items at issue: (1) Work that was necessary, completed and approved by the City [the work from September of 2019](Resolved by execution of Change Order Number 3); (2) Work that was necessary but not in the original bid items or scope and has been completed and approved by the City (Resolved by approval of Change Order Number 4 by Council on April 28, 2020); and (3) New requested work that was not in the original bid items or scope and not previously approved by the City. Change Order Number 5 in the amount of $90,988.21 represents the third outstanding issue listed above. Change Order Number 5 requests payment for work that Triple B Services undertook but was not in the original bid items or scope and was not previously approved by the City. If Change Order Number 5 were approved, the Project would exceed the Original Contract Price by $39,405.55. After thorough review of overrun/underrun and backup documentation provided by Triple B Services with Binkley and

Barfield, on July 6, 2020, City Administrator Julie Robinson provided a response to Triple B Services concerning Change Order No. 5 disputing the amount requested and making a compromise offer to pay the remaining Original Contract authorized amount and the retainage pursuant to the contract executed by Triple B Services and the City, a copy of which is provided with this agenda item. Triple B Services officially notified the City of its acceptance of the compromise offer on July 7, 2020, a copy of which is provided with this agenda item.

Therefore, Staff recommends disapproval of the Resolution. Disapproval of the Resolution and Change Order No. 5 will result in the City making final payment to Triple B Services in compliance with the executed contract, and the Project will have been completed within the original budget and contract amount.

RECOMMENDATION: Staff recommends **disapproval** of the Resolution.

ATTACHMENTS:

- Resolution No. 20-XX
- Response to Change Order No. 5 to Donna Burke with Triple B Services Dated July 6, 2020
- Response to City's Compromise Offer from Donna Burke with Triple B Services Dated July 7, 2020

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:**
Pat Riley, Director of Public Works	

RESOLUTION NUMBER 20-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 5 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AND TRIPLE B SERVICES FOR THE HILLDALE, BADE & CARDWELL PAVING AND UTILITY IMPROVEMENTS PROJECT (CSB #2018-08-101); 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 Change Order Number 5 to the Agreement by and between the City Of Spring Valley Village, Texas, and Triple B Services for the Hilldale, Bade & Cardwell Paving And Utility Improvements Project (CSB #2018-08-101) ("Change Order Number 5"), 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 5 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 5 and any and all documents necessary to effectuate such Change Order Number 5 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 5, having been reviewed by the City Council of the City of Spring Valley Village is 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 5 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 5 as shall in the judgment of the Mayor be appropriate in order to effect the purposes of the foregoing resolution and Change Order Number 5.

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

DULY PASSED AND APPROVED on this the ___ day of _____, 2020.

_____
Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

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

EXHIBIT “A”

TO

RESOLUTION NUMBER 20-XX

July 2, 2020

Julie M. Robinson, ICMA-CM
City Administrator
City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055

RE: Change Order No. 5
18-08021: Hilldale, Bade, and Cardwell Paving and Utility Improvements
BBI Job No. 170000241

Dear Ms. Robinson:

Enclosed please find one copy of the following items for the above referenced project:

1. Triple B Services, L.L.P. – Change Order No. 5

   The amount of Change Order No. 5 is $90,988.21

Binkley & Barfield, Inc. has reviewed this change order and recommends payment of the City's compromise offer.

We appreciate the opportunity to be of service. If you have any questions, or require additional information, please call me at (713) 869-3433.

Sincerely,
BINKLEY & BARFIELD, INC.
Consulting Engineers

Tommy V. Cromer

Tommy V. Cromer, P.E.
Senior Project Manager - Public Infrastructure

CHANGE ORDER NO. 5

Project:	Hilldale-Bade Paving and Utility Improvements Project	**Date:**	July 2, 2020
Owner:	City of Spring Valley Village 1025 Campbell Road Houston, Texas 77055	**Engineer:**	Binkley & Barfield, Inc. 1710 Seamist Dr. Houston, Texas 77008
Contractor:	Triple B Services, LLP	**Engineer of Record:**	Steven F. Albert, P.E.

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

Description: Provide work items for the reconstruction of Hilldale-Bade

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price $1,673,381.42	Original Contract Time 210 Calendar Days
Previous Change Orders No.1 - 4 (CO 2 omitted) -$23,308.66	Net Change from Previous Change Orders -56- Calendar Days
Contract Price Prior to this Change Order $1,650,072.76	Contract Time Prior to this Change Order -0- Calendar Days
Net Increase (Decrease) of this Change Order $90,988.21	Net Increase (Decrease) of this Change Order -0- Calendar Days
Contract Price with all approved Change Orders (Including this Change Order) $1,741,060.97	Proposed Contract Time with all approved Change Orders (Including this Change Order) 266 Calendar Days

RECOMMENDED:	**APPROVED:**	**APPROVED:**
Binkley & Barfield, Inc.	City of Spring Valley Village	Triple B Services, LLP
by: _____	by: _____	by: _____
Engineer	Owner	Contractor

Attachments:

1. Triple B Change Order Request with Backup

CHANGE ORDER REQUEST

DATE: 3-31-2020

18-08021- Hilldale, Bade & Cardwell Paving &Utility Improvements
Owner: City of Spring Valley Village
Engineer of Record: Binkley & Barfield Inc.

To: Tommy V. Cromer, PE
Binkley & Barfield, Inc
1710 Seamist Dr.
Houston, TX 77008
Phone: 713-869-3433
Email: tvc@binkleybarfield.com

From: Maria Vera
Triple B Services, LLP
820 Old Atascocita Road
Huffman, Texas 77336
Phone: 832-465-0354
Email: maria@triplebservices.com

Dear Mr. Cromer,

Triple B Services, L.L.P is respectfully requesting a Change Order to be executed for the items stated below for a total of **+ $90,988.21** to be added to the contract. The supporting documentation for the approval of the items is attached. If there are any questions, please don't hesitate to contact me. Thank you.

Exhibit No.	Item No.	PCO Item	Quantity	UM	Unit Price	Amount
Ex.1	1	Relocate Existing Sanitary Sewer Leads On Hilldale Street In Conflict With New Storm Sewer Boxes	3	EA	$ 11,432.74	$ 34,298.22
Ex.2	2	Adjustment of Sanitary Sewer Leads In Conflict With Proposed 24-Inch Storm Sewer Pipe at Bade	3	EA	$ 4,108.88	$ 12,326.64
Ex.3	3	Raised 24-Inch Storm Sewer Pipe At MH I-5 Due to Conflict with Sanitary Line	1	LS	$ 15,988.99	$ 15,988.99
Ex.4	4	New BB Inlet at STA 4+47 In Lieu of C Inlet	1	EA	$ 7,442.43	$ 7,442.43
Ex.5	5	Install Junction Box To Connect Existing Storm Pipe at The Intersection of Atkins and Hilldale	1	EA	$ 6,326.93	$ 6,326.93
Ex.6	6	Removal of Stabilized Sand On ATT Duct Bank Bade	578	LF	$ 22.50	$ 13,005.00
Ex.6	7	Trucking And Disposal of Removed Cement Stabilized Sand Bade	160	CY	$ 10.00	$ 1,600.00

Total	**$ 90,988.21**

Submitted By:

3-31-2020

Maria Vera — Date
Project Manager
Triple B Services, L.L.P

Approved By:

Date

Exhibit 1

Item 1-Relocate Existing Sanitary Sewer Leads On Hilldale Street In Conflict With New Storm Sewer Boxes

Item No.	PCO Item	Quantity	UM	Unit Price	Amount
1	Relocate Existing Sanitary Sewer Leads On Hilldale Street In Conflict With New Storm Sewer Boxes	3	EA	$11,432.74	$ 34,298.22

- Please find attached emails and pictures as supporting documentation for the additional work performed by Triple B Services in August 2019 due to the conflict between the proposed RCBs and the three existing Sanitary Sewer Leads on Hilldale Street.

- Triple B Services had to relocate the sanitary leads in order to continue the installation of the RCBs. This conflict affected the critical path of the schedule, since the production of the RCBs was severely affected.

- The conflict began in August 7th, 2019 and was not fully resolved until August 16th, 2019. The relocation of these Sanitary Leads had a slow production due to all the existing utilities in these locations. Also, there was additional potholing done by Triple B Services in order to locate leads and other utilities.

- These was an unforeseen situation which resulted in additional work and delay in the construction schedule; therefore, Triple B Services is respectfully requesting compensation for this item.

Contractor: Triple B Services, L.L.P.
Project: 18-08021- Hilldale, Bade & Cardwell Paving &Utility Improvements
Description: Relocate Existing Sanitary Sewer Leads On Hilldale Street In Conflict With New Storm Sewer Boxes

Labor Item No.	Description	Quantity	Unit	Unit Price	Total Amount
	Foreman	40	Hrs	$ 38.75	$ 1,550.00
	Backhoe Operator	40	Hrs	$ 20.00	$ 800.00
	Dozer Operator	40	Hrs	$ 17.50	$ 700.00
	Loader Operator	40	Hrs	$ 15.75	$ 630.00
	Compactor Operator	40	Hrs	$ 13.50	$ 540.00
	Pipe Layer	40	Hrs	$ 14.25	$ 570.00
	Pipe Layer Helper	40	Hrs	$ 14.00	$ 560.00
	Laborer-Common 1	40	Hrs	$ 13.50	$ 540.00
	Laborer-Common 2	40	Hrs	$ 13.50	$ 540.00
	Subtotal				$ 6,430.00
	x 1.55% Burden				$ 9,966.50
	x 1.15% Profit				$ 11,461.48
	x 1.01% Bond Cost =				$ 11,576.09

Equipment Item No.	Description	Quantity	Unit	Unit Price w/ O	Total Amount
	Foreman TRK	40	Hrs	$ 20.18	$ 807.20
	EXC 30T	40	Hrs	$ 98.96	$ 3,958.40
	Med Dozer	40	Hrs	$ 83.47	$ 3,338.80
	Loader	40	Hrs	$ 70.64	$ 2,825.60
	SFC 66	40	Hrs	$ 48.32	$ 1,932.80
	Trench Box	40	Hrs	$ 25.65	$ 1,026.00
	RTH	40	HRS	$ 45.90	$ 1,836.04
	Air Compressor	40	HRS	$ 23.76	$ 950.40
	Subtotal				$ 16,675.24
	x 1.15% Mark Up				$ 19,176.53
	x 1.01% Bond Cost =				$ 19,368.29

Materials & Subcontractor Item No.	Description	Quantity	Unit	Unit Price	Total Amount
Material	Stabilized Sand	124	TON	$ 20.44	$ 2,534.56
Material	Sanitary Fittings	1	LS	$ 322.94	$ 322.94
Material	Sanitary Schedule 40 Marker Pipe 2"	30	LF	$ 1.00	$ 30.00
	Subtotal				$ 2,887.50
	x 1.15% Mark Up				$ 3,320.63
	x 1.01% Bond Cost =				$ 3,353.83

Total Amount for 3 Sanitary Sewer Leads	**$ 34,298.21**
Total for Each Sanitary Lead Adjusment	**$ 11,432.74**

Re: Hilldale Project - RFI 10

Tommy V. Cromer, PE <tvc@binkleybarfield.com>

Fri 8/9/2019 8:53 AM

To: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>
Cc: Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Tony Hernandez <tony.hernandez@triplebservices.com>; Marty Moore <marty@triplebservices.com>; Chris Burke <chris@triplebservices.com>

3 attachments (549 KB)

image003.png; image004.jpg; image005.jpg;

Fred,

Can you send us a price for these options.

Thanks

Tommy Cromer

> On Aug 9, 2019, at 8:22 AM, Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com> wrote:
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> Good morning Tommy,
>
> It appears we will not have any conflicts with the duct bank; we will be able to run the san leads directly above the boxes and tie into the manhole, we just need to know if BB wants to use external or internal drops to tie into the San Manhole. Please see attached details and please advise.
>
> Thank you
>
> Fred Mitri, MCE, P.E., PMP
> Senior Project Manager
> Triple B Services, LLP
> 820 Old Atascocita Road
> Huffman, TX 77336
> P 281.324.3264 ext.128
> F 281.324.1304
> C 832.465.8416
> E fred@triplebservices.com<mailto:fred@triplebservices.com>
> [cid:image001.png@01D35D48.03EA94D0]
> Since 1996
>

Exhibit 1

> From: Tommy V. Cromer, PE <tvc@binkleybarfield.com>
> Sent: Thursday, August 08, 2019 2:05 PM
> To: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>
> Cc: Tony Hernandez <tony.hernandez@triplebservices.com>; Marty Moore <marty@triplebservices.com>; Chris Burke <chris@triplebservices.com>
> Subject: RE: Hilldale Project - Conflict with Ex San Leads and Duct Bank
>
> Sorry, hit send before I was done.
>
> Sounds good, let's just make sure that we minimize the time we closing the road. As discussed, the plan is to complete checking the depths of the duct banks by 5:00 today.
>
> Thanks,
>
> Tommy V. Cromer, PE | Sr. Project Manager
> Binkley & Barfield, Inc. | TBPE F-257 | 713.869.3433 p | 281.794.1996 c
> From: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com<mailto:fred@triplebservices.com>>
> Sent: Thursday, August 8, 2019 12:19 PM
> To: Tommy V. Cromer, PE <tvc@binkleybarfield.com<mailto:tvc@binkleybarfield.com>>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com<mailto:SAlbert@binkleybarfield.com>>
> Cc: Tony Hernandez <tony.hernandez@triplebservices.com<mailto:tony.hernandez@triplebservices.com>>; Marty Moore <marty@triplebservices.com<mailto:marty@triplebservices.com>>; Chris Burke <chris@triplebservices.com<mailto:chris@triplebservices.com>>
> Subject: Hilldale Project - Conflict with Ex San Leads and Duct Bank
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> Hi Tommy,
>
> Per our site meeting few minutes ago, please see pics also per your approval we will start excavating Hilldale this afternoon and locating the existing duct bank running east west under Hilldale street so we can make sure we are missing it by rerouting the 3 San leads in question to be clear of the said duct bank and clear of new 5 x3 boxes.
>
> Steve,
>
> We will work you on this but this will be a Change Order cost/time once we finalize the probing/investigation and we have an engineered solution for these conflicts. Thank you
>
> Fred Mitri, MCE, P.E., PMP |
> Senior Project Manager |
> Triple B Services, LLP. |

> 820 Old Atascocita Road, Huffman, TX 77336<x-apple-data-detectors://1/1>
> p 281.324.3264 ext.128<tel:281.324.3264;128> |
> f 281.324.1304<tel:281.324.1304> | c 832.465.8416<tel:832.465.8416>|
> e fred@triplebservices.com<mailto:fred@triplebservices.com>
> [cid:image001.png@01D373F7.1CA5CA60]
>
> Begin forwarded message:
> From: Tony Hernandez
<tony.hernandez@triplebservices.com<mailto:tony.hernandez@triplebservices.com>>
> Date: August 8, 2019 at 09:03:02 CDT
> To: "Fred Mitri, MCE, P.E., PMP"
<fred@triplebservices.com<mailto:fred@triplebservices.com>>
> Cc: Chris Burke <chris@triplebservices.com<mailto:chris@triplebservices.com>>, Marty
Moore <marty@triplebservices.com<mailto:marty@triplebservices.com>>
> Subject: Hilldale
> Existing 6”sanitary service lead 9”/6 on flow line. On 5x3 box culvert High ST. 5+80
> [cid:image004.jpg@01D54E8B.746E3D20]
>
> [cid:image005.jpg@01D54E8B.746E3D20]
>
>
> Sent from my iPhone
> <image003.png>
> <image004.jpg>
> <image005.jpg>
> <1.png>
> <2.png>

Exhibit 1

RE: Hilldale San. Swr . Crossing

Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>

Wed 8/14/2019 11:43 AM

To: Marty Moore <marty@triplebservices.com>
Cc: Chris Burke <chris@triplebservices.com>; Tony Hernandez <tony.hernandez@triplebservices.com>

Marty/Tony,

Please send me pics and info as detailed as possible; I am assembling all this in one CO. Thank you Gentlemen.

Fred Mitri, MCE, P.E., PMP
Senior Project Manager
Triple B Services, LLP
820 Old Atascocita Road
Huffman, TX 77336
P 281.324.3264 ext.128
F 281.324.1304
C 832.465.8416
E fred@triplebservices.com

cid:image0
01.png@01
D35D48.03
EA94D0

Since 1996

From: Marty Moore <marty@triplebservices.com>
Sent: Wednesday, August 14, 2019 11:04 AM
To: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>
Cc: Chris Burke <chris@triplebservices.com>; Tony Hernandez <tony.hernandez@triplebservices.com>
Subject: Re: Hilldale San. Swr . Crossing

Fred we are at the next SS lateral and this one will be in conflict as well. This lateral is in the middle of the box culvert so we will chase the line towards the home and have to reroute the line above the box. Doing this work is killing production on these boxes as we are crossing gas services and water services as well.
Sent from my iPhone

On Aug 12, 2019, at 8:38 AM, Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com> wrote:

> Good morning Tommy,
>
> Please see attached pics; we did the first crossing on Friday; we are looking at the other 2 leads and we'll keep you posted asap. I am working with Tony on getting you time/materials/labor info etc. for this extra work. Thank you

Exhibit 1

Fred Mitri, MCE, P.E., PMP
Senior Project Manager
Triple B Services, LLP
820 Old Atascocita Road
Huffman, TX 77336
P 281.324.3264 ext.128
F 281.324.1304
C 832.465.8416
E fred@triplebservices.com
<image001.png>
Since 1996

From: Tommy V. Cromer, PE <tvc@binkleybarfield.com>
Sent: Monday, August 12, 2019 8:29 AM
To: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>
Cc: Marty Moore <marty@triplebservices.com>; Keith Elkins <keith@projectsurveillance.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Chris Burke <chris@triplebservices.com>
Subject: Hilldale San. Swr . Crossing

Good Morning Fred,

Did we complete the san. crossing on Friday? What is the plan for this week?

Thanks,

Tommy V. Cromer, PE
Sr. Project Manager
A 1710 Seamist Drive, Houston, TX 77008
P 713.869.3433_**C** 281.794.1996
TBPE F-257_|_BinkleyBarfield.com_| .

AUSTIN | COLLEGE STATION | CORPUS CHRISTI | HOUSTON | RICHARDSON | ROUND ROCK | SAN ANTONIO

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<1.jpg>

<2.jpg>

Exhibit 1

Reply all Delete Junk Block ···

Hilldale

Flag for follow up. Completed on 10/21/2019.

TH

Tony Hernandez
Thu 8/15/2019 2:11 PM
Fred Mitri, MCE, P.E., PMP; Chris Burke; Marty Moore

ATT00001.txt
302 bytes

ATT00002.txt
319 bytes

4 attachments (379 KB) Download all Save all to OneDrive - Triple B Services, LLP

Existing. 4". Service on the way on 5x3. Box culvert 69.60. FL. ON. 4" sanitary 70.80

Exhibit 1

Reply all Delete Junk Block ···

Hilldale

Flag for follow up. Completed on 10/21/2019.

TH

Tony Hernandez
Fri 8/16/2019 3:52 PM
Fred Mitri, MCE, P.E., PMP; Chris Burke; Marty Moore

ATT00001.txt
302 bytes

ATT00002.txt
302 bytes

Show all 10 attachments (783 KB) Download all Save all to OneDrive - Triple B Services, LLP

Slow process existing gas line two and one 6". Water line every thing is clear to continue the boxes existing 4" sanitary sewer service lead clear

Exhibit 1

Exhibit 1

Exhibit 1

Exhibit 1

Exhibit 1

Exhibit 1

Exhibit 1

Exhibit 2

Item 2-Adjustment of Sanitary Sewer Leads In Conflict With Proposed 24-Inch Storm Sewer Pipe at Bade Street

Item No.	PCO Item	Quantity	UM	Unit Price	Amount
2	Adjustment of Sanitary Sewer Leads In Conflict With Proposed 24-Inch Storm Sewer Pipe at Bade	3	EA	$ 4,108.88	$ 12,326.64

- Please find attached emails and pictures as supporting documentation for the additional work performed by Triple B Services in August 2019 and September 2019 due to the conflict between the proposed 24-Inch Storm Sewer Pipe and the three existing Sanitary Sewer Leads on Bade Street. The first lead was adjusted and modify on August 29th,2019 at STA 2+81, the second lead was adjusted and modify in August 30th, 2019 at STA 4+42 and the third lead was adjusted and modify in September 5th, 2019 at STA 4+98.

- Triple B Services had to adjust the sanitary leads in order to continue the installation of the storm sewer on Bade Street. The conflict with the leads affected the critical path of the schedule, resulting in a delay in the construction schedule. Triple B Services is respectfully requesting compensation for the additional work performed due to these conflicts.

Exhibit 2

Contractor: Triple B Services, L.L.P.
Project: 18-08021- Hilldale, Bade & Cardwell Paving &Utility Improvements
Description: Adjustment of Sanitary Sewer Leads In Conflict With Proposed 24-Inch Storm Sewer Pipe at Bade

Labor Item No.	Description	Quantity	Unit	Unit Price	Total Amount
	Foreman	15	Hrs	$ 38.75	$ 581.25
	Backhoe Operator	15	Hrs	$ 20.00	$ 300.00
	Dozer Operator	15	Hrs	$ 17.50	$ 262.50
	Loader Operator	15	Hrs	$ 15.75	$ 236.25
	Compactor Operator	15	Hrs	$ 13.50	$ 202.50
	Pipe Layer	15	Hrs	$ 14.25	$ 213.75
	Pipe Layer Helper	15	Hrs	$ 14.00	$ 210.00
	Laborer-Common 1	15	Hrs	$ 13.50	$ 202.50
	Laborer-Common 2	15	Hrs	$ 13.50	$ 202.50
	Subtotal				$ 2,411.25
	x 1.55% Burden				$ 3,737.44
	x 1.15% Profit				$ 4,298.05
	x 1.01% Bond Cost =				$ 4,341.03

Equipment Item No.	Description	Quantity	Unit	Unit Price w/ OP C	Total Amount
	Foreman TRK	15	Hrs	$ 20.18	$ 302.70
	EXC 30T	15	Hrs	$ 98.96	$ 1,484.40
	Med Dozer	15	Hrs	$ 83.47	$ 1,252.05
	Loader	15	Hrs	$ 70.64	$ 1,059.60
	SFC 66	15	Hrs	$ 48.32	$ 724.80
	Trench Box	15	Hrs	$ 25.65	$ 384.75
	RTH	15	HRS	$ 45.90	$ 688.52
	Air Compressor	15	HRS	$ 23.76	$ 356.40
	Subtotal				$ 6,253.22
	x 1.15% Mark Up				$ 7,191.20
	x 1.01% Bond Cost =				$ 7,263.11

Materials & Subcontractor Item No.	Description	Quantity	Unit	Unit Price	Total Amount
Material	Stabilized Sand	16	TON	$ 20.44	$ 327.04
Material	Sanitary Fittings	1	LS	$ 235.00	$ 235.00
Subcontractor	Tandem Trucking for Surplus Dirt	1	LD	$ 60.00	$ 60.00
	Subtotal				$ 622.04
	x 1.15% Mark Up				$ 715.35
	x 1.01% Bond Cost =				$ 722.50
	Total Amount for 3 Sanitary Sewer Leads				**$ 12,326.64**
	Total for Each Sanitary Lead Adjusment				**$ 4,108.88**

Exhibit 2

Re: Hilldale Project - Change Order Package 2

Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>

Thu 9/26/2019 6:55 PM

To: Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>
Cc: Tommy V. Cromer, PE <tvc@binkleybarfield.com>
Bcc: Keith Burke <keith@triplebservices.com>; Kevin Burke <kevin@triplebservices.com>; Chris Burke <chris@triplebservices.com>

Good evening Steve,

Thank you for your follow up to our compensation request. We are still working on the CO package given that there has been a couple of issues added to it in the last couple of days. We will revert back with the details for your review and approval.

Regards,

Fred Mitri, MCE, P.E., PMP |
Senior Project Manager |
Triple B Services, LLP. |
820 Old Atascocita Road, Huffman, TX 77336
p 281.324.3264 ext.128 |
f 281.324.1304 | c 832.465.8416|
e fred@triplebservices.com

cid:image001.
png@01D35
D48.03EA94
D0

On Sep 26, 2019, at 18:57, Steve Albert, PE, CFM <SAlbert@binkleybarfield.com> wrote:

Fred,
Please forward your request for our review.

Steve Albert, P.E., CFM
Vice President - Infrastructure
Binkley & Barfield
281-772-5877

From: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>
Sent: Thursday, September 12, 2019 10:11:57 AM
To: Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Tommy V. Cromer, PE <tvc@binkleybarfield.com>

Cc: Marty Moore <marty@triplebservices.com>; Chris Burke <chris@triplebservices.com>
Subject: Hilldale Project - Change Order Package 2

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Steve,

As conveyed to you 3 weeks ago in regards to the san leads conflicts on Hilldale Street; we are working on a Change Order that includes the following Items:

1. New San Leads along Hilldale Street with all associated items: potholing of the Duct Bank, Cleanouts, Delays, etc….
2. Adjustments of 3 San Leads along Bade Street to work around conflicts with all associated items….
3. Conflicts and Adjustments at MH I-5 with all associated cost items, raising of 24" line, etc….
4. Replacement of C inlet by BB inlet @ Station 4+47 Bade Street with all associated items, etc…

We have incurred delays and loss of productivity due to the above items.

Thank you

Fred Mitri, MCE, P.E., PMP
Senior Project Manager
Triple B Services, LLP
820 Old Atascocita Road
Huffman, TX 77336
P 281.324.3264 ext.128
F 281.324.1304
C 832.465.8416
E fred@triplebservices.com
<image001.png>
Since 1996

From: Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>
Sent: Friday, August 30, 2019 8:36 AM
To: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>; Tommy V. Cromer, PE <tvc@binkleybarfield.com>
Cc: Marty Moore <marty@triplebservices.com>; Chris Burke <chris@triplebservices.com>; keith@projectsurveillance.com
Subject: RE: Hilldale Project - Conflict between proposed Stm and existing abandoned Backup COH Waterline Service on Bade Street

Fred,
The City has approved the $4,000 cost and one day delay for relocating the water line under the new storm sewer.

Exhibit 2

Fwd: Hilldale Project - August 2019 Quantities

Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>

Fri 9/6/2019 11:17 AM

To: Chris Burke <chris@triplebservices.com>
Cc: Marty Moore <marty@triplebservices.com>

Fred Mitri, MCE, P.E., PMP |
Senior Project Manager |
Triple B Services, LLP. |
820 Old Atascocita Road, Huffman, TX 77336
p 281.324.3264 ext.128 |
f 281.324.1304 | c 832.465.8416|
e fred@triplebservices.com

cid:image001.
png@01D35
D48.03EA94
D0

Begin forwarded message:

From: Raul <raul.davila@triplebservices.com>
Date: September 6, 2019 at 11:47:20 CDT
To: "Fred Mitri, MCE, P.E., PMP" <fred@triplebservices.com>
Subject: Re: Hilldale Project - August 2019 Quantities

Fredd, these are the three existing 4" sanitary services that we had to adjust and modify because they were conflicting to be able to continue

with the 24" CPR.

image1.jpeg

Exhibit 2

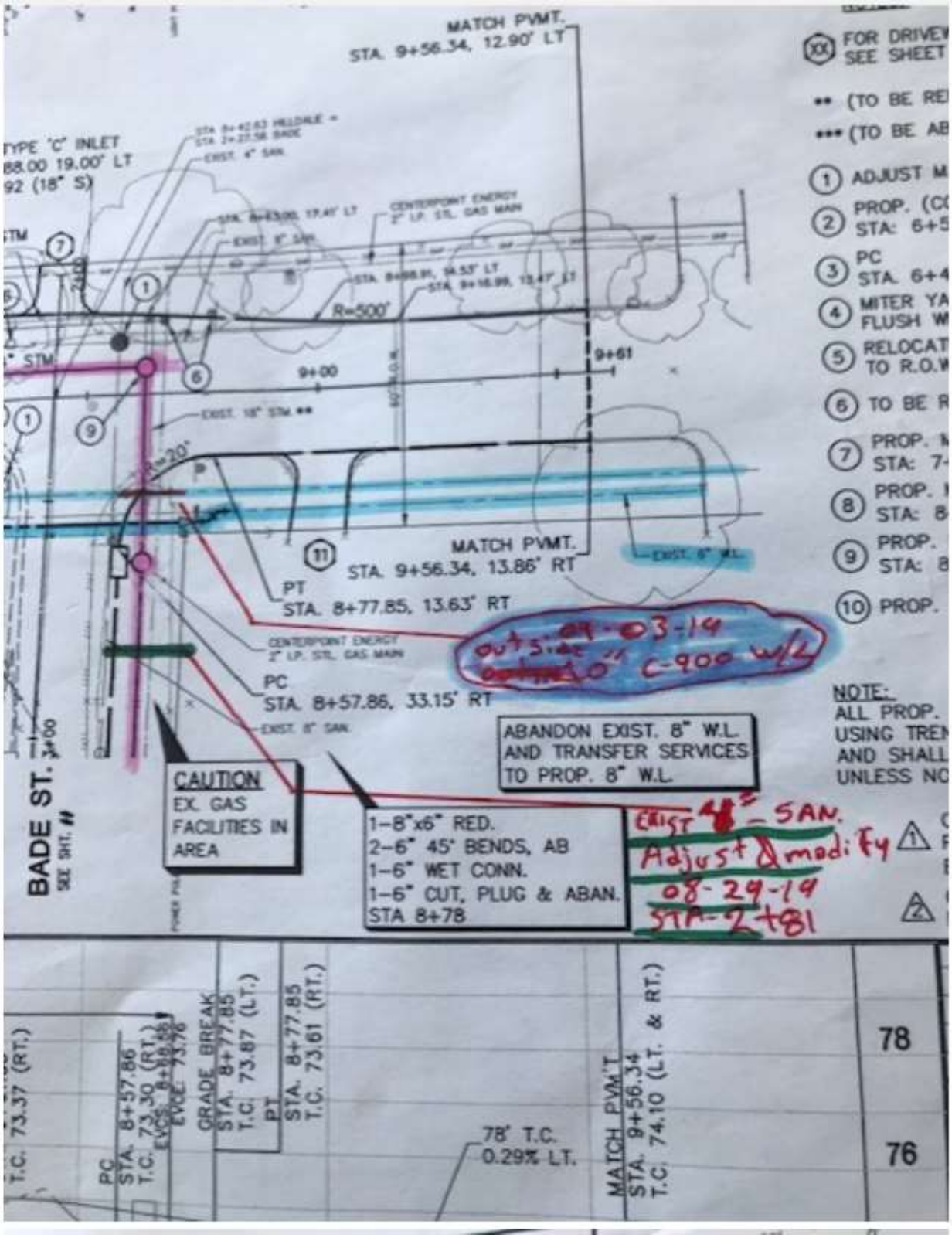
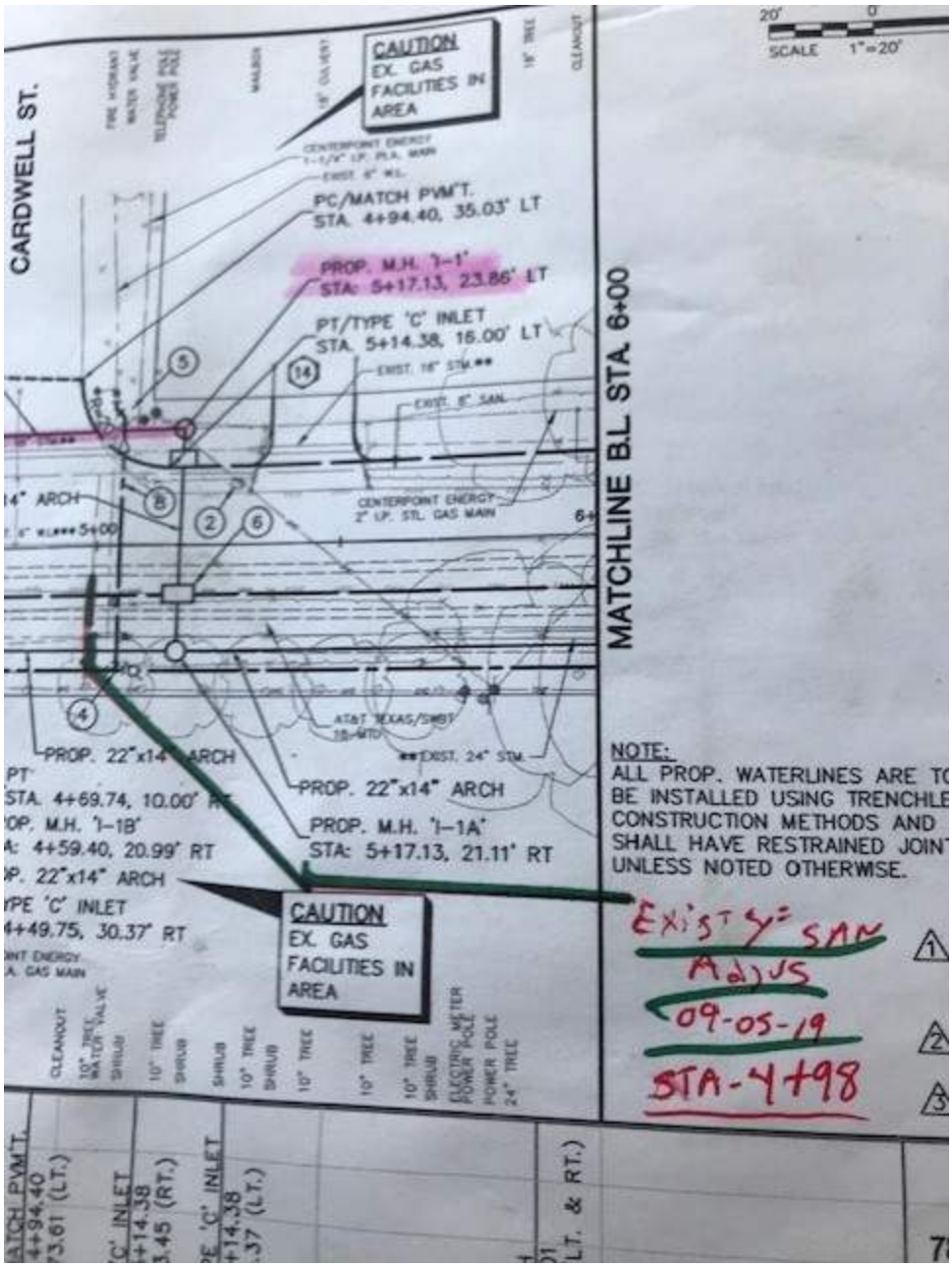
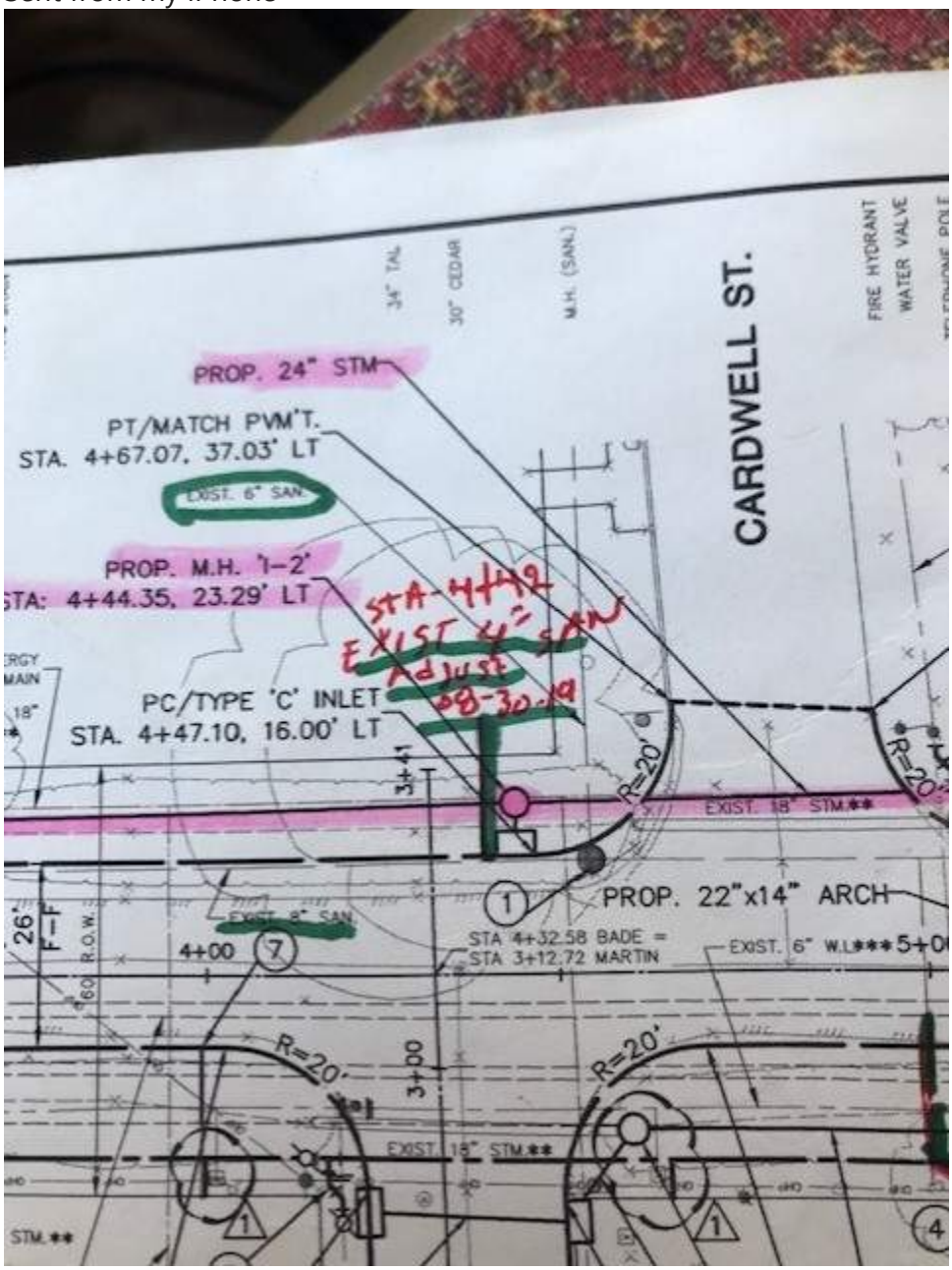

MATCH PVMT.
STA. 9+56.34, 12.90' LT
TYPE 'C' INLET
88.00 19.00' LT
92 (18" S)
CENTERPOINT ENERGY
2" LP. STL. GAS MAIN
R=500'
9+00
9+61
EXIST. 18" STM. **
R=20'
MATCH PVMT.
STA. 9+56.34, 13.86' RT
PT
STA. 8+77.85, 13.63' RT
CENTERPOINT ENERGY
2" LP. STL. GAS MAIN
PC
STA. 8+57.86, 33.15' RT
EXIST. 8" SAN.
ABANDON EXIST. 8" W.L.
AND TRANSFER SERVICES
TO PROP. 8" W.L.
CAUTION
EX. GAS
FACILITIES IN
AREA
1-8"x6" RED.
2-6" 45° BENDS, AB
1-6" WET CONN.
1-6" CUT, PLUG & ABAN.
STA 8+78
BADE ST.
SEE SHT. 11
FOR DRIVEW
SEE SHEET
** (TO BE RE
*** (TO BE AB
1 ADJUST M
2 PROP. (CO
STA: 6+5
3 PC
STA. 6+4
4 MITER YA
FLUSH W
5 RELOCAT
TO R.O.W
6 TO BE R
7 PROP. N
STA: 7-
8 PROP. N
STA: 8
9 PROP.
STA: 8
10 PROP.
NOTE:
ALL PROP.
USING TREN
AND SHALL
UNLESS NO
T.C. 73.37 (RT.)
PC
STA. 8+57.86
T.C. 73.30 (RT.)
EVCE 73.76
GRADE BREAK
STA. 8+77.85
T.C. 73.87 (LT.)
PT
STA. 8+77.85
T.C. 73.61 (RT.)
78' T.C.
0.29% LT.
MATCH PVM'T.
STA. 9+56.34
T.C. 74.10 (LT. & RT.)
78
76

Exhibit 2


CARDWELL ST.
CAUTION
EX. GAS FACILITIES IN AREA
PC/MATCH PVM'T.
STA. 4+94.40, 35.03' LT
PROP. M.H. 'I-1'
STA: 5+17.13, 23.86' LT
PT/TYPE 'C' INLET
STA. 5+14.38, 16.00' LT
CENTERPOINT ENERGY
2" LP. STL. GAS MAIN
PROP. 22"x14" ARCH
PROP. 22"x14" ARCH
PROP. M.H. 'I-1A'
STA: 5+17.13, 21.11' RT
CAUTION
EX. GAS FACILITIES IN AREA
MATCHLINE B.L. STA. 6+00
SCALE 1"=20'
NOTE:
ALL PROP. WATERLINES ARE TO
BE INSTALLED USING TRENCHLE
CONSTRUCTION METHODS AND
SHALL HAVE RESTRAINED JOINT
UNLESS NOTED OTHERWISE.
EXIST SAN
ADJUS
09-05-19
STA-4+98

Sent from my iPhone



On Sep 3, 2019, at 8:53 AM, Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com> wrote:

> Good morning Marty,
>
> Please take a look at the quantities I am submitting for August Estimate and please correct as needed and email back to me.
>
> I am missing all the 18" RCP we installed to date; I will need that from you and Raul in addition to anything I have missed.

I please need this back by end of day today.

The 3 San leads plus delay that Tony did before he left will be part of Change Order Package # 2 I am working on this week.

Thank you

Fred Mitri, MCE, P.E., PMP
Senior Project Manager
Triple B Services, LLP
820 Old Atascocita Road
Huffman, TX 77336
P 281.324.3264 ext.128
F 281.324.1304
C 832.465.8416
E fred@triplebservices.com
<image001.png>
Since 1996

<Aug 2019 Estimate.pdf>

Exhibit 3

Item 3- Raised 24-Inch Storm Sewer Pipe At MH I-5 Due to Conflict with Sanitary Line

Item No.	PCO Item	Quantity	UM	Unit Price	Amount
3	Raised 24-Inch Storm Sewer Pipe At MH I-5 Due to Conflict with Sanitary Line	1	LS	$ 15,988.99	$ 15,988.99

- Please find attached emails and pictures as supporting documentation for the additional work performed by Triple B Services in September 2019 due the conflict between the 24-Inch Storm Sewer and the existing active sanitary line.

- Per the email from Binkley & Barfield dated September 11th, 2019, Triple B Services was instructed to raise the proposed 24" RCP from MHl-5 to go over the existing sanitary line and to tie into the proposed 3x3 JB.

- The completion of this additional work was time consuming due to the exiting gas lines and electrical lines in this area. This resulted in production loss to Triple B Services and additional labor was required, affecting the critical path of the schedule. Triple B Services is respectfully requesting compensation for this item.

Exhibit 3

Contractor: Triple B Services, L.L.P.
Project: 18-08021- Hilldale, Bade & Cardwell Paving &Utility Improvements
Description: Raised 24- Inch Storm Sewer Pipe at MH I-5 Due to Conflict with Sanitary Line

Labor Item No.	Description	Quantity	Unit	Unit Price	Total Amount
	Foreman	23	Hrs	$ 38.75	$ 891.25
	Backhoe Operator	23	Hrs	$ 19.92	$ 458.06
	Dozer Operator	23	Hrs	$ 17.42	$ 400.75
	Loader Operator	23	Hrs	$ 15.76	$ 362.55
	Compactor Operator	23	Hrs	$ 13.28	$ 305.37
	Pipe Layer	23	Hrs	$ 14.11	$ 324.47
	Pipe Layer Helper	23	Hrs	$ 14.11	$ 324.47
	Laborer-Common 1	23	Hrs	$ 13.28	$ 305.37
	Subtotal				$ 3,372.29
	x 1.55% Burden				$ 5,227.06
	x 1.15% Profit				$ 6,011.11
	x 1.01% Bond Cost =				$ 6,071.23

Equipment Item No.	Description	Quantity	Unit	Unit Price w/ OP C	Total Amount
	Foreman TRK	23	Hrs	$ 20.18	$ 464.14
	EXC 30T	23	Hrs	$ 98.96	$ 2,276.08
	Med Dozer	23	Hrs	$ 83.47	$ 1,919.81
	Loader	23	Hrs	$ 70.64	$ 1,624.72
	SFC 66	23	Hrs	$ 48.32	$ 1,111.36
	Trench Box	23	Hrs	$ 25.65	$ 589.95
	Subtotal				$ 7,986.06
	x 1.15% Mark Up				$ 9,183.97
	x 1.01% Bond Cost =				$ 9,275.81

Materials & Subcontractor Item No.	Description	Quantity	Unit	Unit Price	Total Amount
Material	Stabilized Sand	27.04	TON	$ 20.44	$ 552.70
	Subtotal				$ 552.70
	x 1.15% Mark Up				$ 635.60
	x 1.01% Bond Cost =				$ 641.96
	Total Amount				**$ 15,988.99**

FW: Hilldale Project - RFI 13

Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>

Thu 9/12/2019 8:47 AM

To: Marty Moore <marty@triplebservices.com>; Raul <raul.davila@triplebservices.com>
Cc: Chris Burke <chris@triplebservices.com>

3 attachments (3 MB)

TT-CMUF-SL_Ultraflex_(Revision_2016-10).pdf; Checkmate_IOM_083017.pdf; IMG_0887.jpg;

Hi Marty/Raul,

Please see attachments in this email; the previous email by Tommy had a virus in it. Thank you

Fred Mitri, MCE, P.E., PMP
Senior Project Manager
Triple B Services, LLP
820 Old Atascocita Road
Huffman, TX 77336
P 281.324.3264 ext.128
F 281.324.1304
C 832.465.8416
E fred@triplebservices.com

Since 1996

From: Tommy V. Cromer, PE <tvc@binkleybarfield.com>
Sent: Wednesday, September 11, 2019 12:10 PM
To: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>
Cc: Marty Moore <marty@triplebservices.com>; Chris Burke <chris@triplebservices.com>; Raul <raul.davila@triplebservices.com>; 'Keith Elkins' <Keith@projectsurveillance.com>; Pat Riley <priley@springvalleytx.com>
Subject: RE: Hilldale Project - RFI 13

Fred,

As discussed in the field, we will raise the prop. 24" RCP from MHI-5 to go over the exist. sanitary and tie into the prop. 3x3 JB. Also, per the City, we will not be using one of the 24" inline check valves at this location because of lack of access. Please use an inline check valve similar to the attached at the outfall (W140-01-00).

Let me know if you have any questions.

Thanks,

Tommy V. Cromer, PE | Sr. Project Manager
Binkley & Barfield, Inc. | TBPE F-257 | 713.869.3433 p | 281.794.1996 c

From: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>
Sent: Wednesday, September 11, 2019 11:01 AM
To: Tommy V. Cromer, PE <tvc@binkleybarfield.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>
Cc: Marty Moore <marty@triplebservices.com>; Chris Burke <chris@triplebservices.com>; Raul <raul.davila@triplebservices.com>; 'Keith Elkins' <Keith@projectsurveillance.com>
Subject: Hilldale Project - RFI 13

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Tommy,

Pursuant to your field visit yesterday with Keith and Raul, we are please awaiting your directions on how to resolve the conflict between the existing active san line and the proposed storm works in the vicinity of MH I-5. Please kindly advise asap.

Thank you

Fred Mitri, MCE, P.E., PMP
Senior Project Manager
Triple B Services, LLP
820 Old Atascocita Road
Huffman, TX 77336
P 281.324.3264 ext.128
F 281.324.1304
C 832.465.8416
E fred@triplebservices.com

Since 1996

Exhibit 3

Reply all Delete Junk Block ···

Re: Forterra doesn't answer my calls. HILLDALE/ PROJECT

You replied on Fri 9/20/2019 9:14 AM

R

Raul
Fri 9/20/2019 8:59 AM
Marty Moore; Fred Mitri, MCE, P.E., PMP; Chris Burke

Fredd on the MH I-5 STA-2+51.84 we had to make necessary adjustments we cut the wall at the top to continue the installation and also on the 3' x 3' JB STA-2+50.45 we had to make some necessary adjustments We cut the wall on both sides of the JB , for the purpose of making both materials work, time consumed, we dig carefully due to excess electricity cables and gas line and existing sanitary line and necessary adjustments in both materials

Exhibit 3

Exhibit 4

Item 4- New BB Inlet at STA 4+47 In Lieu of C Inlet

Item No.	PCO Item	Quantity	UM	Unit Price	Amount
4	New BB Inlet at STA 4+47 In Lieu of C Inlet	1	EA	$ 7,442.43	$ 7,442.43

- Please find attached supporting documentation regarding the installation of a New Type BB Inlet at STA 4+47.10 in lieu of the Type C Inlet that was originally proposed.
- There was an existing gas line and telephone line running along the side of the houses by MH I-2. The proposed Type C Inlet did not fit in the remaining space between the manhole and the proposed paving.
- Triple B Services was instructed to install a Type BB Inlet in the field and received revised drawings and approval on September 11th, 2019 on this change.
- Due to existing utilities in this area the installation of this inlet had a slow production affecting the critical path of the construction schedule.

Contractor: Triple B Services, L.L.P.
Project: 18-08021- Hilldale, Bade & Cardwell Paving &Utility Improvements
Description: New BB Inlet at STA 4+47 In Lieu of C Inlet

Labor Item No.	Description	Quantity	Unit	Unit Price	Total Amount
	Foreman	7	Hrs	$ 38.75	$ 271.25
	Backhoe Operator	7	Hrs	$ 20.00	$ 140.00
	Dozer Operator	7	Hrs	$ 17.50	$ 122.50
	Loader Operator	5	Hrs	$ 15.75	$ 78.75
	Compactor Operator	5	Hrs	$ 13.50	$ 67.50
	Pipe Layer	5	Hrs	$ 14.25	$ 71.25
	Pipe Layer Helper	5	Hrs	$ 14.00	$ 70.00
	Laborer-Common 1	5	Hrs	$ 13.50	$ 67.50
	Laborer-Common 2	5	Hrs	$ 13.50	$ 67.50
	Concrete Finisher	4.5	Hrs	$ 15.75	$ 70.88
	Laborer Utility	4.5	Hrs	$ 13.50	$ 60.75
	Subtotal				$ 1,087.88
	x 1.55% Burden				$ 1,686.21
	x 1.15% Profit				$ 1,939.14
	x 1.01% Bond Cost =				$ 1,958.53

Equipment Item No.	Description	Quantity	Unit	Unit Price w/ OP Cost	Total Amount
	Foreman TRK	7.03	Hrs	$ 20.18	$ 141.87
	EXC 30T	7.03	Hrs	$ 98.96	$ 695.69
	Med Dozer	5	Hrs	$ 83.47	$ 417.35
	Loader	5	Hrs	$ 70.64	$ 353.20
	SFC 66	5	Hrs	$ 48.32	$ 241.60
	Trench Box	5	Hrs	$ 25.65	$ 128.25
	Subtotal				$ 1,977.95
	x 1.15% Mark Up				$ 2,274.65
	x 1.01% Bond Cost =				$ 2,297.39

Materials & Subcontractor Item No.	Description	Quantity	Unit	Unit Price	Total Amount
Material	Stabilized Sand	1	TON	$ 20.44	$ 20.44
Material	Storm Inlet Precast Stage I-BB	1.00	EA	$ 1,048.00	$ 1,048.00
Material	Storm Inlet Wood Covers	1.00	EA	$ 75.00	$ 75.00
Material	Storm Inlet Precast Stage II-BB	1.00	EA	$ 1,120.00	$ 1,120.00
Material	Paving Concrete	1.00	CY	$ 96.00	$ 96.00
Material	Paving Fuel Surcharge For Concrete	1.00	CY	$ 2.50	$ 2.50
Material	Paving Environmental Fee For Concrete	1.00	CY	$ 1.50	$ 1.50
Subcontractor	Deliver, Pick Up and Disposal of C Inlet Dumpster	1.00	EA	$ 250.00	$ 250.00
Subcontractor	Delivery Fee For Dumpster	1.00	EA	$ 130.00	$ 130.00
	Subtotal				$ 2,743.44
	x 1.15% Mark Up				$ 3,154.96
	x 1.01% Bond Cost =				$ 3,186.51
	Total Amount				**$ 7,442.43**

Exhibit 4

Hilldale Project - RFI 12

3

Tommy V. Cromer, PE <tvc@binkleybarfield.com>
Wed 9/11/2019 11:13 AM
Fred Mitri, MCE, P.E., PMP; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Marty Moore; Chris Burke; Raul; 'Keith Elkins' <Keith@projectsurveillance.com>; Pat Riley <priley@springvalleytx.com>

14.pdf
680 KB

Fred,

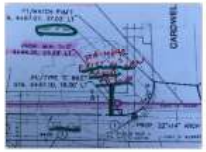
Please confirm that the utility in conflict is the existing sanitary line. We agree with adding a Type BB inlet instead of the Type C to avoid the conflict. See attached revised drawing.

Thanks,

Tommy V. Cromer, PE | Sr. Project Manager
Binkley & Barfield, Inc. | TBPE F-257 | 713.869.3433 p | 281.794.1996 c

...

Fred Mitri, MCE, P.E., PMP
Tue 9/10/2019 10:47 AM
Tommy V. Cromer, PE <tvc@binkleybarfield.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Marty Moore; Chris Burke; Raul; 'Keith Elkins' <Keith@projectsurveillance.com>; Kevin Burke; Keith Burke; Chris Burke



Good morning Tommy,

Please kindly see attachment for Illustration.

- There is an existing gas line and a telephone line running along the side of the houses by MH I-2.
- Type C inlet at STA 4+47.10 does not fit in the remaining space between the manhole and the proposed paving.
- TBS field crew was instructed by Inspector Keith to install a Type BB Inlet in lieu of the Type C Inlet.

Please kindly confirm above instructions and issue us a revised drawing asap.

Thank you for your assistance.

Thank you

Fred Mitri, MCE, P.E., PMP
Senior Project Manager
Triple B Services, LLP
820 Old Atascocita Road
Huffman, TX 77336
P 281.324.3264 ext.128
F 281.324.1304
C 832.465.8416

Exhibit 4

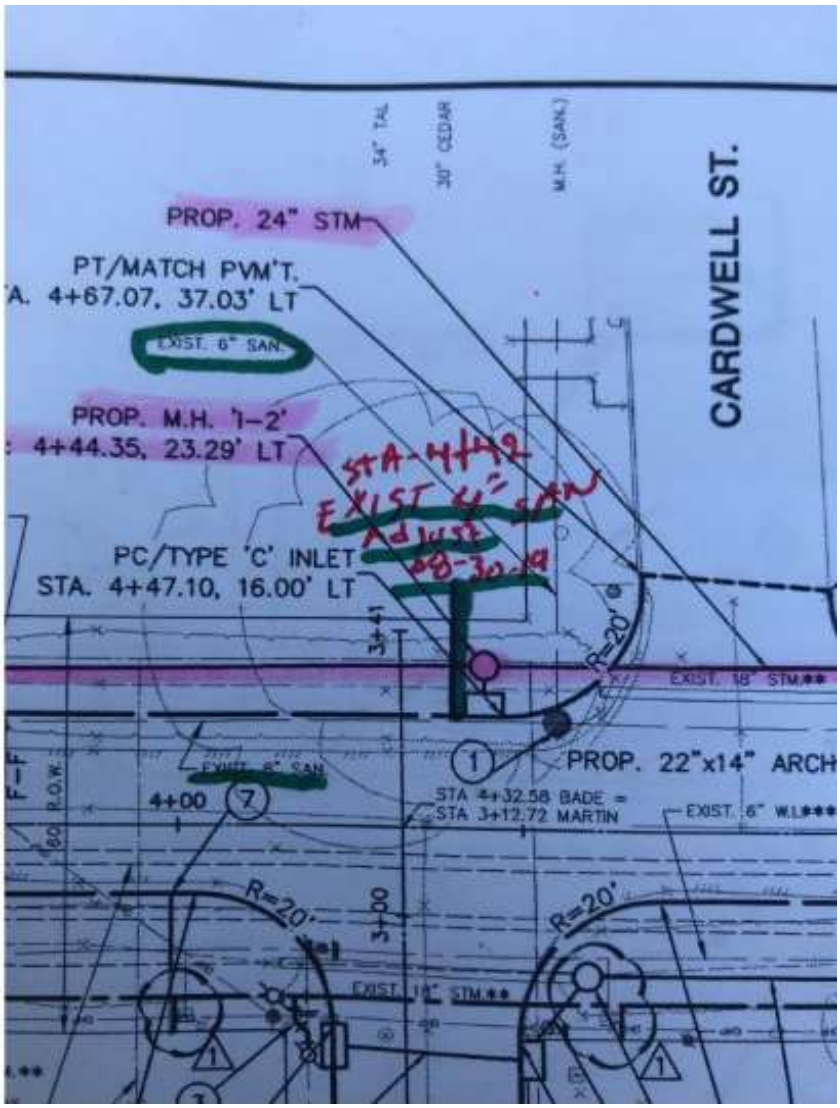
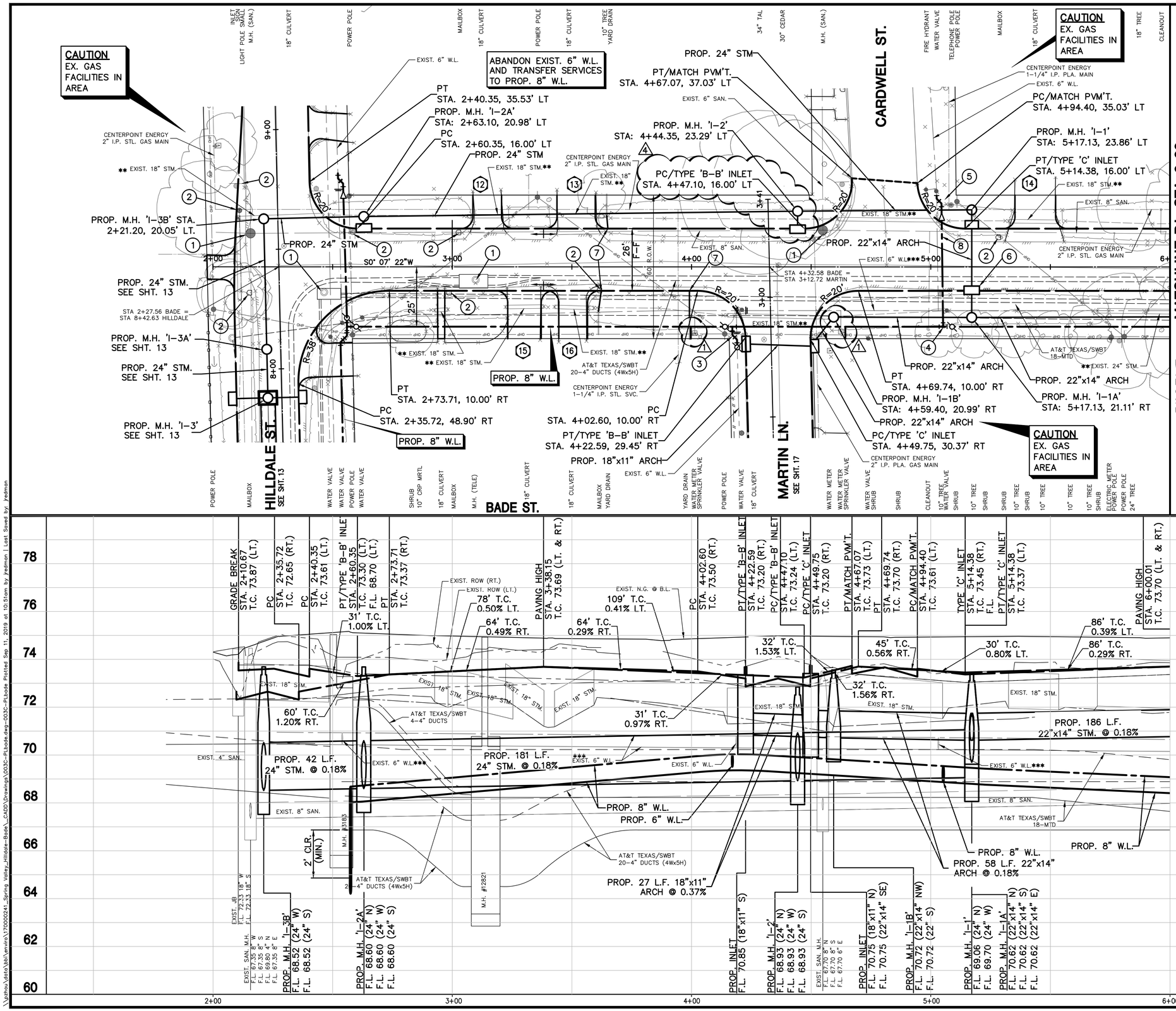

CARDWELL ST.
PROP. 24" STM
PT/MATCH PVM'T.
A. 4+67.07, 37.03' LT
EXIST. 6" SAN.
PROP. M.H. '1-2'
4+44.35, 23.29' LT
PC/TYPE 'C' INLET
STA. 4+47.10, 16.00' LT
PROP. 22"x14" ARCH
STA 4+32.58 BADE =
STA 3+12.72 MARTIN
EXIST. 6" W.L.***
EXIST. 18" STM.**
R=20'
4+00
3+00
3+41

Exhibit 4



20' 0' 20'
SCALE 1"=20'

NOTES:

- (XX) FOR DRIVEWAY SCHEDULE SEE SHEET 20
- ** (TO BE REMOVED)
- *** (TO BE ABANDONED)
- (1) ADJUST M.H. TO FINISH GRADE
- (2) TO BE RELOCATED
- (3) 1-6" G.V. w/BOX; 2-6" 45° BENDS, AB; 1-8" G.V. w/BOX; 1-8"x6" TEE, AB; 1-6" CUT, PLUG & ABAN. STA 4+17
- (4) 1-8" G.V. w/BOX; 1-8"x8" TEE, AB; STA 5+05
- (5) 1-8"x6" RED.; 2-6" 45° BENDS, AB; 1-6" CUT, PLUG & ABAN. STA 5+05
- (6) PROP. TYPE 'B-B' INLET STA: 5+17.13, 10.00' RT
- (7) MITER YARD DRAIN PIPE FLUSH WITH CURB
- (8) PROP. 8" W.L.

NOTE:
ALL PROP. WATERLINES ARE TO BE INSTALLED USING TRENCHLESS CONSTRUCTION METHODS AND SHALL HAVE RESTRAINED JOINTS, UNLESS NOTED OTHERWISE.

1. CHANGE ORDER NO. 1. PROP. WATER SERVICE LINE TO MATCH EXISTING SIZE (MIN. 1").
2. CHANGE ORDER NO. 2. REVISED STM. SWR. LOCATION.
3. CHANGE ORDER NO. 3. ADDED STM. SWR. AND REVISED LOCATION.

MK.	DESCRIPTION	DATE	DWN.	CHK.
4	REVISED STM. SWR.	9/11/19	JRR	JAA
1		4/24/19	JRR	JAA

STATE OF TEXAS
JEREMY A. AUSTIN
116816
LICENSED PROFESSIONAL ENGINEER
5/24/18

Binkley & Barfield, Inc.
consulting engineers
Texas Registration Number F-257
1710 Seamist Drive Houston, Texas 77008 (713) 869-3433

EST. 1955
SPRING VALLEY VILLAGE

HILLDALE, BADE & CARDWELL

BADE ST.
PLAN & PROFILE
B.L. STA: 2+00 TO B.L. STA: 6+00

Project No.: 170000241
Date: Sep 11, 2019
Dwn By: J.T.S.
Chkd By: J.A.A.
Scale: HORZ : 1"=20' VERT : 1"=2'
SHEET 14 OF 50

\\pzhou\data\bbi\envirv\170000241_Spring Valley_Hilldale-Bade_CADD\Drawings\003C-PLbade.dwg-003C-PLbade Plotted Sep 11, 2019 at 10:51am by jredman | Last Saved by: jredman

Exhibit 5

Item 5- Install Junction Box To Connect Existing Storm Pipe at The Intersection of Adkins and Hilldale

Item No.	PCO Item	Quantity	UM	Unit Price	Amount
5	Install Junction Box To Connect Existing Storm Pipe at The Intersection of Atkins and Hilldale	1	EA	$ 6,326.93	$ 6,326.93

- Attached please find supporting documentation for the installation of an additional Junction Box to connect Existing Storm Pipes at the Intersection of Adkins and Hilldale.

- The plans showed the existing pipes at Adkins/Hilldale to remain in place, however the end of the pipes were under the proposed paving. As per the email dated October 1st, 2019, Triple B Services requested advice on how to proceed with the issue. On October 2nd, 2019, Triple B Services was instructed to install a Junction Box.

- This issue resulted in additional cost to Triple B Services and a delay in the construction schedule. Triple B Services is respectfully requesting compensation for this additional cost.

Contractor: Triple B Services, L.L.P.
Project: 18-08021- Hilldale, Bade & Cardwell Paving &Utility Improvements
Description: Install Junction Box To Connect Existing Storm Pipe at The Intersection of Atkins and Hilldale As Per Email Dated Oct. 2, 2019

Labor Item No.	Description	Quantity	Unit	Unit Price	Total Amount
	Foreman	6	Hrs	$ 38.75	$ 232.50
	Backhoe Operator	6	Hrs	$ 20.00	$ 120.00
	Dozer Operator	6	Hrs	$ 17.50	$ 105.00
	Loader Operator	6	Hrs	$ 15.75	$ 94.50
	Compactor Operator	6	Hrs	$ 13.50	$ 81.00
	Pipe Layer	6	Hrs	$ 14.25	$ 85.50
	Pipe Layer Helper	6	Hrs	$ 14.00	$ 84.00
	Laborer 1	6	Hrs	$ 13.50	$ 81.00
	Concrete Finisher	6	Hrs	$ 15.75	$ 94.50
	Laborer 2	6	Hrs	$ 13.50	$ 81.00
	Subtotal				$ 1,059.00
	x 1.55% Burden				$ 1,641.45
	x 1.15% Profit				$ 1,887.67
	x 1.01% Bond Cost =				$ 1,906.54

Equipment Item No.	Description	Quantity	Unit	Unit Price w/ OP Cost	Total Amount
	Foreman TRK	6	Hrs	$ 20.18	$ 121.08
	EXC 30T	6	Hrs	$ 98.96	$ 593.76
	Med Dozer	6	Hrs	$ 83.47	$ 500.82
	Loader	6	Hrs	$ 70.64	$ 423.84
	SFC 66	6	Hrs	$ 48.32	$ 289.92
	Trench Box	6	Hrs	$ 25.65	$ 153.90
	Subtotal				$ 2,083.32
	x 1.15% Mark Up				$ 2,395.82
	x 1.01% Bond Cost =				$ 2,419.78

Materials & Subcontractor Item No.	Description	Quantity	Unit	Unit Price	Total Amount
	Stabilized Sand	1	TON	$ 20.44	$ 20.44
	Paving Concrete	1.00	CY	$ 96.00	$ 96.00
	Paving Fuel Surchage For Concrete	1.00	CY	$ 2.50	$ 2.50
	Paving Environmental Fee	1.00	CY	$ 1.50	$ 1.50
	Storm Junction Box Precast	1.00	EA	$ 1,602.00	$ 1,602.00
	Subtotal				$ 1,722.44
	x 1.15% Mark Up				$ 1,980.81
	x 1.01% Bond Cost =				$ 2,000.61
	Total Amount				**$ 6,326.93**

RE: Hilldale Project - RFI 18

Tommy V. Cromer, PE <tvc@binkleybarfield.com>

Wed 10/2/2019 10:58 AM

To: Chris Burke <chris@triplebservices.com>; Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>
Cc: Raul <raul.davila@triplebservices.com>

I agree, please install a small junction box to connect the 2 existing pipes.

Tommy V. Cromer, PE | Sr. Project Manager
Binkley & Barfield, Inc. | TBPE F-257 | 713.869.3433 p | 281.794.1996 c

From: Chris Burke <chris@triplebservices.com>
Sent: Wednesday, October 2, 2019 11:07 AM
To: Tommy V. Cromer, PE <tvc@binkleybarfield.com>; Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>
Cc: Raul <raul.davila@triplebservices.com>
Subject: Re: Hilldale Project - RFI 18

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We will need to install a junction box. There are 2 pipes that intersect at that location.

Chris Burke | Director of Field Operations | Triple B Services, LLP | 820 Old Atascocita Road Huffman, Tx 77336
P 281.851.4103 | F 281.324.1304 | E chris@triplebservices.com

Since 1996

From: Tommy V. Cromer, PE <tvc@binkleybarfield.com>
Sent: Wednesday, October 2, 2019 11:03:40 AM
To: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>
Cc: Chris Burke <chris@triplebservices.com>; Raul <raul.davila@triplebservices.com>
Subject: RE: Hilldale Project - RFI 18

Good Morning Fred,

Please extend existing pipes as needed.

Thanks,

Tommy V. Cromer, PE | Sr. Project Manager
Binkley & Barfield, Inc. | TBPE F-257 | 713.869.3433 p | 281.794.1996 c

From: Fred Mitri, MCE, P.E., PMP <fred@triplebservices.com>
Sent: Tuesday, October 1, 2019 5:01 PM
To: Tommy V. Cromer, PE <tvc@binkleybarfield.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>

Cc: Chris Burke <chris@triplebservices.com>; Raul <raul.davila@triplebservices.com>
Subject: Hilldale Project - RFI 18

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

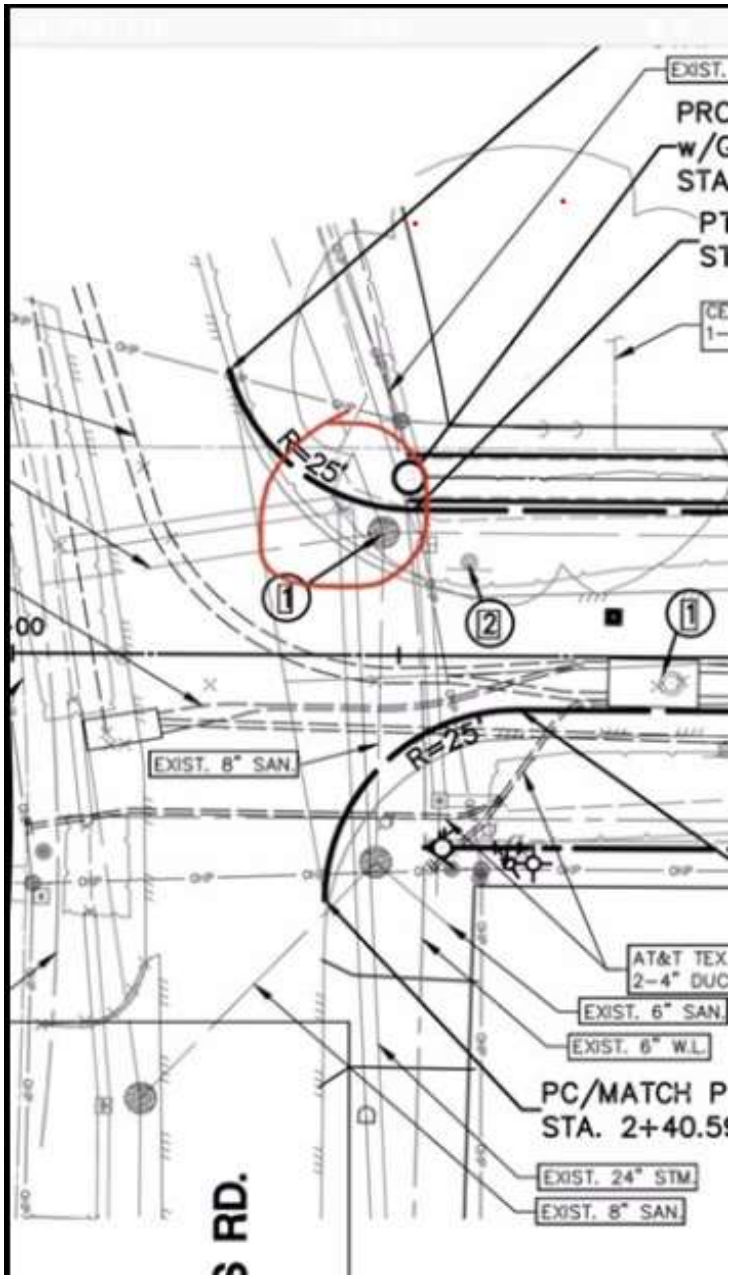
Good afternoon Tommy,

Please kindly see attachments for Illustration; the existing pipes at Adkins/Hilldale are shown to remain in place however the end of the pipes are under the proposed paving. Please advise.

Thank you

Fred Mitri, MCE, P.E., PMP
Senior Project Manager
Triple B Services, LLP
820 Old Atascocita Road
Huffman, TX 77336
P 281.324.3264 ext.128
F 281.324.1304
C 832.465.8416
E fred@triplebservices.com

Since 1996


EXIST. 8" SAN.
R=25'
R=25'
1
2
1
AT&T TEX
2-4" DUC
EXIST. 6" SAN.
EXIST. 6" W.L.
PC/MATCH P
STA. 2+40.5
EXIST. 24" STM.
EXIST. 8" SAN.
EXIST.
PRC
w/G
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PT
ST
CE
1-
RD.

Exhibit 5

Item No. 6 & 7- Removal of Stabilized on Hilldale

Exhibit No.	Item No.	PCO Item	Quantity	UM	Unit Price	Amount
Ex.6	6	Removal of Stabilized Sand On ATT Duct Bank Bade	578	LF	$ 22.50	$ 13,005.00
Ex.6	7	Trucking And Disposal of Removed Cement Stabilized Sand Bade	160	CY	$ 10.00	$ 1,600.00

- Under the attached RFI #10 submitted by Triple B Services, it was stated that it was expected the issue would continue down Bade St. The issue with the removal of stabilized sand on ATT Duct Bank did continue down Bade Street as well, Triple B Services had to remove 160 CY (578'x3'x2.5') of Stabilized Sand. Therefore, Triple B Services is requesting compensation of the removal of the stabilized sand on Bade St as well.

Exhibit 7

REQUEST FOR INFORMATION

1. PROJECT NO.: Triple B No. 18-08021 2. RFI NO: 10

3. PROJECT NAME: Hilldale, Bade and Cardwell Paving and Utility Improvements

4. CONTRACTOR: Triple B Services, LLP

5. CONTRACT NO: _____

6. SPECIFICATION NOs: N/A

7. DRAWING NOs: _____

8. RESPONSE CODE: [x] CRITICAL [_] ROUTINE 9.DATE RESPONSE REQUIRED: ASAP

10. INFORMATION REQUIRED:

There is an existing duct bank that is backfilled with stabilized sand to the bottom of the existing asphalt from STA 2+50-STA 8+50 on Hilldale ST. In order to cut down to the proposed subgrade elevation, 166.66 CY (600'x3'x2.5') of Stabilized Sand need to be removed. Please see attached picture. It is expected that the issue will continue down Bade St. Please advise how to proceed As Soon As Possible.

11. _____ Project Manager 11/20/19
CONTRACTOR [Signature] TITLE DATE

Maria Vera
PRINT NAME

12. ENGINEER'S RESPONSE:

13. _____ _____
CONSTRUCTION MANAGER / PROJECT ENGINEER [Signature] TITLE DATE

_____
PRINT NAME

14. If the Contractor believes the Engineer's Response requires an adjustment in Contract Price or Contract Time, the Contractor shall submit a timely proposal so as not to delay Contractor's Work in accordance with the General Conditions.

Exhibit 7

Maria Vera

From: Maria Vera
Sent: Tuesday, December 3, 2019 3:23 PM
To: Tommy V. Cromer, PE; Pat Riley; Steve Albert, PE, CFM
Subject: RE: Hilldale Project RFI No. 10- Existing Duct Bank Covered with CSS
Attachments: Hilldale Stabilized Sand Removal Proposal Rev 1.pdf

Tommy,

I have revisited the quote with the estimator and I have been able to bring this cost down to $22.50/LF. I have updated the proposal. Please review and let me know your thoughts. Thank you.

Regards,

Maria Vera | Project Manager | Triple B Services, LLP | 820 Old Atascocita Road Huffman, Tx 77336
832-465-0354 | e maria@TripleBServices.com

Since 1996

From: Tommy V. Cromer, PE <tvc@binkleybarfield.com>
Sent: Monday, November 25, 2019 2:32 PM
To: Maria Vera <maria@triplebservices.com>
Cc: Pat Riley <priley@springvalleytx.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Chris Burke <chris@triplebservices.com>
Subject: RE: Hilldale Project RFI No. 10- Existing Duct Bank Covered with CSS

Maria,

Thanks for the proposal, can you look at the cost for Removal of CCS again?- $30 / LF seems high. The cost on previous projects were closer to $15 - $20 / LF.

Thanks,

Tommy V. Cromer, PE | *Sr. Project Manager*
Binkley & Barfield, Inc. | TxEng F-257 | 713.869.3433 x 1304 p | 281.794.1996 c

From: Maria Vera <maria@triplebservices.com>
Sent: Monday, November 25, 2019 9:09 AM
To: Tommy V. Cromer, PE <tvc@binkleybarfield.com>
Cc: Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Chris Burke <chris@triplebservices.com>; Keith Taylor <keith.taylor@triplebservices.com>; Keith Elkins <keith@projectsurveillance.com>; Pat Riley <priley@springvalleytx.com>
Subject: RE: Hilldale Project RFI No. 10- Existing Duct Bank Covered with CSS

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tommy,

Please see attached proposal. Please review and let me know if you have any questions. Thank you.

Regards,

Maria Vera | Project Manager | Triple B Services, LLP | 820 Old Atascocita Road Huffman, Tx 77336
832-465-0354 | e maria@TripleBServices.com

Since 1996

From: Tommy V. Cromer, PE <tvc@binkleybarfield.com>
Sent: Wednesday, November 20, 2019 4:17 PM
To: Maria Vera <maria@triplebservices.com>
Cc: Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Chris Burke <chris@triplebservices.com>; Keith Taylor <keith.taylor@triplebservices.com>; Keith Elkins <keith@projectsurveillance.com>; Pat Riley <priley@springvalleytx.com>
Subject: RE: Hilldale Project RFI No. 10- Existing Duct Bank Covered with CSS

Maria,

Can you please provide an estimate for this work?

Thanks,

Tommy V. Cromer, PE | *Sr. Project Manager*
Binkley & Barfield, Inc. | TxEng F-257 | 713.869.3433 x 1304 p | 281.794.1996 c

---

From: Maria Vera <maria@triplebservices.com>
Sent: Wednesday, November 20, 2019 2:51 PM
To: Tommy V. Cromer, PE <tvc@binkleybarfield.com>
Cc: Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Chris Burke <chris@triplebservices.com>; Keith Taylor <keith.taylor@triplebservices.com>
Subject: Hilldale Project RFI No. 10- Existing Duct Bank Covered with CSS

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tommy,

Please see attached RFI No. 10. Please review at your earliest convenience and let me know if you have any questions. Thank you.

Regards,

Maria Vera | Project Manager | Triple B Services, LLP | 820 Old Atascocita Road Huffman, Tx 77336
832-465-0354 | e maria@TripleBServices.com

Since 1996

DIVIDER PAGE

Julie Robinson

From:	Julie Robinson
Sent:	Monday, July 6, 2020 9:56 AM
To:	Donna Burke
Cc:	Julie Robinson; Pat Riley; Chris Burke; Maria Vera; Steve Albert, PE, CFM; Tommy V. Cromer, PE
Subject:	City's Response to Change Order No. 5 - Response Needed No Later than 4:00 pm on Tuesday, July 7 (Tomorrow)
Attachments:	ltr-City response to Change zOrder No. 5 (2020-07-06).pdf
Importance:	High

Ms. Burke:

Please see the City's response to Change Order No. 5 submitted by Triple B Services. Please note that I need a response from you regarding the City's compromise offer no later than 4:00 pm tomorrow, Tuesday, July 7, 2020.

I look forward to hearing from you.

Julie M. Robinson, ICMA-CM
City Administrator
City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055
Direct Phone: 713-465-5306
Cell Phone: 713-438-3003

EST. 1955
SPRING VALLEY
VILLAGE

July 6, 2020

VIA EMAIL to donna@triplebservices.com
AND REGULAR MAIL
Ms. Donna Burke
Triple B Services, LLP
820 Old Atascocita Road
Huffman, Texas 77336

RE: City of Spring Valley Village Competitive Sealed Bid #2018-08-101
Hilldale, Bade & Cardwell Paving &Utility Improvements ("Project")

Dear Ms. Burke:

The City of Spring Valley Village is in receipt of Change Order No. 5 in the amount of $90,988.21 for the above-referenced Project. As discussed with Kevin Burke during a conference call on March 27, 2020, this Change Order No. 5 is for work done by Triple B Services that was not approved by either the engineer or the City prior to Triple B Services undertaking it. After thoroughly reviewing the documentation provided with Change Order No. 5, the City disputes the amount requested. However, the City agrees that a portion of the amount requested should be paid.

As a reminder, the contract that Triple B Services executed with the City on October 23, 2018 was a lump sum contract. Of the original contract amount of $1,673,381.42, the remaining amount authorized by the contract for this Project is $183,675.68. This amount is comprised of $51,582.66 (remaining contract authorized amount) and $132,093.22 (retainage).

In order to finalize the Project for both the City and Triple B Services, the City offers the following compromise:

(1) The City will pay the remaining contract authorized amount of $51,582.66 to satisfy Change Order No. 5; and

(2) The retainage for the Project of $132,093.22 will be released upon completion of the Punch List items identified in the final walk-through that occurred on Thursday, July 2, 2020.

<u>Please let me know on or before 4:00 pm on Tuesday, July 7, 2020, whether or not Triple B Services agrees to this compromise offer</u>.

1025 CAMPBELL ROAD • HOUSTON, TEXAS 77055-7495
(713) 465-8308 • FAX (713) 461-7969 • www.springvalleytx.com

If Triple B Services chooses not to agree to the compromise offer, Triple B Services must send a representative to the City Council meeting on July 14, 2020, which begins at 6:00 pm, to make its request for funds in excess of the contract directly to the City Council. Additionally, please be advised that the City will pursue liquidated damages from Triple B Services as provided in the contract.

I look forward to hearing from you.

Sincerely,

Julie M. Robinson
City Administrator

c: Binkley & Barfield, Inc.

DIVIDER PAGE

Julie Robinson

From: Donna Burke <donna@triplebservices.com>
Sent: Tuesday, July 7, 2020 11:26 AM
To: Julie Robinson; Pat Riley; Maria Vera
Subject: RE: City's Response to Change Order No. 5 - Response Needed No Later than 4:00 pm on Tuesday, July 7 (Tomorrow)

Good afternoon, Triple B Services, LLP accepts the compromised offer proposed by the City to receive a payment in the amount of $51,582.66 in lieu of our submitted Change Order No. 5 and for payment in full of retainage withheld in the amount of $132,093.22. Payment is to be released, in full, upon completion of our punch list items.

Currently, we are 80% complete with the Punch List Items and will notify Pat when we are fully completed.

Thank you for your consideration!

Best regards,

Donna Burke | Sr. Project Administrator | Triple B Services, LLP | 820 Old Atascocita Road Huffman, Tx 77336

p 281.324.3264 | f 281.324.1304 | m 832-465-0304 | m donna@triplebservices.com

Since 1996

From: Julie Robinson <jrobinson@springvalleytx.com>
Sent: Monday, July 6, 2020 11:49 AM
To: Pat Riley <priley@springvalleytx.com>; Maria Vera <maria@triplebservices.com>; Donna Burke <donna@triplebservices.com>
Cc: Julie Robinson <jrobinson@springvalleytx.com>
Subject: RE: City's Response to Change Order No. 5 - Response Needed No Later than 4:00 pm on Tuesday, July 7 (Tomorrow)

Maria:

As long as we have an email from Donna indicating that she has accepted the City's compromise offer, that will be sufficient for our purposes.

Julie M. Robinson, ICMA-CM
City Administrator
City of Spring Valley Village
1025 Campbell Road

Houston, Texas 77055
Direct Phone: 713-465-5306
Cell Phone: 713-438-3003

SPRING VALLEY
VILLAGE

From: Pat Riley <priley@springvalleytx.com>
Sent: Monday, July 6, 2020 11:37 AM
To: Maria Vera <maria@triplebservices.com>; Julie Robinson <jrobinson@springvalleytx.com>; Donna Burke <donna@triplebservices.com>
Subject: RE: City's Response to Change Order No. 5 - Response Needed No Later than 4:00 pm on Tuesday, July 7 (Tomorrow)

Thank you, Maria,

The City will need a memo from Ms. Burke stating Triple B's acceptance of the City's compromise offer.

Thank you in advance.

SPRING VALLEY
VILLAGE

Pat Riley
Public Works Director
Office: 713-465-8308
Direct: 832-910-8575
priley@springvalleytx.com
1025 Campbell Road, Houston, TX. 77055-7495
ATTENTION PUBLIC OFFICIALS:
A "Reply to All" of this e-mail could lead to violations of the Texas Open Meetings Act.
Please reply only to the sender.
"God Bless"

From: Maria Vera <maria@triplebservices.com>
Sent: Monday, July 6, 2020 11:27 AM
To: Julie Robinson <jrobinson@springvalleytx.com>; Donna Burke <donna@triplebservices.com>
Cc: Pat Riley <priley@springvalleytx.com>; Chris Burke <chris@triplebservices.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Tommy V. Cromer, PE <TVC@binkleybarfield.com>; Kevin Burke <kevin@triplebservices.com>
Subject: RE: City's Response to Change Order No. 5 - Response Needed No Later than 4:00 pm on Tuesday, July 7 (Tomorrow)

Good morning Julie,

Thank you for taking the time to review the documents submitted by Triple B.

Triple B Services agrees with the compromise offer proposed by the City to received a payment for $51,582.66 and for the retainage amount of $132,093.22 to be released when the punch list items are complete. We are already about 80% completed with the Punch List Items and will notify Pat when we are fully completed.

Thank you. Hope you have a great day.

Regards,

Maria Vera | Project Manager | Triple B Services, LLP | 820 Old Atascocita Road Huffman, Tx 77336
832-465-0354 | e maria@TripleBServices.com

Since 1996

From: Julie Robinson <jrobinson@springvalleytx.com>
Sent: Monday, July 6, 2020 9:56 AM
To: Donna Burke <donna@triplebservices.com>
Cc: Julie Robinson <jrobinson@springvalleytx.com>; Pat Riley <priley@springvalleytx.com>; Chris Burke <chris@triplebservices.com>; Maria Vera <maria@triplebservices.com>; Steve Albert, PE, CFM <SAlbert@binkleybarfield.com>; Tommy V. Cromer, PE <TVC@binkleybarfield.com>
Subject: City's Response to Change Order No. 5 - Response Needed No Later than 4:00 pm on Tuesday, July 7 (Tomorrow)
Importance: High

Ms. Burke:

Please see the City's response to Change Order No. 5 submitted by Triple B Services. Please note that I need a response from you regarding the City's compromise offer no later than 4:00 pm tomorrow, Tuesday, July 7, 2020.

I look forward to hearing from you.

Julie M. Robinson, ICMA-CM
City Administrator
City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055
Direct Phone: 713-465-5306
Cell Phone: 713-438-3003

EST. 1955
SPRING VALLEY
VILLAGE

MEETING DATE: July 14, 2020

TOPIC: **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Request By Echo Place, LLC, For A Variance From Chapter 9 Subdivisions, Section 9.103 (I)(3), Lot Depth, Of The Code Of Ordinances, To Allowing For A Lot Depth Of 100 Feet Where 120 Feet Is Required For The Property Located At 1020 Fries Road.

BACKGROUND: Echo Place, LLC ("Property Owner") has purchased the property at 1020 Fries Road ("Property") with the anticipation of replatting the property into two separate lots both fronting Echo Valley Drive instead of fronting on Fries Road as it is currently oriented. The Property is a total of 0.530 acres (25,105.5 square feet), and the requested replat would create two lots with the following dimensions:

Lot 1 – Approximately 0.275 acres / 11,988.50 square feet
Lot 2 – Approximately 0.255 acres / 11,117.04 square feet

Although the lots meet the base requirement of a minimum of 10,000 square feet and each lot is at minimum of 70 feet wide, the proposed lots are only 100 feet deep. Section 9.103 (i)(3) requires that all lots shall have a minimum depth of 120 feet. As such, the Property Owner is requesting that the proposed lots be granted a variance to the Subdivision Ordinance related to minimum lot depth. The Property Owner's Variance Justification Narrative is provided with this agenda item.

Section 9.118 of the Subdivision Ordinance states the following:

(a) The rules and regulations provided herein and incorporated herein are the minimum standards and requirements of the city. A variance from any such rule or regulation may be granted by the city council, after consideration and recommendation by the planning and zoning commission, and upon a good and sufficient showing by the developer and/or owner that:

(1) There are special circumstances or conditions affecting the property in question;
(2) That enforcement of the provisions of this chapter will deprive the applicant of a substantial property right; and
(3) That if a variance is granted it will not be materially detrimental to the public welfare or injurious to other property or property rights in the vicinity.

(b) Each and every variance request shall be decided solely and entirely on its own merits, and the disposition of any prior or

	pending request for a variance shall not be allowed to enter into or affect any decision on the application in question. Pecuniary interest, standing alone, shall not be considered as a basis for the granting of a variance.
RECOMMENDATION:	This item will be considered by the Planning & Zoning Commission on July 13, 2020 and their recommendation will be provided during the City Council meeting.
ATTACHMENTS:	• Subdivision Variance Application and Owner Authorization • Variance Justification Narrative • Existing Plat for the Property (Echo Valley Estates Replat No. 1) Recorded in September 2009 • Proposed Replat of the Property (Echo Valley Estates Replat No. 1 Partial Replat No. 1)
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:**
Zachary Meadows, Director of Community Development	

DIVIDER PAGE

Community Development
City of Spring Valley Village

ESTD 1955
SPRING VALLEY
VILLAGE

SUBDVISION VARIANCE APPLICATION

PROPERTY INFORMATION		
Property Address: 1020 Fries Rd		
Legal Description: Lot 1, Block 1 of Echo Valley Estates Replat No 1		
Zoning District: Dwelling District A		
Requested Variance and Description: To allow a lot depth of 100', instead of 120'		

OWNER INFORMATION		
Name: Echo Place, LLC	Phone#: 281-916-1101	
Address: 12010 Dairy Ashford Rd., Suite 100-C		
City: Sugar Land	State: TX	Zip Code: 77478

APPLICANT/AGENT INFORMATION		
Name: Mary Villareal of The Interfield Group	Phone#: 713-780-0909 Ext. 312	
Address: 401 Studewood, Suite 300		
City: Houston	State: TX	Zip Code: 77007

If applicant is different than property owner a ***Notarized Letter of Authorization* must be attached to the application*

PROPERTY OWNER/AGENT AUTHORIZATION

Property Owner Consent/Agent Authorization: By my signature, I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the application being requested for this property. Additionally, my signature below indicates my awareness of the fee required at the time of the application submittal and any additional fees as noted in the City's fee schedule. This fee is non-refundable even in the event of application withdrawal. I have the power to authorize and hereby grant permission for City of Spring Valley Village officials to enter the property on official business as part of the application process.

Mary Villareal	Mary Villareal	06.01.2020
Signature of Contractor/Authorized Agent	Printed Name	Application Date

FOR OFFICE USE ONLY

RECEIVED 6-1-2020

Subdivision Variance Number: _____ Date Submitted: _____

P&Z Meeting Date: 07-13-2020 P&Z Recommendation: ☐ *Approval* ☐ *Denial*

Council Meeting Date: 07-14-2020 Council Decision: ☐ *Approved* ☐ *Denied*

NOTE: Only complete applications shall be accepted and payment must be received at time of submission.

Revised: 5/28/2020

ECHO PLACE, LLC

16523 Village View Trail
Sugar Land, Texas 77498
Ph: (281) 795-6018

Planning & Zoning Commission
City of Spring Valley
1025 Campbell Road
Houston, Texas 77055

Re: Echo Valley Estates Partial Replat No 1
1020 Fries Road
(Interfield Project No.: 20011.00)

To Whom It May Concern:

This letter is to inform you that ECHO PLACE, LLC, owners of property described as Lot One (1), Block One (1) Echo Valley Estates Replat No 1 desire to replat subject property to create two (2) residential lots, for which requires a variance be submitted. Echo Place, LLC authorizes The Interfield Group to submit a variance application on our behalf. Please release any information necessary for variance submittal.

Please also let me know if you have any questions or if I may be of further assistance.

Very truly yours,

Huynhat Ton (Tony)
Managing Member

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, a notary public, on this day personally appeared Tony Ton, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL of office this the 3rd day of June, 2020.

MAI TRAN
NOTARY PUBLIC
STATE OF TEXAS
ID 11990750
EXP. 11-26-2021

Notary Public in and for
The State of Texas

DIVIDER PAGE

VARIANCE FORM

Planning & Zoning Commission
City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055

Applicant:	The Interfield Group
Property Address:	1020 Fries Road
Description:	Lot 1, Block 1 of Echo Estates Replat No 1
Submittal Date:	June 30, 2020

Dear Planning & Zoning Commission Members,

Specific variance is being sought and extent of variance:

Specific variance is being sought and extent of condition is to allow Lot depth to be 100', instead of 120'.

STATEMENT OF FACTS:

(1) ***There are special circumstances or conditions affecting the property in question;***

Proposed development consists of two (2) 2-story single-family homes. Lot 1 width varies from 119.74' (north property line) to 120' (south property line) and depth is 100'. Lot 2 width is 111.17' and depth is 100'. The development standards for Lot depth is required a minimum of 120 feet. The existing lot is only 100 feet in depth, as created and recorded in the plat of Echo Valley Estates Replat No 1.

Please note the following:

1. Proposed development will comply with all other zoning requirements for minimum lot area, minimum front, rear and side yard setbacks.

2. Echo Valley Estates Replat No 1 was a replat of Echo Valley Estates created in 1971, with varying lot depths the minimum being 100 feet.

3. Surrounding area is substantially developed, so developer is most likely not able to obtain additional land to increase lot depth.

(2) ***That enforcement of the provisions of this chapter will deprive the applicant of a substantial property right; and***

The enforcement of the provisions of this chapter would deprive the applicant the rights to construct a proposed development having lot sizes in character with nearby properties in the same district.

(3) ***That if a variance is granted it will not be materially detrimental to the public welfare or injurious to other property or property rights in the vicinity.***

The granting of the variance will not be detrimental to the public welfare or injurious to other property or property rights in the vicinity. On the contrary, proposed development will be in character with nearby lots along this block face and will maintain the 100' depth previously recorded.

We would like to thank you in advance for taking into consideration the property's existing lot depth of 100', and that developer is likely not able to acquire additional land to further extend the depth of existing lots and to grant the requested variance of that allows a minimum lot depth of 100'.

Developer looks forward to working with the City of Spring Valley Village to create a development that coincides with your vision to enhance this block face and community.

Very truly yours,
THE INTERFIELD GROUP

Mary Villareal
Planning Manager

DIVIDER PAGE

STATE OF TEXAS
COUNTY OF HARRIS

We, Walter Bullitt, Kathryn Bullitt and Anne Marchetti, hereinafter referred to as Owners the 1.2961 acre tract described in the above and foregoing map of Echo Valley Estates Replat No. 1, do hereby make and establish said subdivision and development plan of said property for and on behalf of said Walter and Kathryn Bullitt and Anne Marchetti, according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets, or permanent access easements), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility an unobstructed aerial easement five (5') wide from a plane twenty (20') above the ground upward, located adjacent to all easements shown hereon.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Spring Valley Village, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of single-family residential dwelling units thereon and shall be restricted for same under the terms and conditions of of such restrictions, filed separately.

FURTHER, Owners hereby certify that this replat does not attempt to alter amend, or remove any covenants or restrictions; we further certify that no portion of the preceding plat was limited by deed restriction to residential use for not more than two (2) residential units per lot.

WITNESS our hand in the City of Houston, Texas this the 21st day of August, 2009.

By: Walter Bullitt
Walter Bullitt
Owner

By: Kathryn Bullitt
Kathryn Bullitt
Owner

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Walter Bullitt and Kathryn Bullitt, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgment to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 21st day of August 2009.

SHAWNA SIMMONS
Notary Public, State of Texas
My Commission Expires
January 31, 2011

Shawna Simmons
Notary Public in and for the
State of Texas
01/31/11
My Commission Expires:

WITNESS our hand in the City of Houston, Texas this the 12th day of August, 2009.

By: Anne W. Marchetti
Anne Marchetti
Owner

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Anne Marchetti known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgment to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12th day of August 2009.

SHAWNA SIMMONS
Notary Public, State of Texas
My Commission Expires
January 31, 2011

Shawna Simmons
Notary Public in and for the
State of Texas
01/31/11
My Commission Expires:

I, Mike Kurkowski, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods have an outside diameter of not less than three quarter (3/4) inch and a length of not less than three (3) feet, unless otherwise noted; and that the plat boundary corners have been tied to the Texas State Plane Coordinate System, South Central Zone, and the nearest street intersection.

STATE OF TEXAS
REGISTERED
MIKE KURKOWSKI
5101
PROFESSIONAL
LAND SURVEYOR

Mike Kurkowski
Mike Kurkowski
Texas Registration No. 5101

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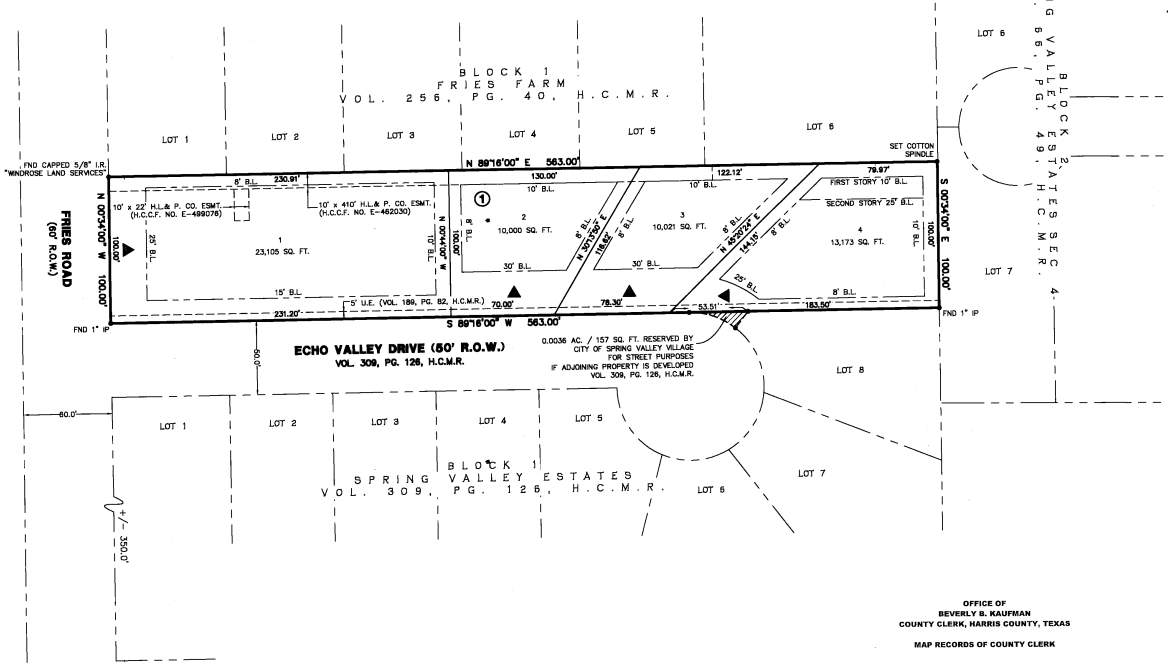


This is to certify that the Planning and Zoning Commission of the City of Spring Valley Village, Texas has approved this replat and subdivision of Echo Valley Estates Replat No. 1 as shown hereon.
In testimony whereof, witness this official signature of the chairman of the Planning and Zoning Commission of the City of Spring Valley Village, Texas, this 21st day of September, 2009.

W.K. (Trey) Hoffman, Chairman
Planning and Zoning Commission
City of Spring Valley Village, Texas

This is to certify plans and specifications for all streets, drainage structures sanitary sewer lines, water distribution lines and fire hydrants in the subdivision have been prepared in conformance with the standards of the City of Spring Valley Village, Texas and have been approved by me.

In testimony whereof, witness this official signature of the City Engineer of the City of Spring Valley Village, Texas, this 18th day of September, 2009.

Harry B. Walker, P.E.
City Engineer
City of Spring Valley Village, Texas

This is to certify that the City Council of the City of Spring Valley Village, Texas has approved this replat and subdivision of Echo Valley Estates Replat No. 1 as shown hereon.
In testimony whereof, witness this official signature of the mayor of the City of Spring Valley Village, Texas, this 21 day of September, 2009.

Michael Andrews, Mayor
City of Spring Valley Village, Texas

I, Arthur L. Storey, Jr., County Engineer of Harris County, hereby certify that the plat of this subdivision complies with all the existing rules and regulations of this office as adopted by the Harris County Commissioners' Court and that it complies or will comply with all applicable provisions of the Harris County Road Law as amended and all other Court adopted drainage requirements.

9-8-09
Arthur L. Storey, Jr., P.E.
County Engineer

I, Beverly B. Kaufman, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on September 23, 2009, at 9:57 o'clock A.m., and duly recorded on September 23, 2009, at 10:55 o'clock A.m., and at Film Code Number 631281 of the Map Records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

ANY PROVISIONS HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

This certificate is void only as to the instrument on which the original signature is affixed and only than to the extent that such instrument is not altered or changed after recording.

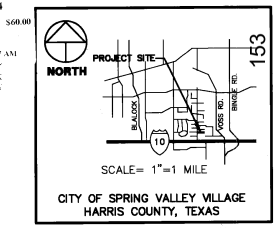
BEVERLY B KAUFMAN
Beverly B. Kaufman
County Clerk of
Harris County, Texas

By: Edwina V Mack
EDWINA V MACK Deputy

20090433564
9/23/2009 hirn2 $60.00
FILED
9/23/2009 9:57 AM
Beverly B. Kaufman
COUNTY CLERK
HARRIS COUNTY

NORTH

40 0 40 Feet
SCALE: 1"=40'



CITY OF SPRING VALLEY VILLAGE
HARRIS COUNTY, TEXAS

VICINITY MAP
NOT-TO-SCALE

ABBREVIATIONS

FND	– FOUND
H.C.C.F.	– HARRIS COUNTY CLERK FILE
H.C.D.R.	– HARRIS COUNTY DEED RECORDS
H.C.M.R.	– HARRIS COUNTY MAP RECORDS
IP	– IRON PIPE
IR	– IRON ROD
NO.	– NUMBER
PG.	– PAGE
R.O.W.	– RIGHT-OF-WAY
SQ. FT.	– SQUARE FEET
VOL.	– VOLUME
F.C.	– FILM CODE
W.L.E.	– WATER LINE EASEMENT
P.A.E.	– PERMANENT ACCESS EASEMENT
PVT.	– PRIVATE
B.L.	– BUILDING LINE
U.E.	– UTILITY EASEMENT

GENERAL NOTES

1. ALL BEARINGS SHOWN HEREON ARE BASED ON VOLUME 189, PAGE 82 & VOLUME 309, PAGE 126, OF THE HARRIS COUNTY MAP RECORDS.
2. LOTS 1 THROUGH 4, BLOCK 1 ARE HEREBY RESTRICTED TO SINGLE – FAMILY RESIDENTIAL.
3. VEHICULAR ACCESS FOR LOTS 2 THROUGH 4 WILL BE RESTRICTED TO ECHO VALLEY DRIVE.
4. THE NORTHERNMOST BOUNDARY OF LOT 4 IS SUBJECT TO A REAR SETBACK LINE NOT LESS THAN 10' FOR THE FIRST STORY AND 25' FOR THE SECOND STORY PER CITY OF SPRING VALLEY VILLAGE ZONING ORDINANCE 09.04.01.
5. THE EASTERNMOST BOUNDARY OF LOT 4 IS SUBJECT TO A REAR TO SIDE SETBACK LINE NOT LESS THAN 10' PER CITY OF SPRING VALLEY VILLAGE ZONING ORDINANCE 09.04.01.
6. ANY ADDITIONAL STRUCTURES OR ADDITIONS MUST ADHERE TO THE BUILDING LINES AS SHOWN ON THIS PLAT, THE CURRENT CODE OF ORDINANCES AND BE APPROVED BY THE CITY OF SPRING VALLEY VILLAGE TO OBTAIN A PERMIT. IN ADDITION, IF THE EXISTING STRUCTURES ARE EVER DEMOLISHED, ANY REPLACEMENT STRUCTURE SHALL ADHERE TO THE BUILDING LINES SHOWN ON THIS PLAT, THE CURRENT CITY OF SPRING VALLEY VILLAGE CODE OF ORDINANCES AND BE APPROVED BY THE CITY OF SPRING VALLEY VILLAGE TO OBTAIN A BUILDING PERMIT.

OFFICE OF
BEVERLY B. KAUFMAN
COUNTY CLERK, HARRIS COUNTY, TEXAS

MAP RECORDS OF COUNTY CLERK

631281
FILM CODE

ECHO VALLEY ESTATES
REPLAT NO. 1

THIS IS PAGE 1 OF 2 PAGES

SCANNER KM-4850w
KEY MAP

RECORDER'S MEMORANDUM
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.

ECHO VALLEY ESTATES REPLAT NO. 1

A SUBDIVISION OF 1.2925 AC. / 56,300 SQ. FT.
BEING A REPLAT OF LOTS 1, 2, AND 3, BLOCK 1 OF ECHO VALLEY ESTATES, VOL. 189, PG. 82, H.C.M.R.
SITUATED IN THE
A.H. OSBOURNE SURVEY, ABSTRACT NO. 610
CITY OF SPRING VALLEY VILLAGE
HARRIS COUNTY, TEXAS

AUGUST 2009

REASON FOR REPLAT:
TO COMBINE SAID LOTS 1, 2, AND 3 OF ECHO VALLEY ESTATES TO CREATE FOUR SINGLE FAMILY RESIDENTIAL LOTS.

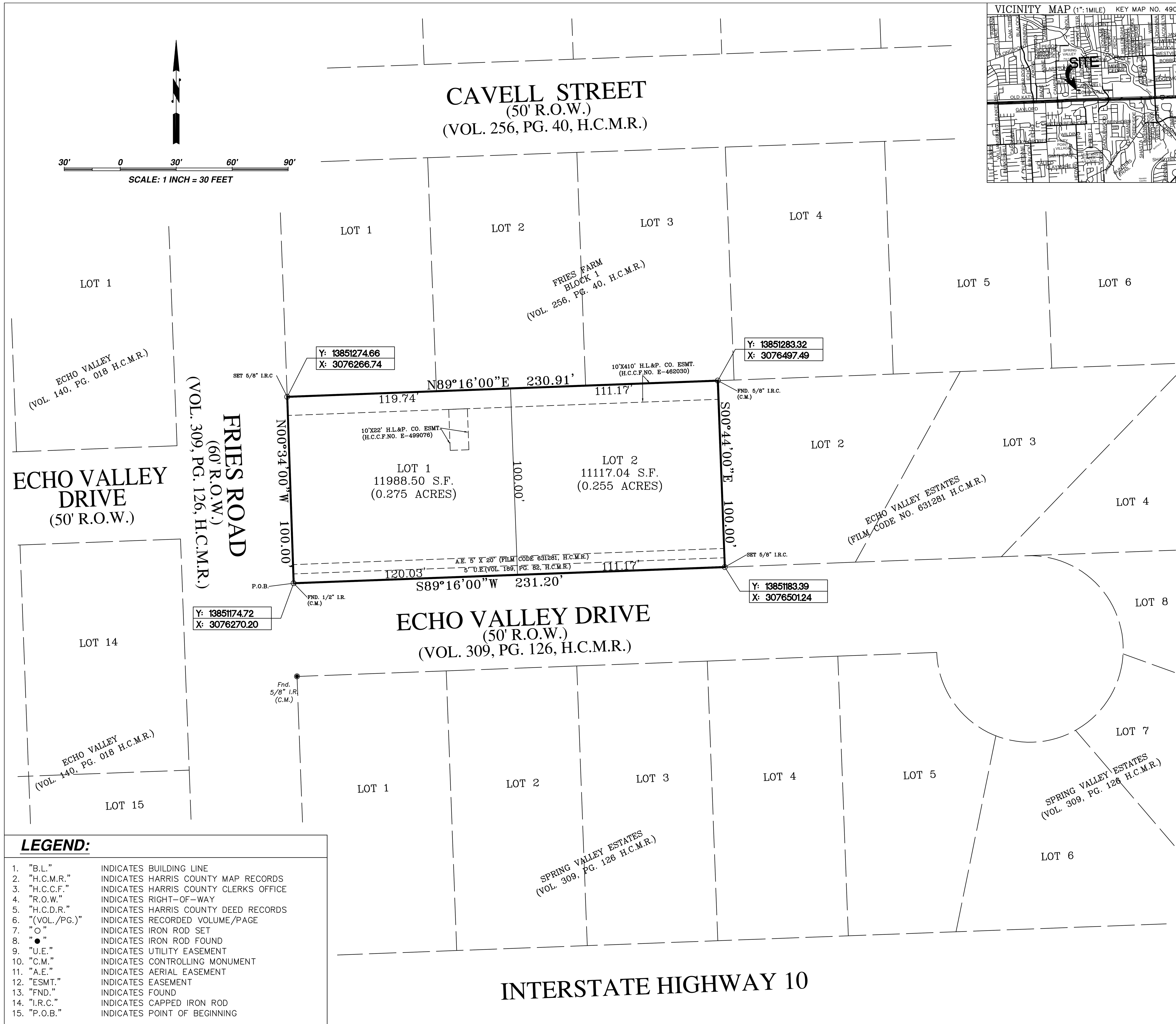
4 LOTS 1 BLOCK

Owner
Walter and Kathryn Bullitt
1020 Fries Road
Houston, TX 77055

Owner
Anne Marchetti
1024 Fries Road
Houston, TX 77055

Windrose Land Services, Inc.
3828 Westchase
Houston, Texas 77042
Phone (713) 458-2281 Fax (713) 461-1151
Professional Development Consultants
Land Surveying, Platting, Project Management, GIS Services

DIVIDER PAGE



LEGEND:

1. "B.L." INDICATES BUILDING LINE
2. "H.C.M.R." INDICATES HARRIS COUNTY MAP RECORDS
3. "H.C.C.F." INDICATES HARRIS COUNTY CLERKS OFFICE
4. "R.O.W." INDICATES RIGHT–OF–WAY
5. "H.C.D.R." INDICATES HARRIS COUNTY DEED RECORDS
6. "(VOL./PG.)" INDICATES RECORDED VOLUME/PAGE
7. "○" INDICATES IRON ROD SET
8. "●" INDICATES IRON ROD FOUND
9. "U.E." INDICATES UTILITY EASEMENT
10. "C.M." INDICATES CONTROLLING MONUMENT
11. "A.E." INDICATES AERIAL EASEMENT
12. "ESMT." INDICATES EASEMENT
13. "FND." INDICATES FOUND
14. "I.R.C." INDICATES CAPPED IRON ROD
15. "P.O.B." INDICATES POINT OF BEGINNING

PLAT NOTES:

1. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON–UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOT LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.
2. ALL BUILDING LINES ARE DICTATED BY THE ZONING ORDINANCE.
3. NOTE THAT FLOOD PLAIN MAPS ARE SUBJECT TO CHANGE.
4. THIS PROPERTY LIES IN ZONE SHADED X AS PER FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 480313 EFFECTIVE DATE JUNE 18, 2007.

LOT 1 METES AND BOUNDS

BEING A TRACT OF LAND CONTAINING 0.275 ACRES AND BEING 11,988.52 SQUARE FEET OUT OF LOT 1, BLOCK 1, OF ECHO VALLEY ESTATES REPLAT NO. 1, ACCORDING TO THE PLAT RECORDED IN FILM CODE NO. 631281 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR REFERENCE AT A 1/2" IRON ROD FOUND MARKING THE NORTHEAST BLOCK CORNER OF THE EAST LINE OF FRIES ROAD (60' RIGHT–OF– WAY) AND NORTH LINE OF ECHO VALLEY DRIVE (50' RIGHT–OF–WAY) WITH THIS BEING THE POINT OF BEGINNING OF THE HEREON DESCRIBED TRACT OF LAND;

THENCE NORTH 00 DEGREES 34 MINUTES 00 SECONDS WEST, ALONG SAID FRIES ROAD A DISTANCE OF 100.00 FEET TO A 5/8" IRON FOR THE NORTHWEST CORNER OF THE HEREON DESCRIBED TRACT;
THENCE NORTH 89 DEGREES 16 MINUTES 00 SECONDS EAST A DISTANCE, ALONG THE NORTH LINE OF SAID LOT 1, BLOCK 1 OF THE ECHO VALLEY ESTATES, A DISTANCE OF 119.74 FEET FOR THE NORTHEAST CORNER OF THE HEREON DESCRIBED TRACT;

THENCE SOUTH 00 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 100.00 FEET TO A POINT IN THE NORTH LINE OF SAID ECHO VALLEY DRIVE, FOR THE SOUTHEAST CORNER OF HEREON DESCRIBED TRACT;

THENCE SOUTH 89 DEGREES 16 MINUTES 00 SECONDS WEST, ALONG SAID LINE OF ECHO VALLEY DRIVE, A DISTANCE OF 120.03 FEET TO THE POINT OF BEGINNING AND THUS CONTAINING 0.275 ACRES OF LAND MORE OR LESS.

LOT 2 METES AND BOUNDS

BEING A TRACT OF LAND CONTAINING 0.255 ACRES AND BEING 11117.00 SQUARE FEET OUT OF LOT 1, BLOCK 1 OF ECHO VALLEY ESTATES REPLAT NO. 1, ACCORDING TO THE PLAT RECORDED IN FILM CODE 631281 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND BEING PARTICULARLY DESCRIBED BY METES AND BOUNDS FOLLOWS:

COMMENCING FOR REFERENCE AT A 1/2" IRON ROD FOUND MARKING THE NORTHEAST BLOCK CORNER OF THE EAST LINE OF FRIES ROAD (60' RIGHT–OF–WAY) AND NORTH LINE OF ECHO VALLEY DRIVE (50' RIGHT–OF–WAY);

THENCE NORTH 89 DEGREES 16 MINUTES 00 SECONDS EAST ALONG SAID NORTH LINE OF ECHO VALLEY DRIVE, A DISTANCE OF 120.03 FEET TO A POINT MARKING THE POINT OF BEGINNING OF THE HEREON DESCRIBED 0.255 ACRE TRACT;

THENCE NORTH 0 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 100.00 FEET TO A POINT FOR A CORNER IN THE NORTH LINE OF SAID LOT 1, BLOCK 1 OF THE ECHO VALLEY ESTATES, WITH THIS BEING THE NORTHWEST CORNER OF THE HEREON DESCRIBED TRACT;

THENCE NORTH 89 DEGREES 00 SECONDS EAST A DISTANCE OF 111.17 FEET TO A 5/8" IRON ROD FOUND MARKING THE NORTHEAST CORNER OF THE HEREON DESCRIBED TRACT;

THENCE SOUTH 00 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 100.00 FEET TO A 5/8" IRON ROD FOR THE SOUTHEAST CORNER OF THE HEREON DESCRIBED TRACT AND BEING IN THE NORTH LINE OF ECHO VALLEY DRIVE;

THENCE SOUTH 89 DEGREES 16 MINUTES 00 SECONDS WEST, ALONG SAID ECHO VALLEY DRIVE, A DISTANCE OF 111.17 FEET TO THE POINT OF BEGINNING AND THUS CONTAINING 0.255 ACRES OF LAND MORE OR LESS.

STATE OF TEXAS
COUNTY OF HARRIS

WE, ECHO PLACE, LLC, ACTING BY AND THROUGH TONY TON, MANAGING MEMBER OF ECHO PLACE, LLC, OWNER OF THE 0.530 ACRES TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION AND DEVELOPMENT PLAN OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS, AND NOTATIONS ON SAID MAPS OR PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS, OR PERMANENT ACCESS EASEMENTS), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE ON THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6") FOR TEN FEET (10' 0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6") FOR FOURTEEN FEET (14' 0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY–ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0") FOR TEN FEET (10' 0") BACK–TO–BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 0") BACK–TO–BACK GROUND EASEMENTS OR SEVEN FEET (7' 0") FOR SIXTEEN FEET (16' 0") BACK–TO–BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN WIDTH.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT IS HEREBY RESTRICTED TO PREVENT THE DRAINAGE OF ANY SEPTIC TANKS INTO ANY PUBLIC OR PRIVATE STREET, PERMANENT ACCESS EASEMENT, ROAD OR ALLEY, OR ANY DRAINAGE DITCH, EITHER DIRECTLY OR INDIRECTLY.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN FEET (15' 0") WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF HOUSTON, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, OWNERS HEREBY CERTIFY THAT THIS REPLAT DOES NOT ATTEMPT TO ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS; WE FURTHER CERTIFY THAT NO PORTION OF THE PRECEDING PLAT WAS LIMITED BY DEED RESTRICTION TO RESIDENTIAL USE FOR NOT MORE THAN TWO (2) RESIDENTIAL UNITS PER LOT.

IN TESTIMONY WHEREOF, THE ECHO PLACE, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY TONY TON, ITS MANAGING MEMBER, THEREUNTO AUTHORIZED, THIS ______ DAY OF ________________, 2020.

ECHO PLACE, LLC

BY: ______________________________
TONY TON, MANAGING MEMBER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TONY TON, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ___ DAY OF _________________, 2020.

____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: ____________________________

MY COMMISSION EXPIRES: __________________

I, DANIEL VILLA JR., AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND ACCURATE; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT, EXCEPT AS SHOWN ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER OBJECTS OF A PERMANENT NATURE) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE–EIGHTHS TO ONE (5/8 TO 1) INCH AND A LENGTH OF NOT LESS THAN THREE (3') FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

____
DANIEL VILLA JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6751

I, DANIEL VILLA JR., HAVE PROPERLY MARKED ALL BLOCK CORNERS, LOT CORNERS, ANGLE POINT AND POINTS OF CURVE IN PLAT OR SUBDIVISION OF LAND WITH GALVANIZED IRON PIPES AS STAKES, SUCH PIPES BEING ONE (1) INCH IN DIAMETER AND THREE (3) FEET OR MORE IN LENGHT; AND THAT THE PLAT CORRECTLY REPRESENTS THE SURVEY MADE BY ME.

____
DANIEL VILLA JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6751

I, JOHN R. BLOUNT, COUNTY ENGINEER OF HARRIS COUNTY, HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE HARRIS COUNTY COMMISSIONERS' COURT AND THAT IT COMPLIES OR WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE HARRIS COUNTY ROAD LAW AS AMENDED AND ALL OTHER COURT ADOPTED DRAINAGE REQUIREMENTS.

____
JOHN R. BLOUNT, P.E., LEED AP
COUNTY ENGINEER

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS HAS APPROVED THIS RE–PLAT OF ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1 AS SHOWN HEREON.
IN TESTIMONY WHEREOF, WITNESS THIS OFFICIAL SIGNATURE OF THE MAYOR OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THIS __________, DAY OF ___________________, 20____.

ATTEST:

____
ROXANNE BENITEZ, CITY SECRETARY
CITY OF SPRING VALLEY VILLAGE, TEXAS

BY: ______________________________
MARCUS VAJDOS,
MAYOR
CITY OF SPRING VALLEY VILLAGE, TEXAS

I, CHRIS HOLLINS, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON ___________, 20_______, AT ____________ O'CLOCK _____.M., AND DULY RECORDED ON ___________________, 20_______, AT ____________ O'CLOCK __________.M., AND AT FILM CODE NUMBER ____________________ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, IN HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

____
CHRIS HOLLINS
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: __________________________________
DEPUTY

I, CHRIS HOLLINS, COUNTY CLERK OF HARRIS COUNTY AND EX OFFICIO CLERKS OF THE HARRIS COUNTY COMMISSIONERS' COURT, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS APPROVED AT A LEGALLY CONVENED MEETING OF THE HARRIS COUNTY COMMISSIONERS' COURT HELD ON ___________, 20_____ BY AN ORDER ENTERED INTO THE MINUTES OF THE COURT.

____
CHRIS HOLLINS
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: __________________________________
DEPUTY

WE, SPIRIT OF TEXAS BANK SSB, OWNER AND HOLDER OF LIENS AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1, SAID LIENS BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NOS. 20190544214, 20190544215, AND 20190544216 OF THE O.P.R.O.R.P. OF HARRIS COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LIENS AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

BY: ___________________________

NAME: ___________________________

TITLE: ___________________________

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ____________________________________, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _________________, _________.

____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: ____________________________

MY COMMISSION EXPIRES: __________________

ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1

A SUBDIVISION OF A 0.530 ACRES TRACT OF LAND BEING LOT 1, BLOCK 1, OF ECHO VALLEY ESTATES REPLAT NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN FILM CODE NO. 631281 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

LOTS: 2 BLOCKS: 1

REASON FOR REPLAT: TO CREATE TWO (2) LOTS

JUNE, 2020

OWNER:
ECHO PLACE, LLC
12010 DAIRY ASHFORD RD,
SUITE 100C
SUGAR LAND, TEXAS 77478

SURVEYOR:
ARTHUR LAND SURVEYING
11111 RICHMOND AVE, SUITE #150
HOUSTON, TX 77082
TEL. 281-937-1731
BRANCH NO. 10194357

The
INTERFIELD GROUP
engineering | architecture
401 STUDEWOOD, SUITE 300
HOUSTON, TEXAS 77007
WWW.INTERFIELD.NET
TEL. (713) 780–0909
TX. REG. NO. F–5611

(INTERFIELD PROJ. #: 20011.00)

MEETING DATE: July 14, 2020

TOPIC:

CONDUCT A PUBLIC HEARING CONCERNING:
A Preliminary and Final Re-Plat of Echo Valley Estates Replat No. 1 Partial Replat No. 1, A Plot Containing 0.530 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1020 Fries Road.

BACKGROUND:

Echo Place, LLC ("Property Owner") has purchased the property located at 1020 Fries Road ("Property"). The Property Owner is requesting to replat the Property into two separate lots fronting Echo Valley Estates instead of Fries Road as it currently is situated.

The Property is a total of 0.530 acres (25,105.5 square feet), and the requested replat would create two lots with the following dimensions:

Lot 1 – Approximately 0.275 acres / 11,988.50 square feet
Lot 2 – Approximately 0.255 acres / 11,117.04 square feet

The proposed lots do not currently meet the subdivision requirement for lot depth since the lots are only 100 feet deep instead of the required 120 feet. However, the Property Owner has requested a subdivision variance to the lot depth, and the Commission considered the variance request in the previous agenda item.

If the Subdivision Variance in the previous agenda item is approved, then the proposed new lots will meet all of the requirements of the Subdivision Ordinance.

In the event the Subdivision Variance in the previous agenda item is denied, then the proposed replat does not meet the Subdivision Ordinance and it must be denied.

In order to provide an efficient process for the Property Owner, Staff brought the replat forward at the same time that the Commission would be considering the requested variance to the subdivision regulations. Additionally, the Property Owner was advised prior to filing the Applications for both the subdivision variance and the replat that there was no guarantee that the Commission would grant the requested subdivision variance and therefore the requested replat was also not guaranteed.

RECOMMENDATION: Not Applicable in the Public Hearing

ATTACHMENTS:

- Preliminary and Final Replat of Echo Valley Estates Replat

No. 1 Partial Replat No. 1 for the Property Located at 1020 Fries Road.

- Plat/General Plan Submittal Application Including Supporting Application Documents
- City Comments to Original Submission
- Copy of Published Notice of Public Hearing
- Copy of Notice of Public Hearing Letters and Mailing Labels for Property Owners Within 200 Feet of Property
- Affidavit of Sign Posting and Maintenance for the Property

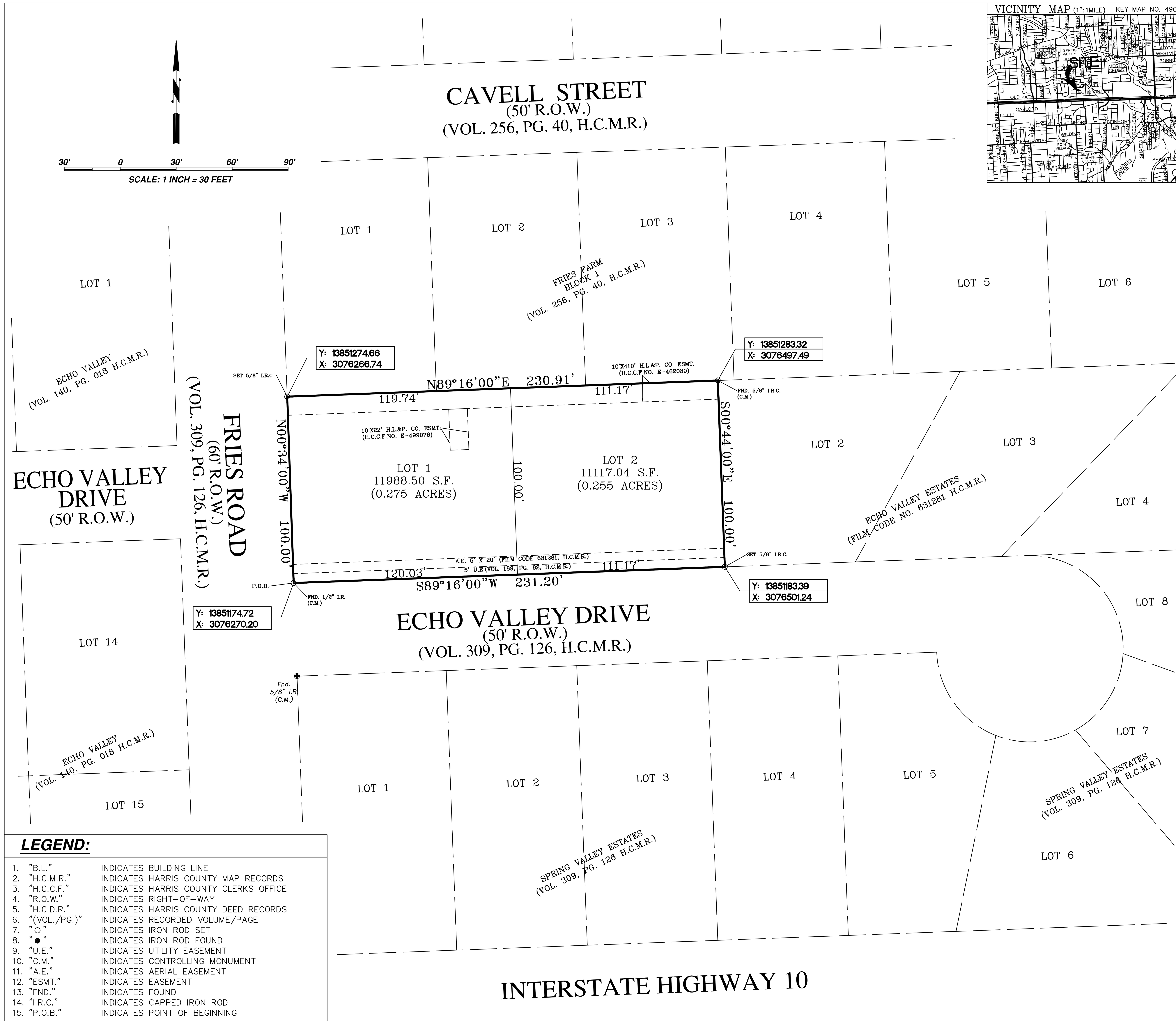
FUNDING ISSUES:

☒ 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:**
Zachary Meadows, Director of Community Development	

DIVIDER PAGE



LEGEND:

1. "B.L." INDICATES BUILDING LINE
2. "H.C.M.R." INDICATES HARRIS COUNTY MAP RECORDS
3. "H.C.C.F." INDICATES HARRIS COUNTY CLERKS OFFICE
4. "R.O.W." INDICATES RIGHT-OF-WAY
5. "H.C.D.R." INDICATES HARRIS COUNTY DEED RECORDS
6. "(VOL./PG.)" INDICATES RECORDED VOLUME/PAGE
7. "○" INDICATES IRON ROD SET
8. "●" INDICATES IRON ROD FOUND
9. "U.E." INDICATES UTILITY EASEMENT
10. "C.M." INDICATES CONTROLLING MONUMENT
11. "A.E." INDICATES AERIAL EASEMENT
12. "ESMT." INDICATES EASEMENT
13. "FND." INDICATES FOUND
14. "I.R.C." INDICATES CAPPED IRON ROD
15. "P.O.B." INDICATES POINT OF BEGINNING

PLAT NOTES:

1. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOT LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.
2. ALL BUILDING LINES ARE DICTATED BY THE ZONING ORDINANCE.
3. NOTE THAT FLOOD PLAIN MAPS ARE SUBJECT TO CHANGE.
4. THIS PROPERTY LIES IN ZONE SHADED X AS PER FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 480313 EFFECTIVE DATE JUNE 18, 2007.

LOT 1 METES AND BOUNDS

BEING A TRACT OF LAND CONTAINING 0.275 ACRES AND BEING 11,988.52 SQUARE FEET OUT OF LOT 1, BLOCK 1, OF ECHO VALLEY ESTATES REPLAT NO. 1, ACCORDING TO THE PLAT RECORDED IN FILM CODE NO. 631281 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR REFERENCE AT A 1/2" IRON ROD FOUND MARKING THE NORTHEAST BLOCK CORNER OF THE EAST LINE OF FRIES ROAD (60' RIGHT-OF- WAY) AND NORTH LINE OF ECHO VALLEY DRIVE (50' RIGHT-OF-WAY) WITH THIS BEING THE POINT OF BEGINNING OF THE HEREON DESCRIBED TRACT OF LAND;

THENCE NORTH 00 DEGREES 34 MINUTES 00 SECONDS WEST, ALONG SAID FRIES ROAD A DISTANCE OF 100.00 FEET TO A 5/8" IRON FOR THE NORTHWEST CORNER OF THE HEREON DESCRIBED TRACT;
THENCE NORTH 89 DEGREES 16 MINUTES 00 SECONDS EAST A DISTANCE, ALONG THE NORTH LINE OF SAID LOT 1, BLOCK 1 OF THE ECHO VALLEY ESTATES, A DISTANCE OF 119.74 FEET FOR THE NORTHEAST CORNER OF THE HEREON DESCRIBED TRACT;

THENCE SOUTH 00 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 100.00 FEET TO A POINT IN THE NORTH LINE OF SAID ECHO VALLEY DRIVE, FOR THE SOUTHEAST CORNER OF HEREON DESCRIBED TRACT;

THENCE SOUTH 89 DEGREES 16 MINUTES 00 SECONDS WEST, ALONG SAID LINE OF ECHO VALLEY DRIVE, A DISTANCE OF 120.03 FEET TO THE POINT OF BEGINNING AND THUS CONTAINING 0.275 ACRES OF LAND MORE OR LESS.

LOT 2 METES AND BOUNDS

BEING A TRACT OF LAND CONTAINING 0.255 ACRES AND BEING 11117.00 SQUARE FEET OUT OF LOT 1, BLOCK 1 OF ECHO VALLEY ESTATES REPLAT NO. 1, ACCORDING TO THE PLAT RECORDED IN FILM CODE 631281 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND BEING PARTICULARLY DESCRIBED BY METES AND BOUNDS FOLLOWS:

COMMENCING FOR REFERENCE AT A 1/2" IRON ROD FOUND MARKING THE NORTHEAST BLOCK CORNER OF THE EAST LINE OF FRIES ROAD (60' RIGHT-OF-WAY) AND NORTH LINE OF ECHO VALLEY DRIVE (50' RIGHT-OF-WAY);

THENCE NORTH 89 DEGREES 16 MINUTES 00 SECONDS EAST ALONG SAID NORTH LINE OF ECHO VALLEY DRIVE, A DISTANCE OF 120.03 FEET TO A POINT MARKING THE POINT OF BEGINNING OF THE HEREON DESCRIBED 0.255 ACRE TRACT;

THENCE NORTH 0 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 100.00 FEET TO A POINT FOR A CORNER IN THE NORTH LINE OF SAID LOT 1, BLOCK 1 OF THE ECHO VALLEY ESTATES, WITH THIS BEING THE NORTHWEST CORNER OF THE HEREON DESCRIBED TRACT;

THENCE NORTH 89 DEGREES 00 SECONDS EAST A DISTANCE OF 111.17 FEET TO A 5/8" IRON ROD FOUND MARKING THE NORTHEAST CORNER OF THE HEREON DESCRIBED TRACT;

THENCE SOUTH 00 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 100.00 FEET TO A 5/8" IRON ROD FOR THE SOUTHEAST CORNER OF THE HEREON DESCRIBED TRACT AND BEING IN THE NORTH LINE OF ECHO VALLEY DRIVE;

THENCE SOUTH 89 DEGREES 16 MINUTES 00 SECONDS WEST, ALONG SAID ECHO VALLEY DRIVE, A DISTANCE OF 111.17 FEET TO THE POINT OF BEGINNING AND THUS CONTAINING 0.255 ACRES OF LAND MORE OR LESS.

STATE OF TEXAS
COUNTY OF HARRIS

WE, ECHO PLACE, LLC, ACTING BY AND THROUGH TONY TON, MANAGING MEMBER OF ECHO PLACE, LLC, OWNER OF THE 0.530 ACRES TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION AND DEVELOPMENT PLAN OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS, AND NOTATIONS ON SAID MAPS OR PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS, OR PERMANENT ACCESS EASEMENTS), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE ON THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6") FOR TEN FEET (10' 0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6") FOR FOURTEEN FEET (14' 0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0") FOR TEN FEET (10' 0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 0") FOR SIXTEEN FEET (16' 0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN WIDTH.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT IS HEREBY RESTRICTED TO PREVENT THE DRAINAGE OF ANY SEPTIC TANKS INTO ANY PUBLIC OR PRIVATE STREET, PERMANENT ACCESS EASEMENT, ROAD OR ALLEY, OR ANY DRAINAGE DITCH, EITHER DIRECTLY OR INDIRECTLY.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN FEET (15' 0") WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF HOUSTON, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, OWNERS HEREBY CERTIFY THAT THIS REPLAT DOES NOT ATTEMPT TO ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS; WE FURTHER CERTIFY THAT NO PORTION OF THE PRECEDING PLAT WAS LIMITED BY DEED RESTRICTION TO RESIDENTIAL USE FOR NOT MORE THAN TWO (2) RESIDENTIAL UNITS PER LOT.

IN TESTIMONY WHEREOF, THE ECHO PLACE, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY TONY TON, ITS MANAGING MEMBER, THEREUNTO AUTHORIZED, THIS _____ DAY OF ______________, 2020.

ECHO PLACE, LLC

BY: ____________________________
TONY TON, MANAGING MEMBER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TONY TON, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ___ DAY OF ________________, 2020.

____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: __________________________

MY COMMISSION EXPIRES: ________________

I, DANIEL VILLA JR., AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND ACCURATE; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT, EXCEPT AS SHOWN ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER OBJECTS OF A PERMANENT NATURE) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS TO ONE (5/8 TO 1) INCH AND A LENGTH OF NOT LESS THAN THREE (3') FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

____
DANIEL VILLA JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6751

I, DANIEL VILLA JR., HAVE PROPERLY MARKED ALL BLOCK CORNERS, LOT CORNERS, ANGLE POINT AND POINTS OF CURVE IN PLAT OR SUBDIVISION OF LAND WITH GALVANIZED IRON PIPES AS STAKES, SUCH PIPES BEING ONE (1) INCH IN DIAMETER AND THREE (3) FEET OR MORE IN LENGHT; AND THAT THE PLAT CORRECTLY REPRESENTS THE SURVEY MADE BY ME.

____
DANIEL VILLA JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6751

I, JOHN R. BLOUNT, COUNTY ENGINEER OF HARRIS COUNTY, HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE HARRIS COUNTY COMMISSIONERS' COURT AND THAT IT COMPLIES OR WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE HARRIS COUNTY ROAD LAW AS AMENDED AND ALL OTHER COURT ADOPTED DRAINAGE REQUIREMENTS.

____
JOHN R. BLOUNT, P.E., LEED AP
COUNTY ENGINEER

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS HAS APPROVED THIS RE-PLAT OF ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1 AS SHOWN HEREON.
IN TESTIMONY WHEREOF, WITNESS THIS OFFICIAL SIGNATURE OF THE MAYOR OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THIS _________, DAY OF _________________, 20____.

ATTEST:

____
ROXANNE BENITEZ, CITY SECRETARY
CITY OF SPRING VALLEY VILLAGE, TEXAS

BY: ______________________________
MARCUS VAJDOS,
MAYOR
CITY OF SPRING VALLEY VILLAGE, TEXAS

I, CHRIS HOLLINS, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON __________, 20______, AT ___________ O'CLOCK _____.M., AND DULY RECORDED ON _________________, 20______, AT ___________ O'CLOCK _________.M., AND AT FILM CODE NUMBER ___________________ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, IN HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

____
CHRIS HOLLINS
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: ________________________________
DEPUTY

I, CHRIS HOLLINS, COUNTY CLERK OF HARRIS COUNTY AND EX OFFICIO CLERKS OF THE HARRIS COUNTY COMMISSIONERS' COURT, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS APPROVED AT A LEGALLY CONVENED MEETING OF THE HARRIS COUNTY COMMISSIONERS' COURT HELD ON __________, 20_____ BY AN ORDER ENTERED INTO THE MINUTES OF THE COURT.

____
CHRIS HOLLINS
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: ________________________________
DEPUTY

WE, SPIRIT OF TEXAS BANK SSB, OWNER AND HOLDER OF LIENS AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1, SAID LIENS BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NOS. 20190544214, 20190544215, AND 20190544216 OF THE O.P.R.O.R.P. OF HARRIS COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LIENS AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

BY: __________________________

NAME: __________________________

TITLE: __________________________

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ________________________________, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF ________________, ________.

____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: __________________________

MY COMMISSION EXPIRES: ________________

ECHO VALLEY ESTATES REPLAT NO 1
PARTIAL REPLAT NO 1

A SUBDIVISION OF A 0.530 ACRES TRACT OF LAND BEING LOT 1, BLOCK 1, OF ECHO VALLEY ESTATES REPLAT NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN FILM CODE NO. 631281 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

LOTS: 2 BLOCKS: 1

REASON FOR REPLAT: TO CREATE TWO (2) LOTS

JUNE, 2020

OWNER:
ECHO PLACE, LLC
12010 DAIRY ASHFORD RD,
SUITE 100C
SUGAR LAND, TEXAS 77478

SURVEYOR:
ARTHUR LAND SURVEYING
11111 RICHMOND AVE, SUITE #150
HOUSTON, TX 77082
TEL. 281-937-1731
BRANCH NO. 10194357

The INTERFIELD GROUP
engineering | architecture
401 STUDEWOOD, SUITE 300
HOUSTON, TEXAS 77007
WWW.INTERFIELD.NET
TEL. (713) 780-0909
TX. REG. NO. F-5611

(INTERFIELD PROJ. #: 20011.00)

DIVIDER PAGE

EST. 1955
SPRING VALLEY
VILLAGE

CITY OF SPRING VALLEY VILLAGE

Plat / General Plan Submittal Application

(Please type or print legibly)

Fees: Plat or Replat Application - $500
Specific Use Permit Application - $500
Planned Area Development District (PADD) Application - $7,000
Amendment to Planned Area Development District (PADD) Application - $1,000

Submittal Requirements Checklist:

Fifteen (15) packets, each one shall include all of the items listed below:

- [x] Application
- [x] Letter stating the applicant's reasons for request, the type of request, and other pertinent information
- [x] Letter from property owner
- [x] Metes and bounds of the site and county slide number of plat (if recorded)
- [x] Scale drawings, on 24" x 36" paper (1" = 100'), blue line/black line copies of plat, re-plat or amending plat, and a vicinity/key map
- [x] A pdf of the entire packet submitted to secretary@springvalleytx.com

Subdivision / Development Name: Echo Valley Estates Replat No 1 Partial Replat No 1

Geographical Location: 1020 Fries Rd., being north of Echo Valley Dr., east of Fries Rd., south of Cavell St. and west of Spring Valley Estates
(List specific address, major streets, bayous, creeks, and adjacent subdivisions)

Survey/Abstract No.: A.H. Osbourne/610

Submittal Type:

- [ ] Preliminary Plat
- [ ] Final Plat
- [ ] Amending Plat
- [x] Preliminary Replat
- [ ] Final Replat
- [ ] Specific Use Permit
- [ ] Specific Use Permit Amendment

Reason for Replat or Amending Plat:

To create two (2) residential lots

Type of Plat:

- [x] Single Family Residential
- [ ] Zero Lot Line Patio Homes
- [ ] Planned Area Development District
- [ ] Planned Area Development
- [ ] Amendment to Planned Area Development

Plat/PADD Data:

Total Acreage: 0.530 Typical Lot Size: 12002.97 SF

Number Lots: 2 Number of Streets: 0

Numbers and Types of Reserves: 0 Total Acres in Reserve: 0

Zoning District: Dwelling District A

Applicant: The Interfield Group

Contact Name: Mary Villareal

Address: 401 Studewood, Suite 300, Houston, TX 77007

Phone: 713-780-0909 Fax:

Email: mvillareal@interfield.net

Owner: Echo Place, LLC

Contact Name: Tony Ton

Address: 16523 Village View Trail, Sugar Land, TX 77498

Phone: 281-916-1101 Fax:

Email: tony@tsquaredevelopment.com

Engineer or Planner: The Interfield Group

Contact Name: Mary Villareal

Address: 401 Studewood, Suite 300, Houston, TX 77007

Phone: 713-780-0909 Fax:

Email: mvillareal@interfield.net

Authorization:

My signature below certifies that I am authorized to submit this application and that the information on the application is COMPLETE, TRUE, and CORRECT. **Furthermore, I understand that, in accordance with Chapter 9, Article 9.303 of the Spring Valley Village Code of Ordinances, I am responsible for all engineering fees incurred by the City.**

mvillareal 03/18/2020

Applicant's Signature **Date**

INTERFIELD
engineering | architecture

March 18, 2020

Planning & Zoning Commission
City of Spring Valley
1025 Campbell Road
Houston, Texas 77055

Re: Echo Valley Estates Replat No 1 Partial Replat No 1
1020 Fries Road
(Interfield Project No.: 20011.00)

Dear Sirs and Madams,

On behalf of ECHO PLACE, LLC, owners of subject property, we submit Echo Valley Estates Replat No 1 Partial Replat No 1. Property consists of a 0.530-acre tract of land, being Lot 1, Block 1 of Echo Valley Estates Replat No 1, recorded in Film Code No. 631281 of the Harris County Map Records. The reason for replat is to create two (2) residential lots.

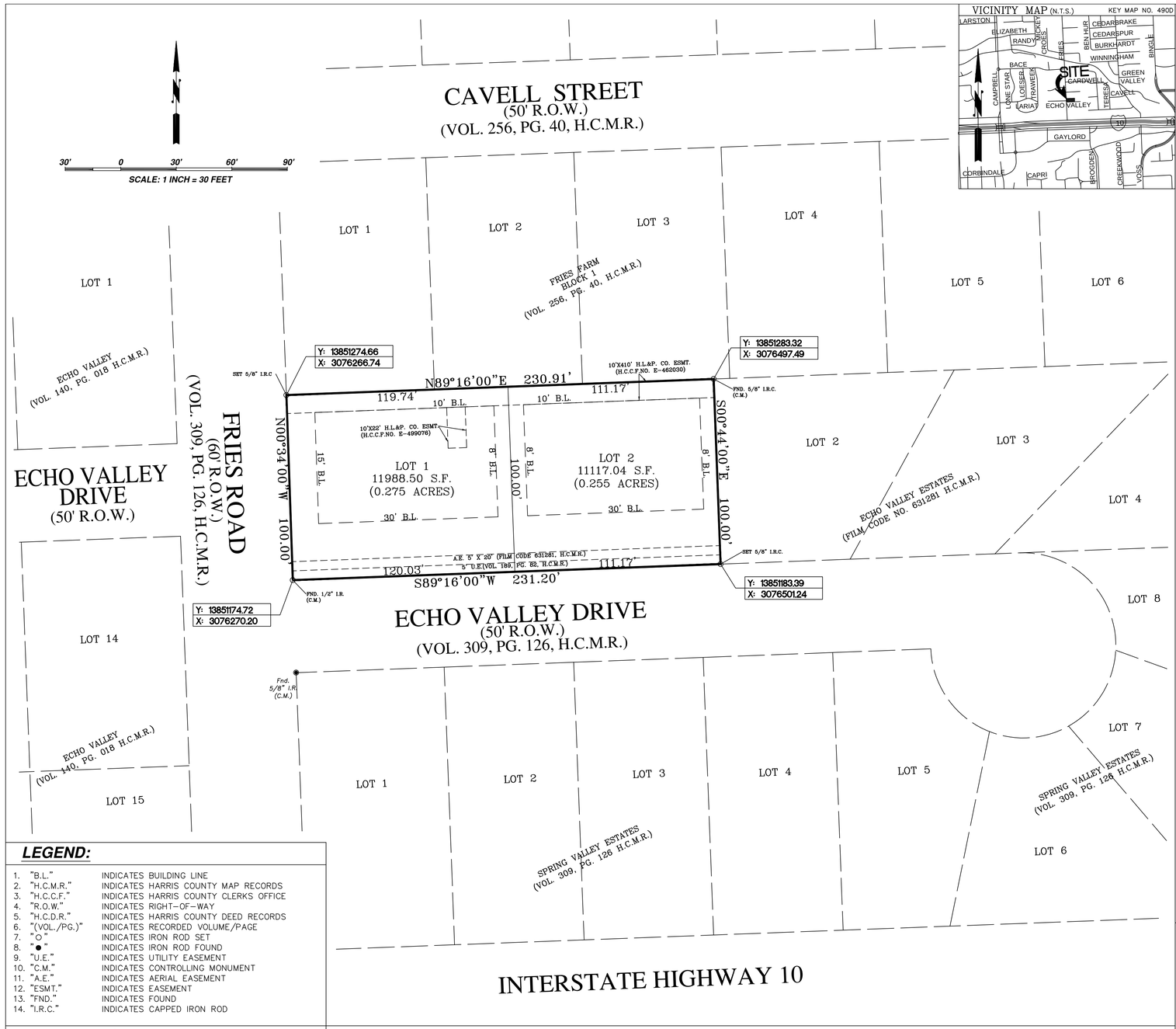
We hope this partial replat meets with your approval. Please let me know if you have any questions or if I may be of further assistance.

Very truly yours,
THE INTERFIELD GROUP

MVillareal
Mary Villareal
Planning Manager

Attachments

401 STUDEWOOD STREET, SUITE 300 | HOUSTON, TEXAS 77007 | PHONE: 713-780-0909 | FAX: 713-780-8550 | www.interfield.net



STATE OF TEXAS
COUNTY OF HARRIS

WE, ECHO PLACE, LLC, ACTING BY AND THROUGH TONY TON, MANAGING MEMBER OF ECHO PLACE, LLC, OWNER OF THE 0.530 ACRES TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OFECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION AND DEVELOPMENT PLAN OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS, AND NOTATIONS ON SAID MAPS OR PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS, OR PERMANENT ACCESS EASEMENTS), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE ON THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6') FOR TEN FEET (10' 0') PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6') FOR FOURTEEN FEET (14' 0') PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6') FOR SIXTEEN FEET (16' 0') PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0') ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21' 6') IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0') FOR TEN FEET (10' 0') BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0') FOR FOURTEEN FEET (14' 0') BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 0') FOR SIXTEEN FEET (16' 0') BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0') ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0') IN WIDTH.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT IS HEREBY RESTRICTED TO PREVENT THE DRAINAGE OF ANY SEPTIC TANKS INTO ANY PUBLIC OR PRIVATE STREET, PERMANENT ACCESS EASEMENT, ROAD OR ALLEY, OR ANY DRAINAGE DITCH, EITHER DIRECTLY OR INDIRECTLY.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN FEET (15' 0') WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF HOUSTON, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, OWNERS HEREBY CERTIFY THAT THIS REPLAT DOES NOT ATTEMPT TO ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS; WE FURTHER CERTIFY THAT NO PORTION OF THE PRECEDING PLAT WAS LIMITED BY DEED RESTRICTION TO RESIDENTIAL USE FOR NOT MORE THAN TWO (2) RESIDENTIAL UNITS PER LOT.

IN TESTIMONY WHEREOF, THE ECHO PLACE, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY TONY TON, ITS MANAGING MEMBER, THEREUNTO AUTHORIZED, THIS _____ DAY OF _____, 2020.

ECHO PLACE, LLC

BY: _____
TONY TON, MANAGING MEMBER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TONY TON, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ___ DAY OF _____ 2020.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: _____

MY COMMISSION EXPIRES: _____

I, MICHAEL D. MORTON, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND ACCURATE; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT, EXCEPT AS SHOWN ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER OBJECTS OF A PERMANENT NATURE) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE EIGHTHS (5/8) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

_____
MICHAEL D. MORTON
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3686

I, JOHN R. BLOUNT, COUNTY ENGINEER OF HARRIS COUNTY, HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE HARRIS COUNTY COMMISSIONERS' COURT AND THAT IT COMPLIES OR WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE HARRIS COUNTY ROAD LAW AS AMENDED AND ALL OTHER COURT ADOPTED DRAINAGE REQUIREMENTS.

_____
JOHN R. BLOUNT, P.E., LEED AP
COUNTY ENGINEER

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, HAS APPROVED THIS REPLAT AND SUBDIVISION OFECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1 AS SHOWN HEREON. IN TESTIMONY WHEREOF, WITNESS THIS OFFICIAL SIGNATURE OF THE CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THIS _____, DAY OF _____, _____.

BY: _____
W.K. (TREY) HOFFMAN
PLANNING AND ZONING COMMISSION
CITY OF SPRING VALLEY VILLAGE, TEXAS

THIS IS TO CERTIFY PLANS AND SPECIFICATIONS FOR ALL STREETS, DRAINAGE STRUCTURES, SANITARY SEWER LINES, WATER DISTRIBUTION LINES AND FIRE HYDRANTS IN THE SUBDIVISION HAVE BEEN PREPARED IN CONFORMANCE WITH THE STANDARDS OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND HAVE BEEN APPROVED BY ME. IN TESTIMONY WHEREOF, WITNESS THIS OFFICIAL SIGNATURE OF THE PUBLIC WORKS DIRECTOR OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THIS _____, DAY OF _____, _____.

BY: _____
PAT RILEY
PUBLIC WORKS DIRECTOR
CITY OF SPRING VALLEY VILLAGE, TEXAS

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS HAS APPROVED THIS REPLAT AND SUBDIVISION OFECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1 AS SHOWN HEREON. IN TESTIMONY WHEREOF, WITNESS THIS OFFICIAL SIGNATURE OF THE MAYOR OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THIS _____, DAY OF _____, _____.

BY: _____
TOM S. RAMSEY
MAYOR
CITY OF SPRING VALLEY VILLAGE, TEXAS

I, DIANE TRAUTMAN, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 20_____, AT _____ O'CLOCK _____.M., AND DULY RECORDED ON _____, 20_____, AT _____ O'CLOCK _____.M., AND AT FILM CODE NUMBER _____ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

_____
DIANE TRAUTMAN
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

I, DIANE TRAUTMAN, COUNTY CLERK OF HARRIS COUNTY AND EX OFFICIO CLERKS OF THE HARRIS COUNTY COMMISSIONERS' COURT, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS APPROVED AT A LEGALLY CONVENED MEETING OF THE HARRIS COUNTY COMMISSIONERS' COURT HELD ON _____, 20_____ BY AN ORDER ENTERED INTO THE MINUTES OF THE COURT.

_____
DIANE TRAUTMAN
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

WE, SPIRIT OF TEXAS BANK SSB, OWNER AND HOLDER OF LIENS AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1, SAID LIENS BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NOS. 20190544214,20190544215, AND 20190544216 OF THE O.P.R.O.R.P. OF HARRIS COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LIENS AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

BY: _____

NAME: _____

TITLE: _____

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, _____.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: _____

MY COMMISSION EXPIRES: _____

LEGEND:

1.	"B.L."	INDICATES BUILDING LINE
2.	"H.C.M.R."	INDICATES HARRIS COUNTY MAP RECORDS
3.	"H.C.C.F."	INDICATES HARRIS COUNTY CLERKS OFFICE
4.	"R.O.W."	INDICATES RIGHT-OF-WAY
5.	"H.C.D.R."	INDICATES HARRIS COUNTY DEED RECORDS
6.	"(VOL./PG.)"	INDICATES RECORDED VOLUME/PAGE
7.	"○"	INDICATES IRON ROD SET
8.	"●"	INDICATES IRON ROD FOUND
9.	"U.E."	INDICATES UTILITY EASEMENT
10.	"C.M."	INDICATES CONTROLLING MONUMENT
11.	"A.E."	INDICATES AERIAL EASEMENT
12.	"ESMT."	INDICATES EASEMENT
13.	"FND."	INDICATES FOUND
14.	"I.R.C."	INDICATES CAPPED IRON ROD

PLAT NOTES:

1. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOTS LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.

ECHO VALLEY ESTATES REPLAT NO 1
PARTIAL REPLAT NO 1

A SUBDIVISION OF A 0.530 ACRES TRACT OF LAND BEING LOT 1, BLOCK 1, OF ECHO VALLEY ESTATES REPLAT NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN FILM CODE NO. 631281 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

LOTS: 2 BLOCKS: 1

REASON FOR REPLAT: TO CREATE TWO (2) LOTS

MARCH, 2020

OWNER:
ECHO PLACE, LLC
12010 DAIRY ASHFORD RD,
SUITE 100C
SUGAR LAND, TEXAS 77478

SURVEYOR:
ARTHUR LAND SURVEYING
11111 RICHMOND AVE, SUITE #150
HOUSTON, TX 77082
TEL. 281-937-1731
BRANCH NO. 10194357

The INTERFIELD GROUP
engineering | architecture
401 STUDEWOOD, SUITE 300
HOUSTON, TEXAS 77007
WWW.INTERFIELD.NET
TEL. (713) 780-0909
TX. REG. NO. F-5611

(INTERFIELD PROJ. #: 20011.00)

Declaration Title Company, LLC
6901 Corporate Dr., Suite 102
Houston, Texas 77036
Phone: 713-988-1069 **Fax: 713-827-8255**

CITY PLANNING LETTER

GF No.: 20-0018-MT-A

We, Declaration Title Company, LLC duly incorporated and doing business under the laws of the State of Texas, do hereby certify that we have made careful search of the Real Property Records of Harris County, Texas, through an effective date of December 29, 2019, insofar as they pertain to:

PROPERTY:

Property Address: 1020 Fries Road, Houston, TX 77055

Legal Description: Lot One (1), in Block One (1), of ECHO VALLEY ESTATES REPLAT NO. 1, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code No. 631281 of the Map Records of Harris County, Texas.

And find the following:

TITLE: appears to be vested in ECHO PLACE, LLC

RESTRICTIONS:

Those in Volume 189, Page 82 and Film Code No. 631281 of the Map Records of Harris County, Texas, Omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

EASEMENTS:

- Easement(s) for drainage, 15 feet on each side of the center line of all natural drainage courses as set forth and shown on the recorded plat of said subdivision/addition.
- Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the recorded plat of said subdivision; Purpose: public utilities Affects: front 5 feet along the South; together with an aerial easement 5 feet wide and 20 feet above the ground attached thereto
- A building set-back line, as disclosed by said map/plat of said subdivision; Affects: 8 feet wide along the North property line.
- A building set-back line, as disclosed by said map/plat of said subdivision; Affects: 25 feet wide along the West property line.
- A building set-back line, as disclosed by said map/plat of said subdivision; Affects: 10 feet wide along the North and East property line(s).

- A building set-back line, as disclosed by said map/plat of said subdivision; Affects: 15 feet wide along the South property line.

- Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted and defined in a document: Granted to: Houston Lighting and Power Company Purpose: underground electric distribution Affect: 10 feet in width and 410 feet long Recording No: Harris County Clerk's File No. E462030, located South of, adjacent to and adjoining the North line of subject property, beginning at the northwest corner of said Lot 1, and extending in a easterly direction along the northerly line, a distance of 410 feet, and as shown on the recorded plat of said addition.

- Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted and defined in a document: Granted to: Houston Lighting and Power Company Purpose: electric distribution Affect: 10 feet in width and 22 feet in length Recording No: Harris County Clerk's File No. E499076, the location of the centerline of which is shown by a dot-dash symbol on Sketch No. 75-0358, and as shown on the recorded plat of said addition.

LIENS:

- Vendor's Lien retained in Deed dated December 5, 2019, filed on December 10, 2019 under Harris County Clerk's File No(s). 20190544214, executed by Walter C. Bullitt and spouse, Kathryn Marie Bullitt to Echo Place LLC, securing the payment of one note of even date therewith in the sum of $1,643,799.00, payable to the order of Spirit of Texas Bank SSB and being additionally secured by Deed of Trust, to Dean O. Bass, Trustee(s); said Deed of Trust filed under Harris County Clerk's File No(s). 20190544215.

  Financing Statement filed December 10, 2019, under Harris County Clerk's File No(s). 20190544216, executed by Echo Place LLC, as debtor(s) to Spirit of Texas Bank SSB as secured party.

- THE FOLLOWING NOTE IS FOR INFORMATIONAL PURPOSES ONLY:

  NOTE: The following conveyances were found within the last 24 months: E231483

  NOTE: We find title vested in record owner(s) by virtue of Deed filed under Harris County Clerk's File No(s). 20190544214.

SPECIAL NOTE AND LIMITATION OF LIABILITY: This report is issued with the express understanding, evidenced by the acceptance of same, that this report does not undertake to give or express any opinion as to the validity of the title hereinabove described or the authority of those executing the above listed instruments, but is simply reporting herein and hereby as to the recitals of instruments listed. The Company assumes no liability greater than the consideration paid for this certificate by reason of issuance, delivery and/or use of same, nor for any error or omissions herein.

This report does NOT reflect title to any of the oil, gas and other mineral interests affecting subject property, nor any documents creating and/or affecting said estates, nor the validity of any rights, privileges and immunities relating thereto.

Further, this report does not address and no search has been performed regarding the following: claims and rights of parties in possession; discrepancies in area and boundaries; unpaid bills for labor or material in

connection with repairs or new improvements; unpaid taxes; change in marital status or corporate status of owner(s) since date of purchase; homestead rights or claims; easements and restrictions.

Declaration Title Company, LLC

BY: _____
Johnson Nguyen

RP-2019-544214
12/10/2019 ER $20.00

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GF# FAH19008458

WARRANTY DEED WITH VENDOR'S LIEN

Date: December 5th, 2019

Grantor: WALTER C. BULLITT and spouse, KATHRYN MARIE BULLITT

Grantor's Mailing Address (including county):

14703 Eagle Vista Drive, Apt 326, Houston, TX 77077

(Harris County)

Grantee: ECHO PLACE, LLC, a Texas limited liability company

Grantee's Mailing Address (including county):

16523 Village View Trail, Sugar Land, TX 77498

(Fort Bend County)

Consideration:

The sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to the undersigned in hand paid by Grantee herein named, the receipt of which is hereby acknowledged and further consideration of the execution and delivery by Grantee of one certain Promissory Note of even date herewith in the principal sum of ONE MILLION SIX HUNDRED FORTY-THREE THOUSAND SEVEN HUNDRED NINETY-NINE AND NO/100 DOLLARS ($1,643,799.00) payable to the order of SPIRIT OF TEXAS BANK, SSB ("LENDER"), in College Station, Texas, as therein provided and bearing interest at the rates therein specified, and providing for acceleration of maturity in event of default and for attorney's fees, the payment of which note is secured by the Vendor's Lien herein retained, and is additionally secured by a Construction Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing of even date herewith to Dean O. Bass, Trustee.

Property (including any improvements):

Lot One (1), in Block One (1), of ECHO VALLEY ESTATES REPLAT NO. 1, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code No. 631281 of the Map Records of Harris County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, conditions and easements, if any, relating to the herein above described property, but only to the extent they are still in effect, shown of record in the herein above mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the herein above described property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every

FILED BY
FIDELITY NATIONAL TITLE

RP-2019-544214

person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

It is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described Note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, at which time this Deed shall become absolute.

LENDER, at the instance and request of the Grantee herein, having advanced and paid in cash to the Grantor herein that portion of the purchase price of the herein described property as is evidenced by the hereinabove described Note, the Vendor's Lien, together with the Superior Title to said property, is retained herein for the benefit of said Lender and the same are hereby TRANSFERRED AND ASSIGNED to said Lender, its successors and assigns.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED on the date first above written.

Walter C. Bullitt

WALTER C. BULLITT

STATE OF Texas)
COUNTY OF Harris)

Before me, Caroline A Schafer, a notary public, on this day personally appeared WALTER C. BULLITT, known to me (or proved to me on the oath of_____ or through TX DL *description of identity card or other document*) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 5 day of December, 2019.

Notary Public in and for the
State of Texas

(personalized seal)

Kathryn Marie Bullitt

KATHRYN MARIE BULLITT

STATE OF Texas)
COUNTY OF Harris)

Before me, Caroline A Schafer, a notary public, on this day personally appeared KATHRYN MARIE BULLITT, known to me (or proved to me on the oath of_____ or through US Passport _____ *description of identity card or other document*) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 5 day of December, 2019.

CAROLINE A SCHAFER
Notary ID #131646566
My Commission Expires
July 16, 2022

Notary Public in and for the
State of Texas

(personalized seal)

AFTER RECORDING RETURN TO:

RP-2019-544214

RP-2019-544214

Pages 3

12/10/2019 11:56 AM

e-Filed & e-Recorded in the

Official Public Records of

HARRIS COUNTY

DIANE TRAUTMAN

COUNTY CLERK

Fees $20.00

RP-2019-544214

RECORDERS MEMORANDUM
This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.

COUNTY CLERK
HARRIS COUNTY, TEXAS

TAX CERTIFICATE

LEO VASQUEZ
HARRIS COUNTY TAX ASSESSOR-COLLECTOR
1001 PRESTON AVE., SUITE 100
HOUSTON, TEXAS 77002

Issued To:
BULLITT WALTER C
1020 FRIES RD
HOUSTON , TX 77055-4716

Legal Description:
LT 1 & TR 2A
ECHO VALLEY ESTATES

Parcel Address: 1020 FRIES RD
Legal Acres: .5484

>--
Account Number: **105-231-000-0001**
Certificate No: 11311896
Certificate Fee: $10.00

Print Date : 09/11/2009
Paid Date:
Issue Date: 09/11/2009
Operator ID: KBARBA
<--

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2008. TAXES THRU 2008 ARE PAID IN FULL. TAXES HAVE NOT BEEN CALCULATED FOR YEAR(S): 2009.

Exemptions:
HOMESTEAD
OVER65

Certified Owner:
BULLITT WALTER C
1020 FRIES RD
HOUSTON , TX 77055-4716

2008 Value:	$398,000.00
2008 Levy:	$1,007.13
2008 Levy Balance:	$0.00
Prior Year Levy Balance:	$0.00
Total Levy Due:	$0.00
P&I + Attorney Fee:	$0.00
Total Amount Due:	$0.00

Certified Tax Unit(s):
40 Harris County
41 Harris County Flood Control Dist
42 Port of Houston Authority
43 Harris County Hospital District
44 Harris County Dept. of Education

Reference (GF) No: N/A
Issued By:
LEO VASQUEZ
HARRIS COUNTY TAX ASSESSOR-COLLECTOR

Delinquent_tax_certificate.rdf v1.55

TAX CERTIFICATE

LEO VASQUEZ
HARRIS COUNTY TAX ASSESSOR-COLLECTOR
1001 PRESTON AVE., SUITE 100
HOUSTON, TEXAS 77002

Issued To:
MARCHETTI ANNE W
1024 FRIES RD
HOUSTON , TX 77055-4716

Legal Description:
LT 3 & TR 2B
ECHO VALLEY ESTATES

Parcel Address: 1024 FRIES RD
Legal Acres: .7419

>--
Account Number: **105-231-000-0002**
Certificate No: 11311895
Certificate Fee: $10.00

Print Date : 09/11/2009
Paid Date:
Issue Date: 09/11/2009
Operator ID: KBARBA
<--

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2008. TAXES THRU 2008 ARE PAID IN FULL. TAXES HAVE NOT BEEN CALCULATED FOR YEAR(S): 2009.

Exemptions:
HOMESTEAD

Certified Owner:
MARCHETTI ANNE W
1024 FRIES RD
HOUSTON , TX 77055-4716

2008 Value:	$463,485.00
2008 Levy:	$2,357.55
2008 Levy Balance:	$0.00
Prior Year Levy Balance:	$0.00
Total Levy Due:	$0.00
P&I + Attorney Fee:	$0.00
Total Amount Due:	$0.00

Certified Tax Unit(s):
40 Harris County
41 Harris County Flood Control Dist
42 Port of Houston Authority
43 Harris County Hospital District
44 Harris County Dept. of Education

Reference (GF) No: N/A
Issued By:
LEO VASQUEZ
HARRIS COUNTY TAX ASSESSOR-COLLECTOR

Delinquent_tax_certificate.rdf v1.55

9/02/2009
NCR

SPRING BRANCH ISD TAX OFFICE
8880 WESTVIEW
P. O. BOX 19037
HOUSTON TX 77224
713-251-7960 FAX 713-365-5593

TAX CERTIFICATE FEE 10.00

ACCOUNT: 105-231-000-0001 CERTIFICATE NUMBER: 1,483

OWNER NAME & ADDRESS
BULLITT WALTER C
1020 FRIES RD
HOUSTON TX 77055-4716

LEGAL DESCRIPTION
LT 1 & TR 2A
ECHO VALLEY ESTATES

.5484 ACRES
1020 FRIES RD

NO DELINQUENT TAXES ARE DUE.

JURIS = TAXING ENTITY CODES:
25 SPRING BRANCH ISD 80 SPRING VALLEY VILLAGE

The 2009 current year taxes have not been calculated as of 9/2/2009

THE 2008 TAXES: 3,508.83 PAID ON:07/22/2009

CURRENT TAX ROLL MARKET VALUE: 398,000

THIS IS TO CERTIFY THAT AFTER A CAREFUL CHECK OF THE TAX RECORDS, ALL TAXES DUE THE TAX ASSESSOR COLLECTOR OF SPRING BRANCH ISD ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN PAID UP TO AND INCLUDING 2008 WITH THE ABOVE LISTED EXCEPTIONS.

ISSUED TO - WINDROSE LAND SERVICES INC LOAN/GF NUMBER -

AUTHORIZED AGENT: LAURIE PAYTON TAX ASSESSOR COLLECTOR SPRING BRANCH ISD

SIGNED BY: LA Payton/NC DATE: 9/2/2009
THIS CERTIFICATE DOES NOT CLEAR ABUSE OF GRANTED EXEMPTIONS AS DEFINED IN SECTION 11.43 PARAGRAPH (I) OF THE TEXAS PROPERTY TAX CODE.

9/02/2009
NCR

SPRING BRANCH ISD TAX OFFICE
8880 WESTVIEW
P. O. BOX 19037
HOUSTON TX 77224
713-251-7960 FAX 713-365-5593

TAX CERTIFICATE FEE 10.00

ACCOUNT: 105-231-000-0002 CERTIFICATE NUMBER: 1,482

OWNER NAME & ADDRESS
MARCHETTI ANNE W
1024 FRIES RD
HOUSTON TX 77055-4716

LEGAL DESCRIPTION
LT 3 & TR 2B
ECHO VALLEY ESTATES

.7419 ACRES
1024 FRIES RD

NO DELINQUENT TAXES ARE DUE.

JURIS = TAXING ENTITY CODES:
25 SPRING BRANCH ISD 80 SPRING VALLEY VILLAGE

The 2009 current year taxes have not been calculated as of 9/2/2009

THE 2008 TAXES: 6,953.13 PAID ON:01/23/2009

CURRENT TAX ROLL MARKET VALUE: 463,485

THIS IS TO CERTIFY THAT AFTER A CAREFUL CHECK OF THE TAX RECORDS, ALL TAXES DUE THE TAX ASSESSOR COLLECTOR OF SPRING BRANCH ISD ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN PAID UP TO AND INCLUDING 2008 WITH THE ABOVE LISTED EXCEPTIONS.

ISSUED TO - WINDROSE LAND SERVICES INC LOAN/GF NUMBER -

AUTHORIZED AGENT: LAURIE PAYTON TAX ASSESSOR COLLECTOR SPRING BRANCH ISD

SIGNED BY: LA Payton/NC DATE: 9/2/2009
THIS CERTIFICATE DOES NOT CLEAR ABUSE OF GRANTED EXEMPTIONS AS DEFINED IN SECTION 11.43 PARAGRAPH (I) OF THE TEXAS PROPERTY TAX CODE.

OFFICE OF
BEVERLY B. KAUFMAN
COUNTY CLERK, HARRIS COUNTY, TEXAS

MAP RECORDS OF COUNTY CLERK

631282
FILM CODE

ECHO VALLEY ESTATES
REPLAT NO. 1

THIS IS PAGE 2 OF 2 PAGES

SCANNER KM-4850w

DIVIDER PAGE

Plat Comments: Echo Valley Estates Replat No 1 Partial Replat No 1				
Zoning District: Dwelling District A				
	Comment	**Ordinance Section or Reference**	**Surveyor Response**	**Completed**
1	These Lots will require a variance to the lot depth before replat can be undertaken; lot depth reflected is 100 feet and Subdivision Ordinance requires 120 feet.	9.103(i)(3) of the Subdivision Ordinance	**Subdivision Variance Request Submitted 06/01/2020**	*Subdivision Variance Request Scheduled for July 13, 2020*
2	Remove all building lines from the plat. Add a plat note "All building lines are dictated by the Zoning Ordinance".		**Note has been added, See Note #2**	*Completed 3/30/2020*
3	Provide a key map, which key map shall show the relation of the proposed plat or subdivision of land to all well-known streets, railroads, highways and water courses within one (1) mile of such plat or subdivision of land. Such key map shall be drawn on a scale of one (1) inch on the key map equal to one (1) mile.	Section 9.103(e) of the Subdivision Ordinance.	**Vicinity Map has been updated to address this comment**	*Completed 3/30/2020*
4	Label point of beginning as "POB"		**P.O.B have been added**	*Completed 6/19/2020*
5	Provide the metes and bounds description on the plat	Sec. 212.004 of local government code	**Metes and Bounds have been added to the Plat**	*Completed 6/19/2020*
6	Provide a recent Planning Letter or Title report showing all easements, liens and lenders for both properties.	Subdivision 9.103(f)(1)	**Provided**	*Completed 3/30/2020*
7	Provide any signatory's required or provide a no object letter from any liens.	Subdivision 9.103(f)(1)	**Provided on Planning Letter**	*Completed 3/30/2020*
8	Add floodplain note. Note that flood plain maps are subject to change.		**Note has been added, See Note #4**	*Completed 6/19/2020*
9	Utilize the City Council Certificate as included, and replace the existing certificate.		**City Council Certificate has been updated**	*Completed 6/19/2020*
10	Remove Public Works certificate (Pat Riley), as there is no required infrastructure required to service this subdivision (Water, Sewer, and roads currently exist).		**This certificate has been removed**	*Completed 3/30/2020*

11	Provide a certification that the minimum that he or she has properly marked all block corners, lot corners, angle points and points of curve in plat or subdivision of land with galvanized iron pipes as stakes, such pipes being one (1) inch in diameter and three (3) feet or more in length; and that the plat correctly represents the survey made by him or her.	Sec. 9.103(f)	**Surveyor Certification has been revised per comment**	*Completed 3/30/2020*
12	Correct minor spelling errors, as reflected in the plat attached to email and comments on such		**Comment addressed**	*Completed 3/30/2020*
13	Required Tax certificates		**Comment addressed**	*Completed 3/30/2020*

DIVIDER PAGE

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

Notice Is Hereby Given To Hear Comments And Testimony Regarding The Following:

A Preliminary and Final Re-Plat of Echo Valley Estates Replat No. 1 Partial Replat No. 1, A Plot Containing 0.530 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1020 Fries Road.

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: Monday, July 13, 2020
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, July 14, 2020
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 Director of Community Development, Zachary Meadows, at (713) 465-8308.

DIVIDER PAGE

EST. 1955

SPRING VALLEY

VILLAGE

June 22, 2020

Dear Property Owner:

Notice Is Hereby Given To Hear Comments And Testimony Regarding The Following:

A Preliminary and Final Re-Plat of Echo Valley Estates Replat No. 1 Partial Replat No. 1, A Plot Containing 0.530 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1020 Fries Road.

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: Monday, July 13, 2020
Time: 7:00 p.m.
Location: Council Chambers of Spring Valley Village City Hall, 1025 Campbell Road

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, July 14, 2020
Time: 6:00 p.m.
Location: Council Chambers of Spring Valley Village City Hall, 1025 Campbell Road

This notice is being sent to you as current property records indicate that you own property in close proximity to 1020 Fries Road. All interested parties are invited to attend both public hearings and will have the opportunity to be heard. For further information, please contact For further information, please contact me at (832) 910-8577 or zmeadows@springvalleytx.com.

Sincerely,

Zachary Meadows
Director of Community Development

1025 CAMPBELL ROAD • HOUSTON, TEXAS 77055-7495
(713) 465-8308 • FAX (713) 461-7969 • www.springvalleytx.com

Fries

Don Sepulveda
10 Wild Oak Circle
Houston, Texas 77055

Richard Brown
11 Wild Oak Circle
Houston, Texas 77055

Valerie Villareal
8902 Echo Valley Drive
Houston, Texas 77055

Arthur Henderson
8903 Echo Valley Drive
Houston, Texas 77055

Kimberly Hohman & Lee Lancelot
8906 Echo Valley Drive
Houston, Texas 77055

Chad Carpenter & Kristine Kuse
8907 Echo Valley Drive
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
8903 ECHO VALLEY DRIVE
HOUSTON, TEXAS 77055

Arthur Henderson
1222 Emerald Green Lane
Houston, Texas 77094

Y Square Design Build LLC
8910 Echo Valley Drive
Houston, Texas 77055

Andrew & Jennifer Lucio
8911 Echo Valley Drive
Houston, Texas 77055

Y Square Design Build LLC
8582 Katy Freeway, Suite 220
Houston, Texas 77024

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
8910 ECHO VALLEY DRIVE
HOUSTON, TEXAS 77055

Chad & Christina Knips
8801 Echo Valley Drive
Houston, Texas 77055

Charles & Jolie Stinneford
8802 Echo Valley Drive
Houston, Texas 77055

Jerry & Jeanette Burrell
8805 Echo Valley Drive
Houston, Texas 77055

Loc & Doan Pham
8806 Echo Valley Drive
Houston, Texas 77055

Charles & Saundra Waters
8809 Echo Valley Drive
Houston, Texas 77055

Jack & Melissa Anderson
8810 Echo Valley Drive
Houston, Texas 77055

Paul & Madeline Bunch
8813 Echo Valley Drive
Houston, Texas 77055

Andrew & Kathleen Rossi
8817 Echo Valley Drive
Houston, Texas 77055

Edna Bohreer
8821 Echo Valley Drive
Houston, Texas 77055

Steven & Joan Lufburrow
8825 Echo Valley Drive
Houston, Texas 77055

Mark & Dottie Collins
8829 Echo Valley Drive
Houston, Texas 77055

Robert & Beverly Twaddell
8840 Cavell Street
Houston, Texas 77055

Kyle & Debra Sears
8841 Cavell Street
Houston, Texas 77055

Robert Farrar Jr.
8844 Cavell Street
Houston, Texas 77055

Jerry & Sharon Turner
8845 Cavell Street
Houston, Texas 77055

Amanda Canto & Carl Heinrichs
8848 Cavell Street
Houston, Texas 77055

Henry & Kristy Gindorf
8849 Cavell Street
Houston, Texas 77055

Richrd & Edna Wilshusen
8852 Cavell Street
Houston, Texas 77055

Fries

STAPLES
label size 1" x 2 5/8" compatible with Avery ®5160/8160
Étiquette de format 25 mm x 67 mm compatible avec Avery ®5160/8160

Howard & Hiroko Lamont
8853 Cavell Street
Houston, Texas 77055

Maged & Julie Rifaat
8856 Cavell Street
Houston, Texas 77055

James Sadler
8857 Cavell Street
Houston, Texas 77055

Christopher & Heather Talbert
8860 Cavell Street
Houston, Texas 77055

Christopher & Heather Talbert
7501 Westview Street
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
8860 CAVELL STREET
HOUSTON, TEXAS 77055

Christopher & Heather Talbert
8860 Cavell Street
Houston, Texas 77055

STAPLES
label size 1" x 2 5/8" compatible with Avery ®5160/8160
Étiquette de format 25 mm x 67 mm compatible avec Avery ®5160/8160

DIVIDER PAGE

RESIDENTIAL ZONING CHANGE NOTIFICATION SIGN CRITERIA

A zoning sign is a sign erected on property for which a zoning case has been filed with the City, including, but not limited to, zoning changes, Specific Use Permits, Variances, or Special Exceptions. **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.

Residential property owners/applicants need to contact the City Secretary to schedule pick up and drop off times for the signs.

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

ADHERE TO THE FOLLOWING INSTRUCTIONS:

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 ensure they are readable 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 before the Planning & Zoning Commission ("Commission").
- 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 by the City of Spring Valley Village.**

Preparer's Name: Mary Villareal **Preparer's Signature:** Mary Villareal

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.

SPRING VALLEY

AFFIDAVIT OF SIGN POSTING

(Re)Zoning Case No. N/A

Date of Planning and Zoning Commission Meeting: July 13, 2020

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 Huy Ton 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 1020 Fries Road

Posting of said signs was accomplished on JUNE 19 2020 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 Fries Road & Echo Valley Drive

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 date: 6.19.2020

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

Signature of Applicant or Authorized Representative for Zoning Case No.

Sworn and subscribed before me on this date: 6.19.2020

(Seal)

MAI TRAN NOTARY PUBLIC STATE OF TEXAS ID 11990750 EXP. 11-26-2021

Notary Public

PLEASE NOTE: Failure to post the notification sign(s) on the property by the close of business (4:30 pm) seven (7) days prior Planning and Zoning Commission public hearing shall result in the postponement of consideration by the Commission.

STAFF USE ONLY:

Date/Time submitted: 6/19/2020 Verified by: Zach Meadows

PREPARED BY THE BUILDING DEPARTMENT 1025 CAMPBELL ROAD, HOUSTON, TEXAS 77055 (713) 465-8308

SPRING VALLEY VILLAGE

AFFIDAVIT OF SIGN MAINTENANCE

(Re)Zoning Case No. N/A

Date of Council Meeting: July 14, 2020

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 Huy Ton hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at 1020 Fries Road

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 date ~~July~~ June 19, 2020 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 on the application taken by the City of Spring Valley Village regarding the zoning change, and return them to the City Secretary at the City Hall.

Executed this date: 6.19.2020

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

Signature of Applicant or Authorized Representative for Zoning Case No.

Sworn and subscribed before me on this date: 6.19.2020

(Seal)

MAI TRAN NOTARY PUBLIC STATE OF TEXAS ID 11990750 EXP 11-26-2021

Notary Public

PLEASE NOTE: Failure to maintain the signs prior to 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: 6/19/2020 Verified by: Zach Meadows

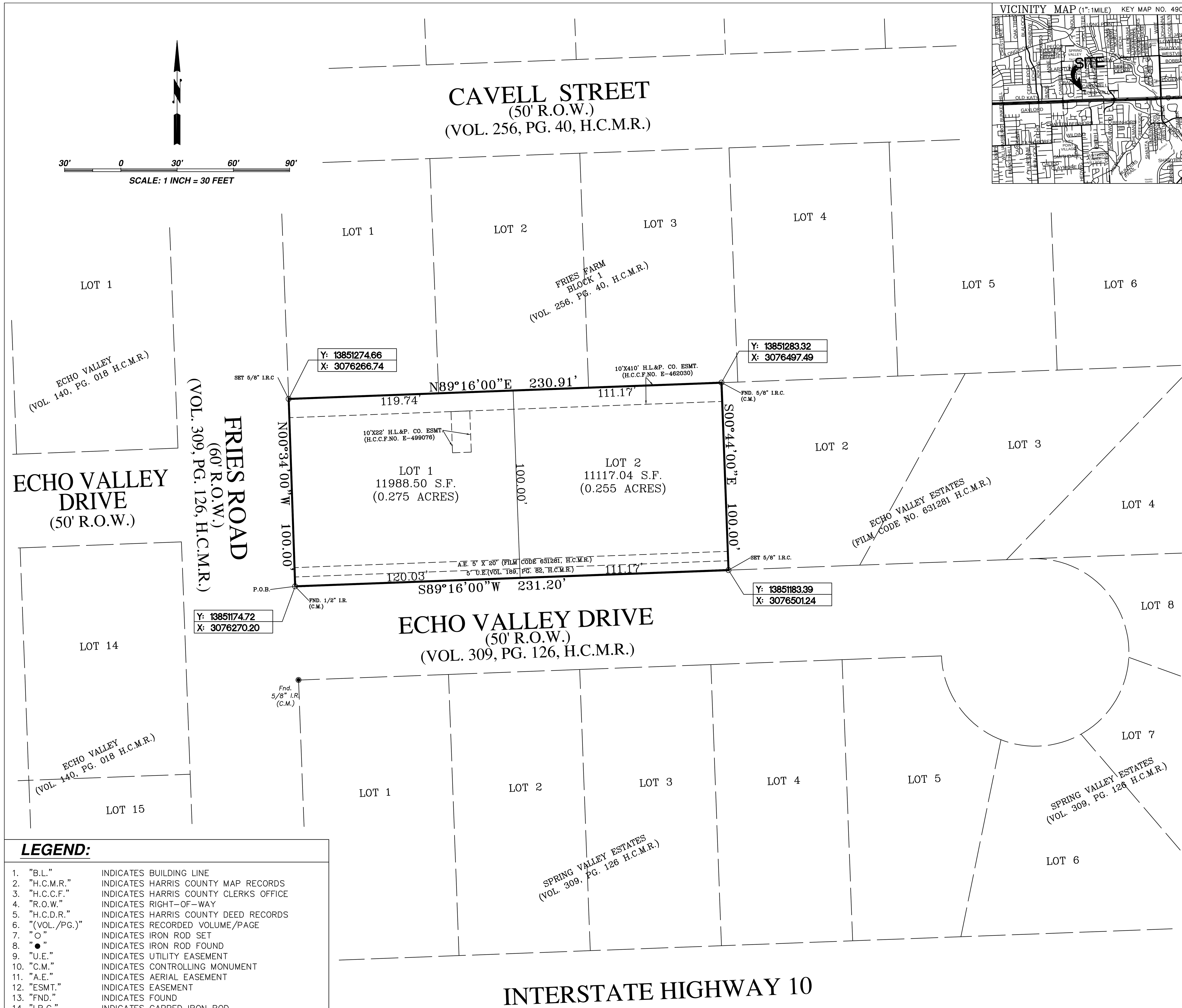
PREPARED BY THE BUILDING DEPARTMENT 1025 CAMPBELL ROAD, HOUSTON, TEXAS 77055 (713) 465-8308

Spring Valley Village City Council
Agenda Item Data Sheet

MEETING DATE: July 14, 2020

TOPIC:	**CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Preliminary and Final Re-Plat of Echo Valley Estates Replat No. 1 Partial Replat No. 1, A Plot Containing 0.530 Acres Of Land, Situated In Dwelling District 'A', City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1020 Fries Road.
BACKGROUND:	In the previous agenda item, the City Council held a public hearing concerning a Preliminary and Final Re-plat of Echo Valley Estates Replat No. 1 Partial Replat No. 1 for the property located at 1020 Fries Road.
RECOMMENDATION:	This item will be considered by the Planning & Zoning Commission on July 13, 2020 and their recommendation will be provided during the City Council meeting.
ATTACHMENTS:	• Preliminary and Final Re-Plat of Echo Valley Estates Replat No. 1 Partial Replat No. 1, for the Property Located at 1020 Fries Road
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:**
Zachary Meadows, Director of Community Development	



LEGEND:

1. "B.L." INDICATES BUILDING LINE
2. "H.C.M.R." INDICATES HARRIS COUNTY MAP RECORDS
3. "H.C.C.F." INDICATES HARRIS COUNTY CLERKS OFFICE
4. "R.O.W." INDICATES RIGHT-OF-WAY
5. "H.C.D.R." INDICATES HARRIS COUNTY DEED RECORDS
6. "(VOL./PG.)" INDICATES RECORDED VOLUME/PAGE
7. "○" INDICATES IRON ROD SET
8. "●" INDICATES IRON ROD FOUND
9. "U.E." INDICATES UTILITY EASEMENT
10. "C.M." INDICATES CONTROLLING MONUMENT
11. "A.E." INDICATES AERIAL EASEMENT
12. "ESMT." INDICATES EASEMENT
13. "FND." INDICATES FOUND
14. "I.R.C." INDICATES CAPPED IRON ROD
15. "P.O.B." INDICATES POINT OF BEGINNING

PLAT NOTES:

1. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNOBSTRUCTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANELED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE REAR LOT LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT SAID WOODEN POSTS AND PANELED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FENCING.
2. ALL BUILDING LINES ARE DICTATED BY THE ZONING ORDINANCE.
3. NOTE THAT FLOOD PLAIN MAPS ARE SUBJECT TO CHANGE.
4. THIS PROPERTY LIES IN ZONE SHADED X AS PER FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 480313 EFFECTIVE DATE JUNE 18, 2007.

LOT 1 METES AND BOUNDS

BEING A TRACT OF LAND CONTAINING 0.275 ACRES AND BEING 11,988.52 SQUARE FEET OUT OF LOT 1, BLOCK 1, OF ECHO VALLEY ESTATES REPLAT NO. 1, ACCORDING TO THE PLAT RECORDED IN FILM CODE NO. 631281 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR REFERENCE AT A 1/2" IRON ROD FOUND MARKING THE NORTHEAST BLOCK CORNER OF THE EAST LINE OF FRIES ROAD (60' RIGHT-OF- WAY) AND NORTH LINE OF ECHO VALLEY DRIVE (50' RIGHT-OF-WAY) WITH THIS BEING THE POINT OF BEGINNING OF THE HEREON DESCRIBED TRACT OF LAND;

THENCE NORTH 00 DEGREES 34 MINUTES 00 SECONDS WEST, ALONG SAID FRIES ROAD A DISTANCE OF 100.00 FEET TO A 5/8" IRON FOR THE NORTHWEST CORNER OF THE HEREON DESCRIBED TRACT;
THENCE NORTH 89 DEGREES 16 MINUTES 00 SECONDS EAST A DISTANCE, ALONG THE NORTH LINE OF SAID LOT 1, BLOCK 1 OF THE ECHO VALLEY ESTATES, A DISTANCE OF 119.74 FEET FOR THE NORTHEAST CORNER OF THE HEREON DESCRIBED TRACT;

THENCE SOUTH 00 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 100.00 FEET TO A POINT IN THE NORTH LINE OF SAID ECHO VALLEY DRIVE, FOR THE SOUTHEAST CORNER OF HEREON DESCRIBED TRACT;

THENCE SOUTH 89 DEGREES 16 MINUTES 00 SECONDS WEST, ALONG SAID LINE OF ECHO VALLEY DRIVE, A DISTANCE OF 120.03 FEET TO THE POINT OF BEGINNING AND THUS CONTAINING 0.275 ACRES OF LAND MORE OR LESS.

LOT 2 METES AND BOUNDS

BEING A TRACT OF LAND CONTAINING 0.255 ACRES AND BEING 11117.00 SQUARE FEET OUT OF LOT 1, BLOCK 1 OF ECHO VALLEY ESTATES REPLAT NO. 1, ACCORDING TO THE PLAT RECORDED IN FILM CODE 631281 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS AND BEING PARTICULARLY DESCRIBED BY METES AND BOUNDS FOLLOWS:

COMMENCING FOR REFERENCE AT A 1/2" IRON ROD FOUND MARKING THE NORTHEAST BLOCK CORNER OF THE EAST LINE OF FRIES ROAD (60' RIGHT-OF-WAY) AND NORTH LINE OF ECHO VALLEY DRIVE (50' RIGHT-OF-WAY);

THENCE NORTH 89 DEGREES 16 MINUTES 00 SECONDS EAST ALONG SAID NORTH LINE OF ECHO VALLEY DRIVE, A DISTANCE OF 120.03 FEET TO A POINT MARKING THE POINT OF BEGINNING OF THE HEREON DESCRIBED 0.255 ACRE TRACT;

THENCE NORTH 0 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 100.00 FEET TO A POINT FOR A CORNER IN THE NORTH LINE OF SAID LOT 1, BLOCK 1 OF THE ECHO VALLEY ESTATES, WITH THIS BEING THE NORTHWEST CORNER OF THE HEREON DESCRIBED TRACT;

THENCE NORTH 89 DEGREES 00 SECONDS EAST A DISTANCE OF 111.17 FEET TO A 5/8" IRON ROD FOUND MARKING THE NORTHEAST CORNER OF THE HEREON DESCRIBED TRACT;

THENCE SOUTH 00 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 100.00 FEET TO A 5/8" IRON ROD FOR THE SOUTHEAST CORNER OF THE HEREON DESCRIBED TRACT AND BEING IN THE NORTH LINE OF ECHO VALLEY DRIVE;

THENCE SOUTH 89 DEGREES 16 MINUTES 00 SECONDS WEST, ALONG SAID ECHO VALLEY DRIVE, A DISTANCE OF 111.17 FEET TO THE POINT OF BEGINNING AND THUS CONTAINING 0.255 ACRES OF LAND MORE OR LESS.

STATE OF TEXAS
COUNTY OF HARRIS

WE, ECHO PLACE, LLC, ACTING BY AND THROUGH TONY TON, MANAGING MEMBER OF ECHO PLACE, LLC, OWNER OF THE 0.530 ACRES TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OF ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION AND DEVELOPMENT PLAN OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS, AND NOTATIONS ON SAID MAPS OR PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS, OR PERMANENT ACCESS EASEMENTS), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE ON THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6") FOR TEN FEET (10' 0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6") FOR FOURTEEN FEET (14' 0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0") FOR TEN FEET (10' 0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 0") FOR SIXTEEN FEET (16' 0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN WIDTH.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT IS HEREBY RESTRICTED TO PREVENT THE DRAINAGE OF ANY SEPTIC TANKS INTO ANY PUBLIC OR PRIVATE STREET, PERMANENT ACCESS EASEMENT, ROAD OR ALLEY, OR ANY DRAINAGE DITCH, EITHER DIRECTLY OR INDIRECTLY.

FURTHER, OWNERS DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND FIFTEEN FEET (15' 0") WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS, SLOUGHS, OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID PLAT, AS EASEMENTS FOR DRAINAGE PURPOSES, GIVING THE CITY OF HOUSTON, HARRIS COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLY, CREEK, OR NATURAL DRAINAGE WAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, OWNERS HEREBY CERTIFY THAT THIS REPLAT DOES NOT ATTEMPT TO ALTER, AMEND, OR REMOVE ANY COVENANTS OR RESTRICTIONS; WE FURTHER CERTIFY THAT NO PORTION OF THE PRECEDING PLAT WAS LIMITED BY DEED RESTRICTION TO RESIDENTIAL USE FOR NOT MORE THAN TWO (2) RESIDENTIAL UNITS PER LOT.

IN TESTIMONY WHEREOF, THE ECHO PLACE, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY TONY TON, ITS MANAGING MEMBER, THEREUNTO AUTHORIZED, THIS ______ DAY OF ______________, 2020.

ECHO PLACE, LLC

BY: ____________________________
TONY TON, MANAGING MEMBER

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TONY TON, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ___ DAY OF ________________, 2020.

____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: ___________________________

MY COMMISSION EXPIRES: _________________

I, DANIEL VILLA JR., AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND ACCURATE; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT, EXCEPT AS SHOWN ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER OBJECTS OF A PERMANENT NATURE) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS TO ONE (5/8 TO 1) INCH AND A LENGTH OF NOT LESS THAN THREE (3') FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

____
DANIEL VILLA JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6751

I, DANIEL VILLA JR., HAVE PROPERLY MARKED ALL BLOCK CORNERS, LOT CORNERS, ANGLE POINT AND POINTS OF CURVE IN PLAT OR SUBDIVISION OF LAND WITH GALVANIZED IRON PIPES AS STAKES, SUCH PIPES BEING ONE (1) INCH IN DIAMETER AND THREE (3) FEET OR MORE IN LENGHT; AND THAT THE PLAT CORRECTLY REPRESENTS THE SURVEY MADE BY ME.

____
DANIEL VILLA JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6751

I, JOHN R. BLOUNT, COUNTY ENGINEER OF HARRIS COUNTY, HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE HARRIS COUNTY COMMISSIONERS' COURT AND THAT IT COMPLIES OR WILL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE HARRIS COUNTY ROAD LAW AS AMENDED AND ALL OTHER COURT ADOPTED DRAINAGE REQUIREMENTS.

____
JOHN R. BLOUNT, P.E., LEED AP
COUNTY ENGINEER

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS HAS APPROVED THIS RE-PLAT OF ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1 AS SHOWN HEREON.
IN TESTIMONY WHEREOF, WITNESS THIS OFFICIAL SIGNATURE OF THE MAYOR OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THIS __________, DAY OF __________________, 20____.

ATTEST:

____
ROXANNE BENITEZ, CITY SECRETARY
CITY OF SPRING VALLEY VILLAGE, TEXAS

BY: ________________________________
MARCUS VAJDOS,
MAYOR
CITY OF SPRING VALLEY VILLAGE, TEXAS

I, CHRIS HOLLINS, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON ___________, 20_______, AT ___________ O'CLOCK _____.M., AND DULY RECORDED ON ___________________, 20_______, AT ____________ O'CLOCK _________.M., AND AT FILM CODE NUMBER ___________________ OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, IN HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

____
CHRIS HOLLINS
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: ________________________________
DEPUTY

I, CHRIS HOLLINS, COUNTY CLERK OF HARRIS COUNTY AND EX OFFICIO CLERKS OF THE HARRIS COUNTY COMMISSIONERS' COURT, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS APPROVED AT A LEGALLY CONVENED MEETING OF THE HARRIS COUNTY COMMISSIONERS' COURT HELD ON ___________, 20_____ BY AN ORDER ENTERED INTO THE MINUTES OF THE COURT.

____
CHRIS HOLLINS
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: ________________________________
DEPUTY

WE, SPIRIT OF TEXAS BANK SSB, OWNER AND HOLDER OF LIENS AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1, SAID LIENS BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NOS. 20190544214, 20190544215, AND 20190544216 OF THE O.P.R.O.R.P. OF HARRIS COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LIENS AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

BY: ___________________________

NAME: ___________________________

TITLE: ___________________________

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ___________________________________, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _________________, _________.

____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT NAME: ___________________________

MY COMMISSION EXPIRES: _________________

ECHO VALLEY ESTATES REPLAT NO 1 PARTIAL REPLAT NO 1

A SUBDIVISION OF A 0.530 ACRES TRACT OF LAND BEING LOT 1, BLOCK 1, OF ECHO VALLEY ESTATES REPLAT NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN FILM CODE NO. 631281 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

LOTS: 2 BLOCKS: 1

REASON FOR REPLAT: TO CREATE TWO (2) LOTS

JUNE, 2020

OWNER:
ECHO PLACE, LLC
12010 DAIRY ASHFORD RD,
SUITE 100C
SUGAR LAND, TEXAS 77478

SURVEYOR:
ARTHUR LAND SURVEYING
11111 RICHMOND AVE, SUITE #150
HOUSTON, TX 77082
TEL. 281-937-1731
BRANCH NO. 10194357

The INTERFIELD GROUP
engineering | architecture
401 STUDEWOOD, SUITE 300
HOUSTON, TEXAS 77007
WWW.INTERFIELD.NET
TEL. (713) 780-0909
TX. REG. NO. F-5611

(INTERFIELD PROJ. #: 20011.00)

MEETING DATE: July 14, 2020

TOPIC: **CONDUCT A PUBLIC HEARING CONCERNING:**

Ordinance Number 2020-XX – **AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE CREATING AND APPROVING A PLANNED AREA DEVELOPMENT ("PAD") OF APPROXIMATELY 1.17 ACRES OF LAND JUST EAST OF THE NORTH EAST INTERSECTION OF KATY FREEWAY AND ADKINS ROAD, BEING OUT OF LOT 17 AND LOT 2 OF THE WEST PARK SUBDIVISION, IN THE THOMAS A. HOSKINS SURVEY, ABSTRACT NO. 342, HARRIS COUNTY, TEXAS, WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT TO ALLOW CONSTRUCTION OF A THREE STORY PROFESSIONAL BUILDING OVER A FOUR LEVEL PARKING STRUCTURE, WITH ONE LEVEL BELOW GROUND, FOR A MAXIMUM HEIGHT OF EIGHTY-FIVE FEET (85'), ADDITIONAL SURFACE PARKING, AND ALLOWING PROFESSIONAL, MEDICAL AND SURGICAL USES; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.**

BACKGROUND: On May 12, 2020, the Planning & Zoning Commission held a public hearing on an Amendment to the Adkins Planned Area Development proposed for the property at 9210 Old Katy Road. During the meeting, the Commission highlighted several concerns with the overall development proposal and requested additional information before any ordinance was approved for such an amendment.

Following the meeting, TML-SVMP II LLC ("Owner") met with the City to discuss the proposal and the resubmission to be presented to the Commission for consideration. Since the development was for a separate piece of property, the City requested that the Owner withdraw the PAD Amendment application and submit a new application for a new PAD Development.

Based on the feedback provided and additional information requested by the Planning and Zoning Commission, the Planned Area Development Application is presented for consideration. The following is a summary of the main components of the requested SVMP II PAD as submitted by Kimley-Horn and Associates ("Applicant") on behalf of the Owners:

- Proposed three-story professional building over a four-level parking garage, one of the parking levels below ground. The proposed building has a gross building square footage (excluding parking area levels) of 87,855 square feet, and a net rentable square footage of 76,396 square feet.

- The building height is proposed to be a maximum of 85' feet above ground level.

- In an effort to address the concerns expressed by several residents:

  - A landscape balcony is proposed to sit at level three of the parking garage consisting of evergreen and small plants to provide additional screening of the structure above the sound wall for adjacent residential neighboring properties.

  - Additional screening from inside the building has been included on all office levels with the addition of aluminum fins installed at angles running the width of the structure. The aluminum fins would block views from the office building into the adjacent residential properties.

  - Ivy will climb the façade from levels 4-6 on each side of the aluminum extrusions.

  - The garage will be screened with a screening element that is similar to the one that was used at Spring Valley Medical Plaza Phase I.

- The proposed building line setbacks are as follows:

  - Front – Fifty (50') feet from I-10 frontage road

  - Rear – Thirty (30') feet from property lines of adjacent residential lots (inclusive of the 10 foot wide strip of land owned by the City for the sound wall)

  - West Side – Thirty (30') feet from property lines of adjacent residential lots (inclusive of the 10 foot wide strip of land owned by the City for the sound wall)

- Existing commercial structures – Ten (10') feet from both the AT&T building and Spring Valley Medical Plaza building

- Additional information concerning access, additional landscaping, lighting, signage and other typically addressed in a PAD Ordinance have all been provided within the submittal package.

Generally, any developments within the Freeway Planned Area Development District (FPADD), which includes this property, are required to follow the regulations established within Commercial District "C" as a baseline. Any deviation may be granted through the passage of a PAD Ordinance. The following items are requested reductions to the requirements found within the Zoning ordinance governing this property as submitted by the Applicant:

- 85-foot maximum building height in lieu of the 39-foot maximum height allowed on the property currently. (Commission should note that the Freeway Planned Area District does allow for a maximum of eighty-five (85') feet; however, Commercial District "C" states no building should be higher than thirty-nine (39') feet.)

- 3.9 parking spaces per 1,000 square feet of net rentable building area in lieu of the 5.0 parking spaces per 1,000 square feet of gross building area required on the property currently for medical office use. With the requested reduction in the number of required parking spaces, the Applicant would provide 298 parking spaces instead of 382 as required by the Building Code.

- Elimination of the requirement to have retail use on the first floor.

- Approve the removal of the landscaping behind the existing Medical Office Building located on the 9230 Katy Freeway property to accommodate the extension of the fire lane as required by the Village Fire Department Fire Marshal in order to meet current Fire Code requirements.

RECOMMENDATION:	Not Applicable in the Public Hearing
ATTACHMENTS:	• Application for New Planned Area Development and Supporting Documents • Copy of Published Notice of Public Hearing • Copy of Notice of Public Hearing Letters and Mailing Labels for Property Owners Within 200 Feet of Property

- Sign Posting and Maintenance Affidavits
- Petition Submitted by Rebecca Bloch-Lopez on June 3, 2020
- Map Reflecting Location of Properties that Signed Petition

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:**
Zachary Meadows, Director of Community Development	

DIVIDER PAGE

EST. 1955
SPRING VALLEY
VILLAGE

Community Development
City of Spring Valley Village

PAD DEVELOPMENT & PAD AMENDMENT APPLICATION

PROPERTY INFORMATION	
Type of Application: ☒ New Planned Area Development ☐ Amendment to Planned Area Development	
Property Address: TBD-Site is located on the north side of Interstate 10 mid-block between Adkins Road and Bade Street	
Legal Description: 1.170-Acre Tract Being Out of Lot 17 and Lot 2 in West Park Subdivision	
Development Name: SVMP II	Zoning District: FPADD

OWNER INFORMATION	
Name: TLM-SVMP II LLC - John Joubert	Phone#: 713-600-0800
Address: 110 E. Davis Street McKinney, TX 75069	
Email: jjoubert@i3interests.com	

APPLICANT/AGENT INFORMATION	
Name: Kimley-Horn - Steven Freeman	Phone#: 281-475-2817
Address: 1400 Woodloch Forest Drive, Suite 225 The Woodlands, TX 77380	
Email: steven.freeman@kimley-horn.com	
If applicant is different than property owner a ***Notarized Letter of Authorization* must be attached to the application	

PROPERTY OWNER/AGENT AUTHORIZATION

Property Owner Consent/Agent Authorization: By my signature, I hereby affirm that I am the property owner of record, or if the applicant is an organization or business entity, that authorization has been granted to represent the owner, organization or business in this application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the application being requested for this property. Additionally, my signature below indicates my awareness of the fee required at the time of the application submittal and any additional fees as noted in the City's fee schedule. This fee is non-refundable even in the event of application withdrawal. I have the power to authorize and hereby grant permission for City of Spring Valley Village officials to enter the property on official business as part of the application process.

Signature of Contractor/Authorized Agent	Printed Name	Application Date
	Reni Joubert	7/5/20

FOR OFFICE USE ONLY

Zoning Case Number: _____ Date Submitted: _____

P&Z Meeting Date: _____ P&Z Recommendation: ☐ *Approved* ☐ *Denied*

Council Meeting Date: _____ Council Decision: ☐ *Approved* ☐ *Denied*

<u>NOTE:</u> Only complete applications shall be accepted and payment must be received at time of submission.

PAD DEVELOPMENT & PAD AMENDMENT SUBMITTAL REQUIREMENTS

Attach These Items With Completed Application:

☐ Fifteen (15) copies of Completed Packet
☐ Letter stating applicant's reasons for request
☐ Letter from property owner if different from the applicant

The Following Items Are Required To Be Addressed Within All PAD Applications:

☐ Site Plan
☐ Elevation Plans
☐ Access for the Property; Traffic Impact Study
☐ Parking Facilities and Maintenance thereof (Off-site, on-site, overnight, parking structures, etc.); Parking Ratios
☐ Adjacent Property impacts – sight lines, landscape screening, noise & light spillover
☐ Uses (Permitted, uses allowed by specific use permit, uses by floor, restriction of outdoor uses including display & sales, etc.)
☐ Hours of operation, construction activity, & site maintenance
☐ Dumpster location(s) and hours of trash collection
☐ Landscaping plans, plant lists, irrigation plans and maintenance thereof
☐ Logistics for deliveries including location & hours of operation
☐ Signage (type(s), location, sizes, etc.)
☐ Drainage system design in compliance with City's Drainage Criteria Manual
☐ Plans for site electrical & other utility delivery systems
☐ Site Lighting – landscape, signage, accent, exterior building & parking lot

How do I submit a request?
The City of Spring Valley Village requests that 15 copies be submitted at the time of application. Before submitting, you will be required to meet with City representatives to hold a development review committee meeting. Upon completion of the meeting and a complete application, applicants will coordinate submission and payment of application.

What is the purpose of the public hearings?
The City of Spring Valley has established that all Plats must go through a Public Hearing Process in order to be approved; this will take place with the Planning & Zoning Commission and the City Council. The platting regulations are established to ensure an orderly development of lots throughout the City, as such the public hearing process gives all residents the opportunity to express how they feel the proposed changes could affect them positively or negatively.

Who should present the proposal at the public hearings?
The owner or a representative should be present at the public hearings. The owner, applicant or an agent may make the presentation to the Planning & Zoning Commission.

Kimley»Horn

June 26, 2020

Zachary Meadows
Director of Community Development
City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055

RE: Applicant Letter
SVMP II
Proposed Planned Area Development Application
1.170-Acre Tract Being Out of Lot 17, and Lot 2 in West Park Subdivision

Dear Mr. Meadows,

On behalf of TLM-SVMP II LLC, owners of the 1.170-acre property described in the supporting documents submitted with this letter, please allow this letter to serve as a summary of the application to create a Planned Area Development for the subject property to allow the construction of a single building with incorporated parking garage. The proposed development will conform to the following proposed development criteria and with the supporting plans provided with this application.

1. Building Description – The development within the PAD consists of a single three-story professional building over a four-level parking garage. One of the parking levels is located below ground, and therefore, the proposed building will have a total of 6 levels above grade. The gross building square footage (excluding parking area levels) is 87,855 square feet, and the net rentable square footage is 76,396 square feet.
2. Building Height – The maximum height of the building will not exceed 85'-0" above ground level.
3. Residential Buffering/Screening – Due to its visibility to the adjacent residential neighborhood, special care was given to ease its scale and visual impact. It is our understanding, through the circulated petition signed by a number of citizens, the preference would be to limit this building to the requirements set forth in Section 12 Chapter 06:03.01 and 06:03.02 of the Zoning Ordinance. While this chapter does not apply to the subject property since it lies within Commercial District C, we have attempted to adopt, in-part, a design concept consistent with the requirements for buildings within Commercial District B. More specifically, as it relates to stepping back the building from the property lines in order to increase the building height. The north façade is stepped back over multiple floors from the residential area, providing relief to the neighboring homes and views. We are providing a landscaped balcony of evergreen trees at level 3 to offer an initial buffer between the new building and the neighboring views. At all office levels we are proposing extruded aluminum fins installed at angles that would block views from the office building into the adjacent residential properties. In consideration of the residents' view, we are softening the building lines with ivy which will climb the façade from levels 4-6 on

each side of the aluminum extrusions. Additionally, the garage will be screened with a similar screening element that was used at Spring Valley Medical Plaza Phase I.

4. Setbacks – The building within the PAD will conform to the following setbacks:
    a. 50-foot building line setback along the Interstate 10 frontage of the site.
    b. 20-foot building line setback on the portions of the north and west property lines of the subject site that abut the 10-foot wide strip of land owned by the City of Spring Valley Village which contains the existing sound barrier wall. The resulting total setback from the property line of the adjacent residential lots to this building line established on the subject site (including the 10-foot wide strip of land owned by the City) will be 30-feet.
    c. 10-foot building line setbacks from all other portions of the boundary of the subject site.
5. Building Use – The proposed use within the building consists of medical use only.
    a. No retail use is required for the building within this PAD.
6. Parking – The development provides 3.9 parking spaces per 1,000 square feet of net rentable building square footage.
7. Access – The bulk of building tenant traffic will enter and exit the parking garage via the existing driveway on the Interstate 10 westbound frontage road. There will also be cross access provided through the existing medical office building development on the neighboring property that will help distribute some of the vehicle trips to and from the site onto Adkins Road.
8. Landscaping – Landscaping and irrigation will be provided that meet or exceed the City's landscape ordinances. A final landscape and irrigation plan will be submitted with construction documents at time of permit submission.
    a. Existing landscaping behind the existing medical office building on the neighboring property to the west of the subject site will be removed as noted on the site plan submitted with this current application. The removal of this existing landscaping is necessary to extend a fire lane behind the existing building to meet fire code requirements as coordinated with the Village Fire Department Fire Marshal, Rusty Kattner.
9. Drainage – All rainwater runoff on the subject site will be collected in an onsite underground storm sewer system that will outfall to the existing storm sewer in the Integrate 10 right of way. The onsite storm sewer system will be designed in conformance with the published City and TxDOT drainage criteria, including detention if required to meet the applicable requirements. If detention is required, it will be provided underground.
10. Outdoor uses – Outdoor displays and storage are prohibited.
11. Site Lighting – No outdoor lighting shall be permitted to directly shine on adjacent residential or business properties. All outdoor lamps will be appropriately shaded and screened.
12. Trash Dumpsters – The development will have one trash/refuse dumpster location as shown on the site plan behind the building, so it is not visible from the adjacent public right of way.
13. Noise – All activities will comply with the ordinances of the City applicable to noise and sounds.

In summary, the requested PAD for the subject site is seeking the following reductions from the development criteria that currently govern the development of this property based on the current zoning designation and applicable City codes and ordinances:

- 85-foot maximum building height in lieu of the 39-foot maximum height allowed on the property currently.
- 3.9 parking spaces per 1,000 square feet of net rentable building area in lieu of the 5.0 parking spaces per 1,000 square feet of gross building area required on the property currently for medical office use.
- Elimination of the requirement to have retail use on the first floor.
- Approve the removal of the landscaping behind the existing Medical Office Building located on the 9230 Katy Freeway property to accommodate the extension of the fire lane.

Please contact me at (281) 475-2817 or steven.freeman@kimley-horn.com should you need any additional information.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Steven Freeman, P.E.

February 19, 2020

City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055

Re: Applicant Authorization Letter
SVMP II
Proposed Development Applications for the Proposed Redevelopment of the 1.170-Acre Tract Being Out of Lot 17, and Lot 2 in West Park Subdivision

To whom it may concern:

TLM-SVMP II LLC, owner of the 1.170-acre tract described in the attached metes and bounds description, hereby authorizes Kimley-Horn and Associates, Inc. to act as the applicant on our behalf on all development applications for the proposed redevelopment of this tract.

Sincerely,

TLM-SVMP II LLC

Signature: _____

Name: René Joubert

Title: Manager

THE STATE OF TEXAS §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 24th day of February, 20 20, by René Joubert, as Manager of
(Name of acknowledging partner or officer) (Title)

TLM-SVMP II LLC.
(Name of business entity)

(Seal)

AMY NICOLE HOFFMAN
NOTARY PUBLIC
STATE OF TEXAS
ID# 126285946
EXPIRES 10-12-2023

_____
Notary Public in and for the State of Texas

SPRING VALLEY MEDICAL PLAZA PHASE II

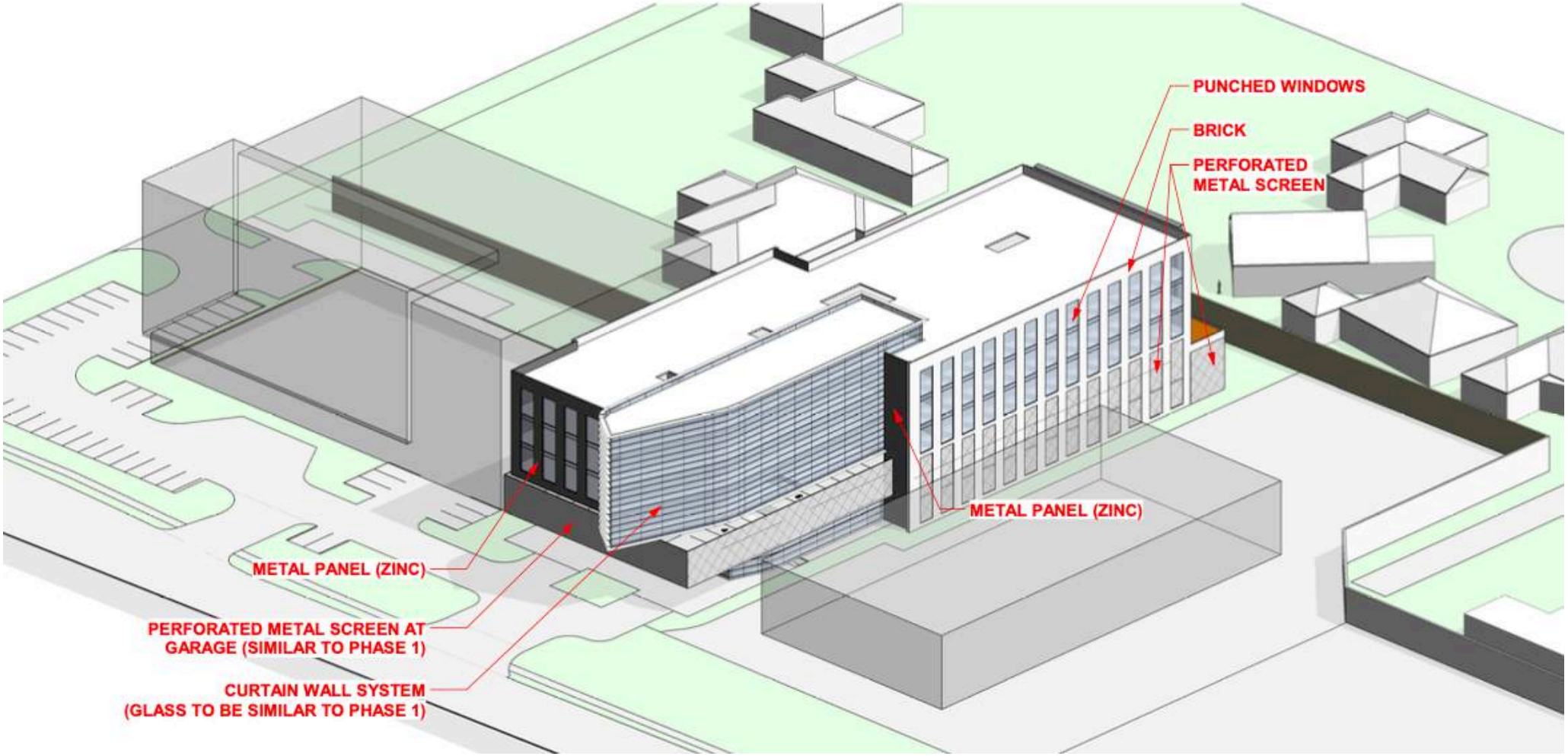
9210 Old Katy Road
Houston, TX 77055

AERIAL VIEW OF PROJECT

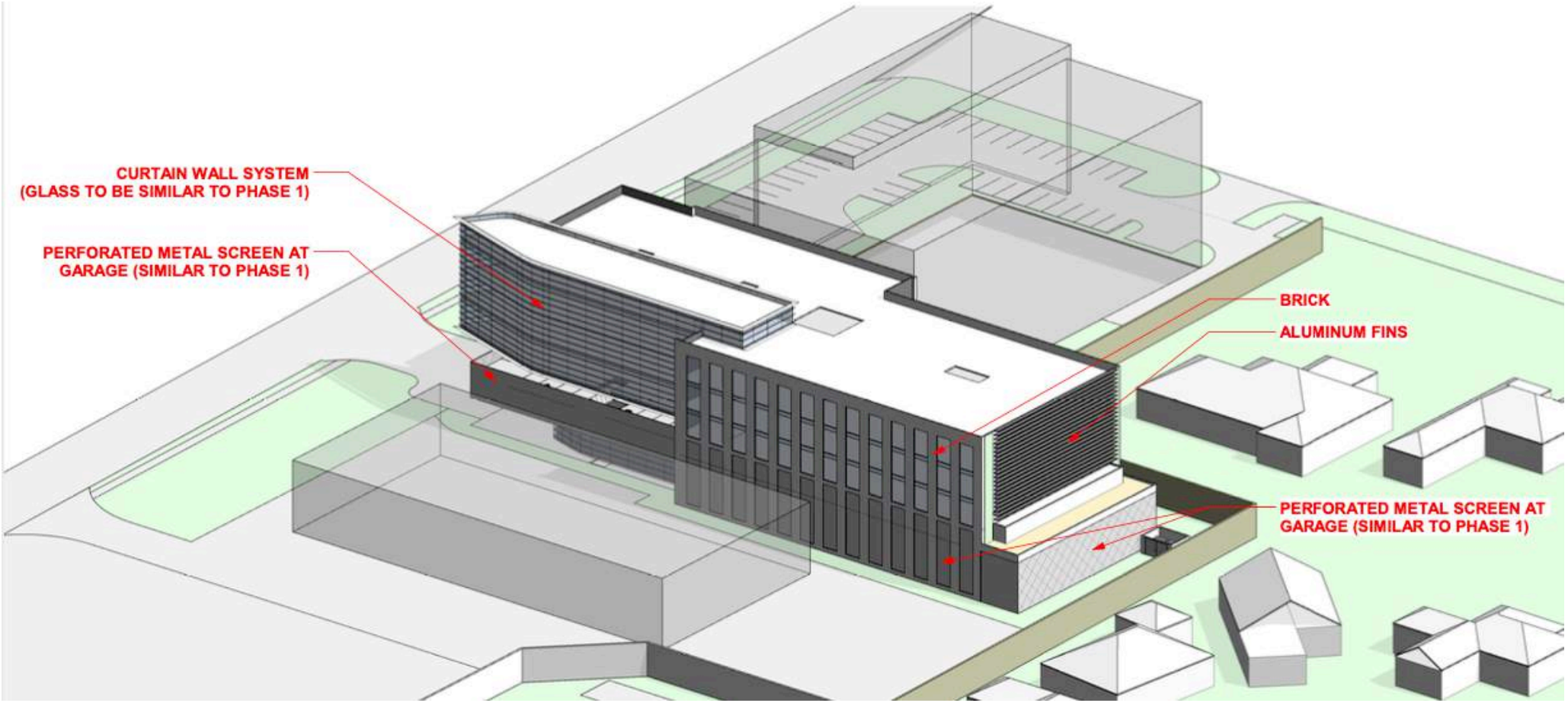
SOUTH ELEVATION (VIEW FROM INTERSTATE 10)

NORTH ELEVATION

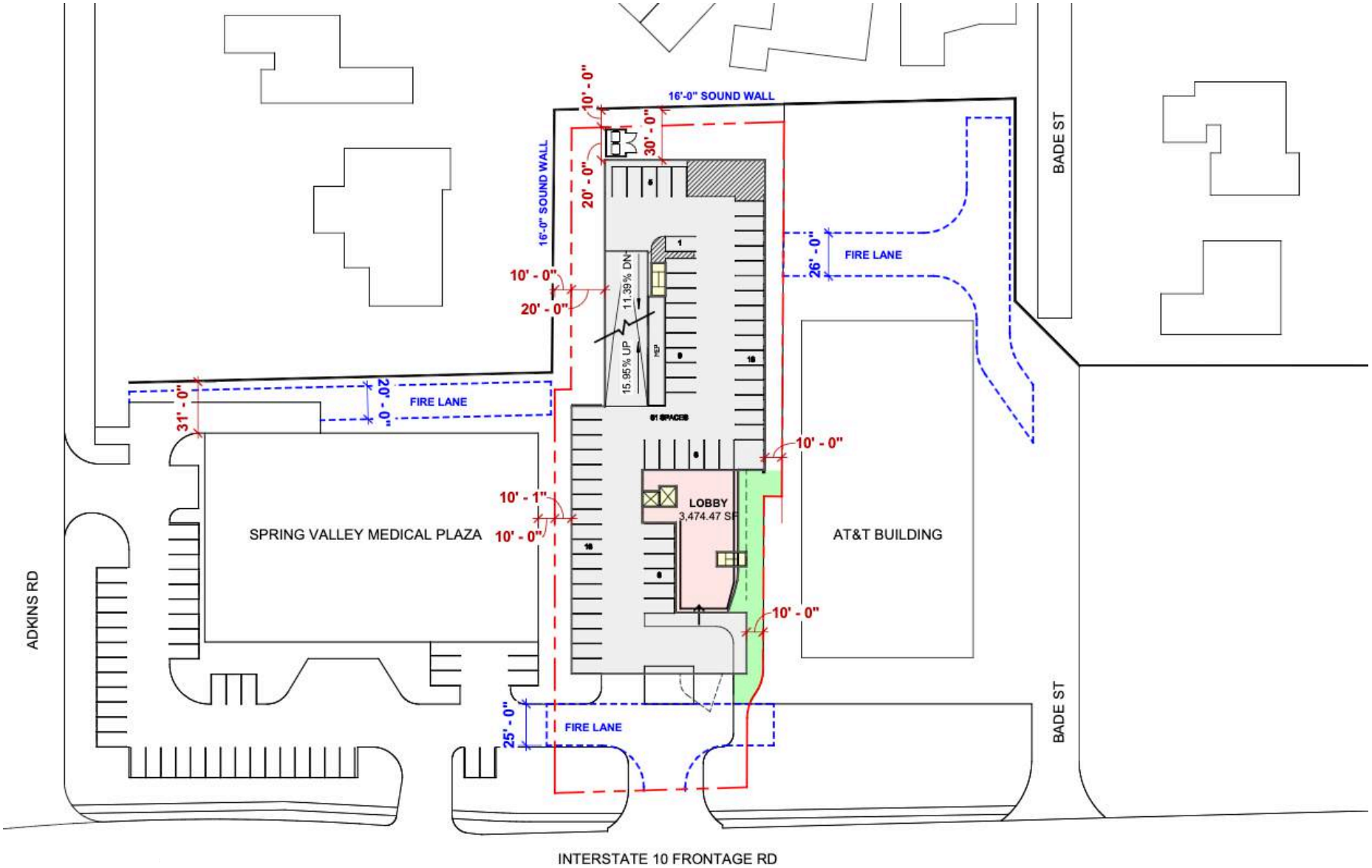
SITE RENDERING



SITE RENDERING



PROPOSED SITE PLAN

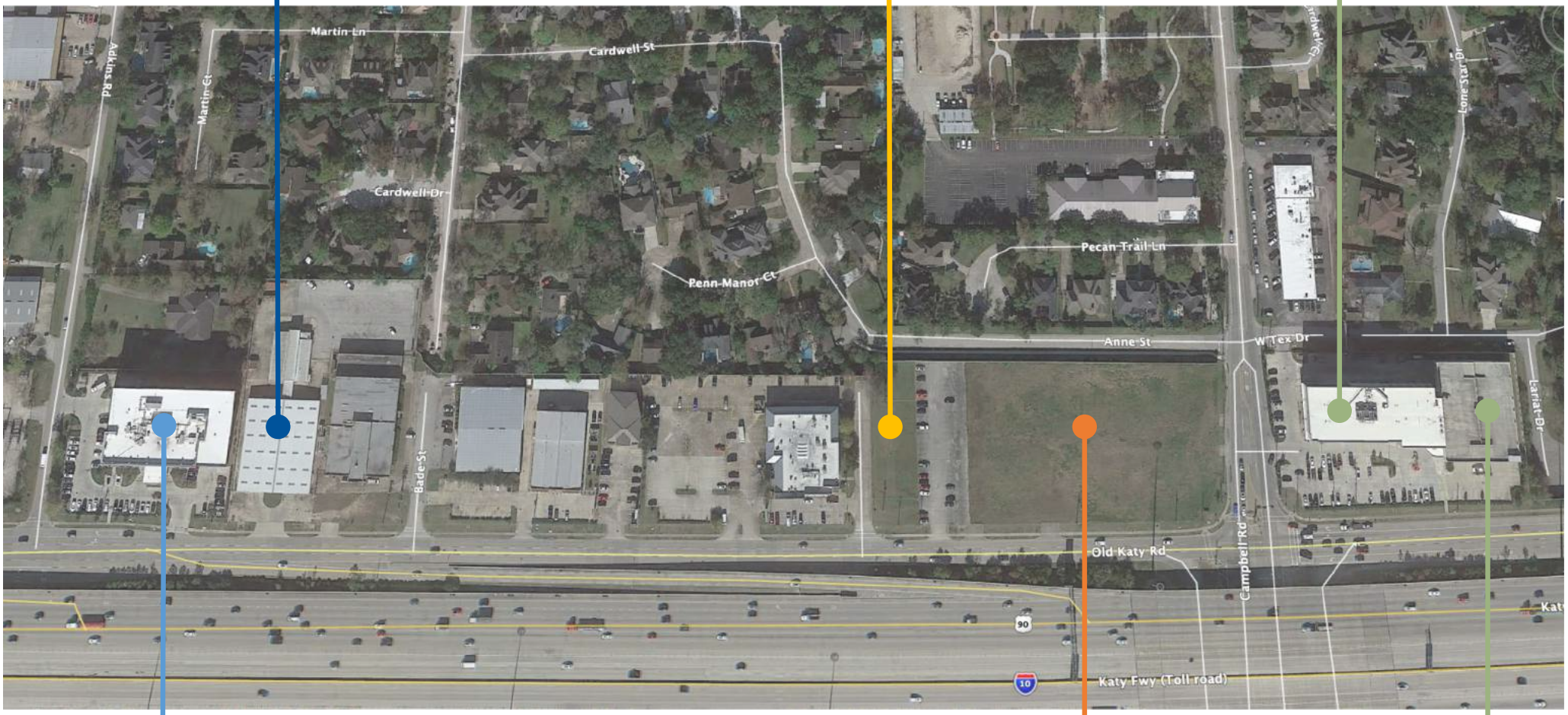


AERIAL VIEW OF ADJACENT PROPERTIES

SUBJECT 1A/B SPRING VALLEY MEDICAL PLAZA PHASE II

7A/B JENSEN PARKING GARAGE

3 ERSA GRAE BUILDING



2 SPRING VALLEY MEDICAL PLAZA

SPRING VALLEY PLACE (STREAM) & PARKING GARAGE 5 & 6

ERSA GRAE PARKING GARAGE 4A/B

BUILDING LINE STUDY OVERVIEW

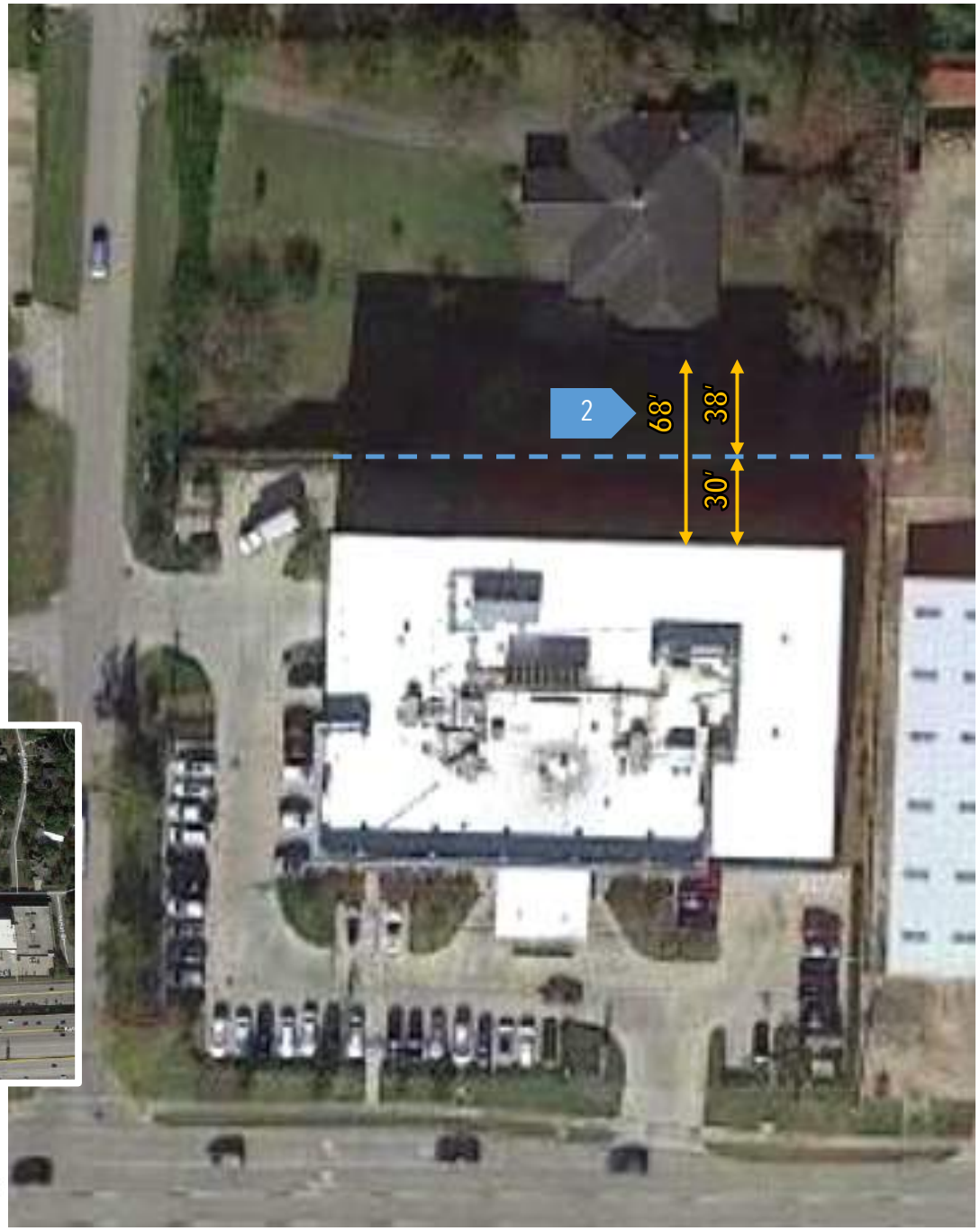
	PROPERTY	LOCATION	STATUS	HEIGHT	SETBACK DISTANCES		TOTAL DISTANCE	RESIDENTIAL AREA OF SIGHT	ADJACENT STRUCTURE HEIGHTS
	SUBJECT				Structure to Sound Wall	Sound Wall to Residence			
1A	Spring Valley Medical Plaza Phase II	9210 Old Katy	Originally Proposed	6 Stories 85 ft	30 ft	35 ft	**65 ft**	3.5 Stories	Single Story
1B	Spring Valley Medical Plaza Phase II		Revised Proposal	6 Stories 85 ft	30/50 ft	35 ft	**85 ft**	2.5 Stories	Single Story
2	Spring Valley Medical Plaza	9230 Katy Fwy	Existing	6 Stories 85 ft	30 ft	38 ft	**68 ft**	3 Stories	Single Story
3	Ersa Grae Building	9090 Katy Fwy	Existing	5 Stories ~80 ft	50 ft	72 ft	**122 ft**	3.5 Stories	Single Story
4A	Ersa Grae Parking Garage - North		Existing	5 Levels ~48 ft	10 ft	75 ft	**85 ft**	2.5 Levels	Single Story
4B	Ersa Grae Parking Garage - East			4 Levels ~38 ft	10 ft	60 ft	**70 ft**		
5	Spring Valley Place (Stream)	1001 Campbell	Approved	5 Stories 85 ft	100 ft	74 ft	**174 ft**	4 Stories	Two Story
6	Spring Valley Place (Stream) Parking Garage - North		Approved	7 Levels 67 ft	15 ft	74 ft	**89 ft**	4.5 Levels	Two Story
7A	Jensen Parking Garage - North		Approved	4 Levels 60 ft	25 ft	81 ft	**106 ft**	3 Levels	Two Story
7B	Jensen Parking Garage - Northwest		Approved	4 Levels 60 ft	28 ft	62 ft	**90 ft**	2.5 Levels	Single Story

BUILDING LINE STUDY

PROPERTY: SPRING VALLEY MEDICAL PLAZA
LOCATION: 9230 KATY FWY

2

STATUS: EXISTING
HEIGHT: 6 STORIES, 85 FT
SETBACKS: 30 FT + 38 FT = 68 FT



AERIAL VIEW KEY

SITE LINE STUDY

PROPERTY: SPRING VALLEY MEDICAL PLAZA
LOCATION: 9230 KATY FWY

2

STATUS: EXISTING
HEIGHT: 6 STORIES, 85 FT
SETBACKS: 30 FT + 38 FT = 68 FT

VIEW LOOKING NORTH FROM LEVEL 5, 5 FT BACK FROM WINDOW

VIEW LOOKING NORTH FROM LEVEL 5, AT WINDOW GLASS

BUILDING LINE STUDY

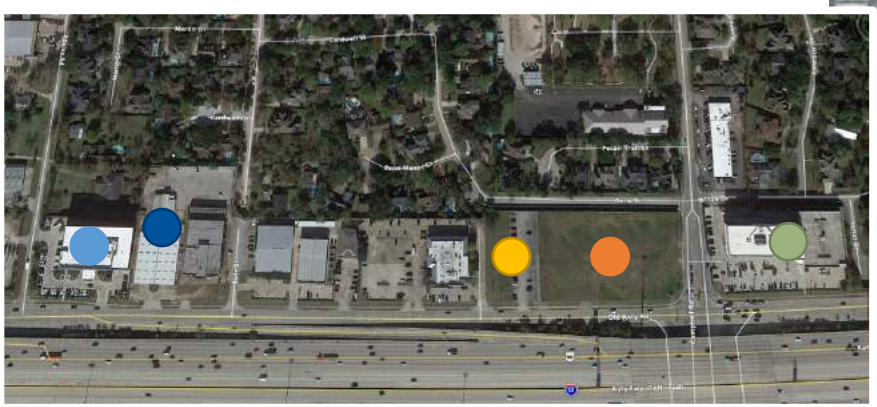
PROPERTY: **SPRING VALLEY MEDICAL PLAZA PHASE II**
LOCATION: **9210 OLD KATY RD**

1A **OPTION 1:**

STATUS:	ORIGINALLY PROPOSED
HEIGHT:	6 STORIES, 85 FT
SETBACKS:	30 FT + 35 FT = 65 FT

1B **OPTION 2:**

STATUS:	PROPOSED
HEIGHT:	6 STORIES, 85 FT
SETBACKS:	50 FT + 35 FT = 85 FT



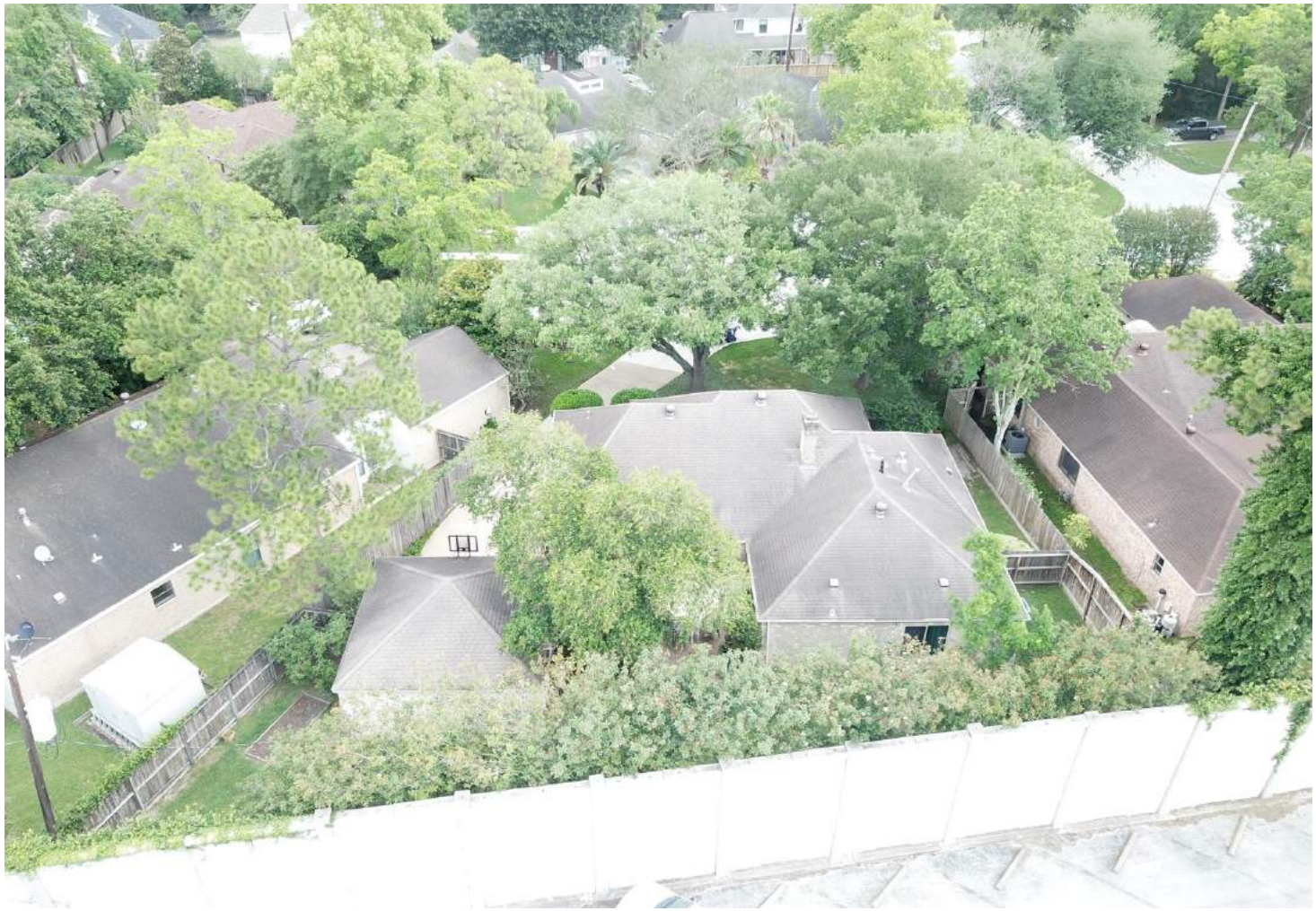
AERIAL VIEW KEY

SITE LINE STUDY

PROPERTY: SPRING VALLEY MEDICAL PLAZA PHASE II
LOCATION: 9210 OLD KATY RD

1A VIEW FROM OPTION 1A, 60 FT SETBACK

VIEW LOOKING NORTH FROM PROPOSED LEVEL 6, WITHOUT HORIZONTAL FIN

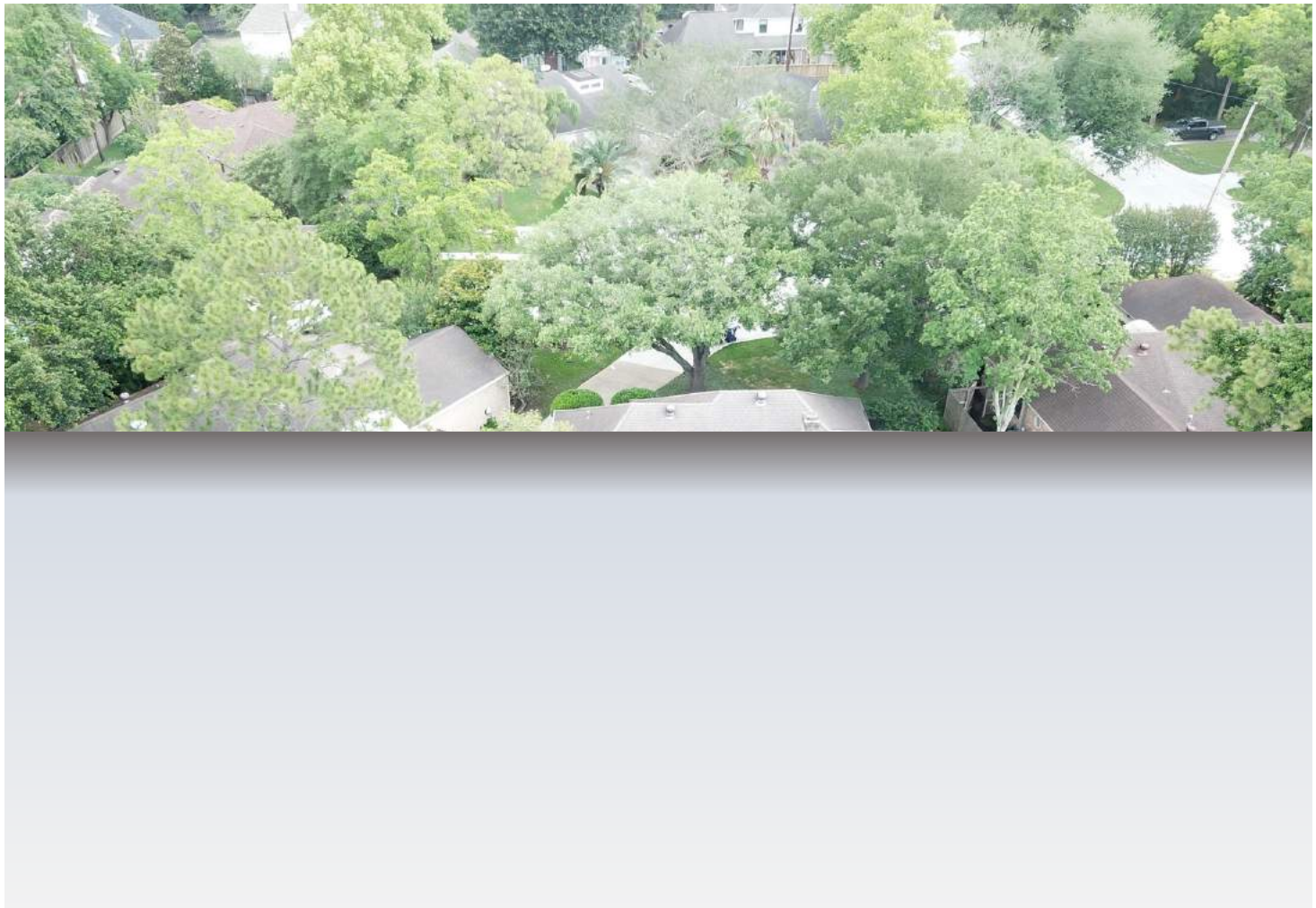


SITE LINE STUDY

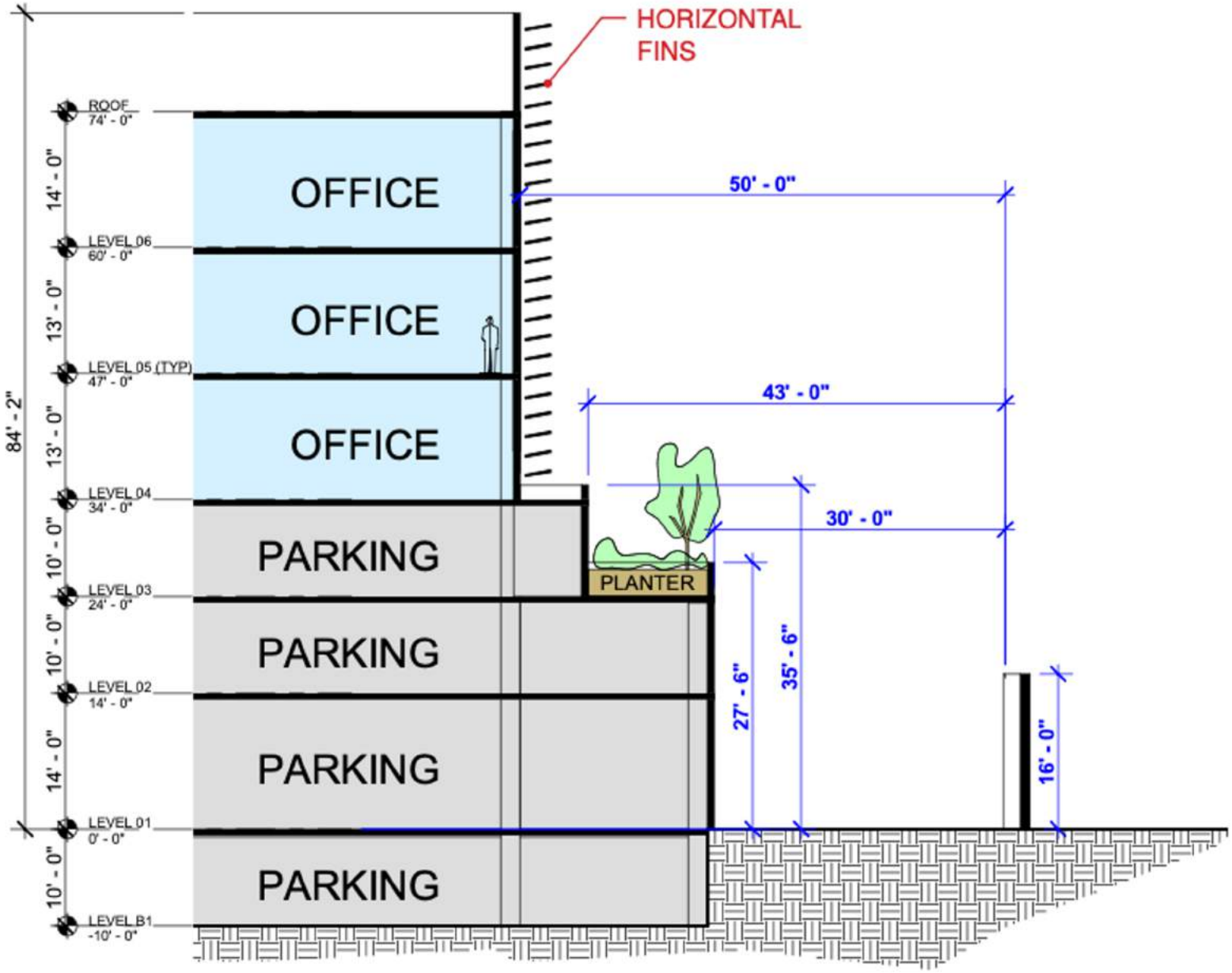
PROPERTY: SPRING VALLEY MEDICAL PLAZA PHASE II
LOCATION: 9210 OLD KATY RD

1A VIEW FROM OPTION 1A, 60 FT SETBACK

VIEW LOOKING NORTH FROM PROPOSED LEVEL 6, WITH HORIZONTAL FIN

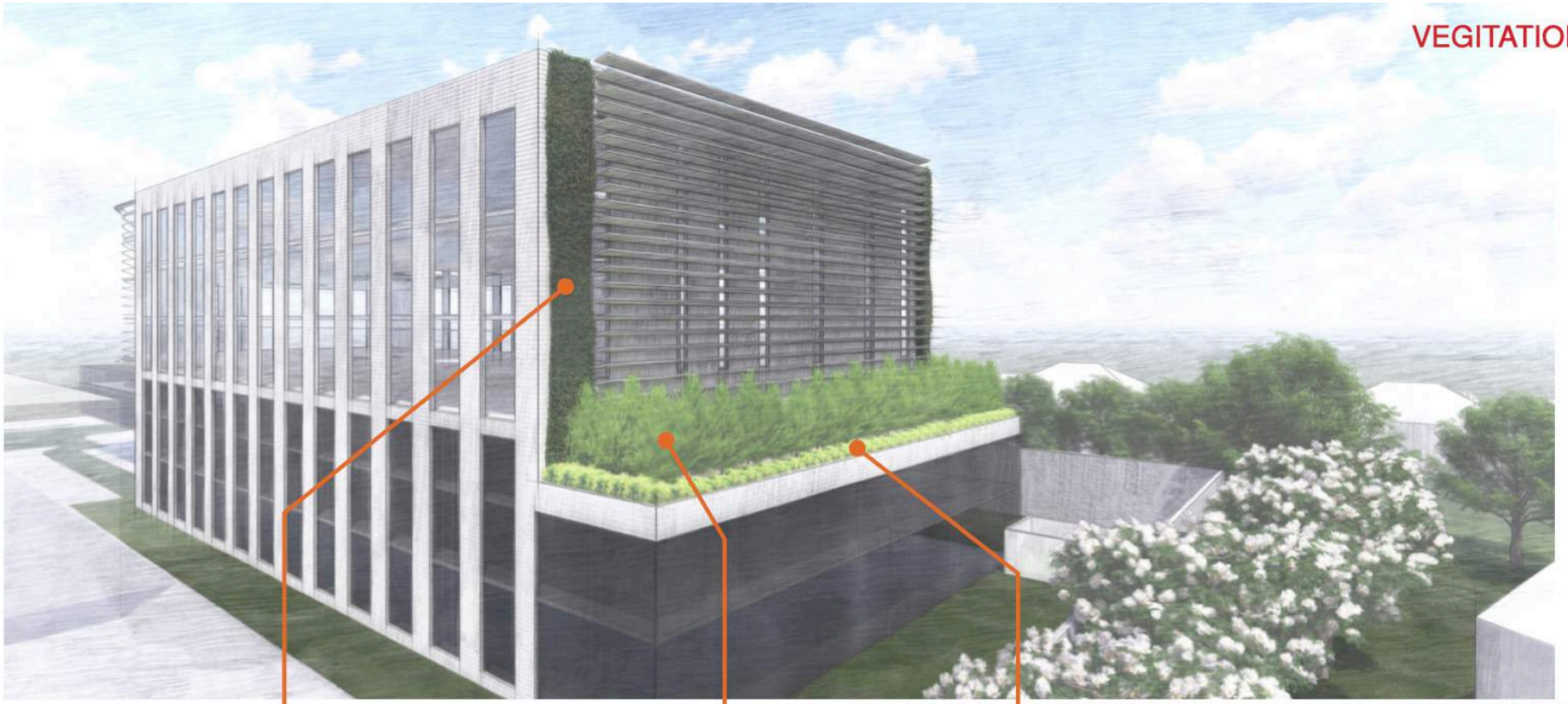


CONCEPT BUILDING ELEVATION



NORTH ELEVATION

NORTH ELEVATION

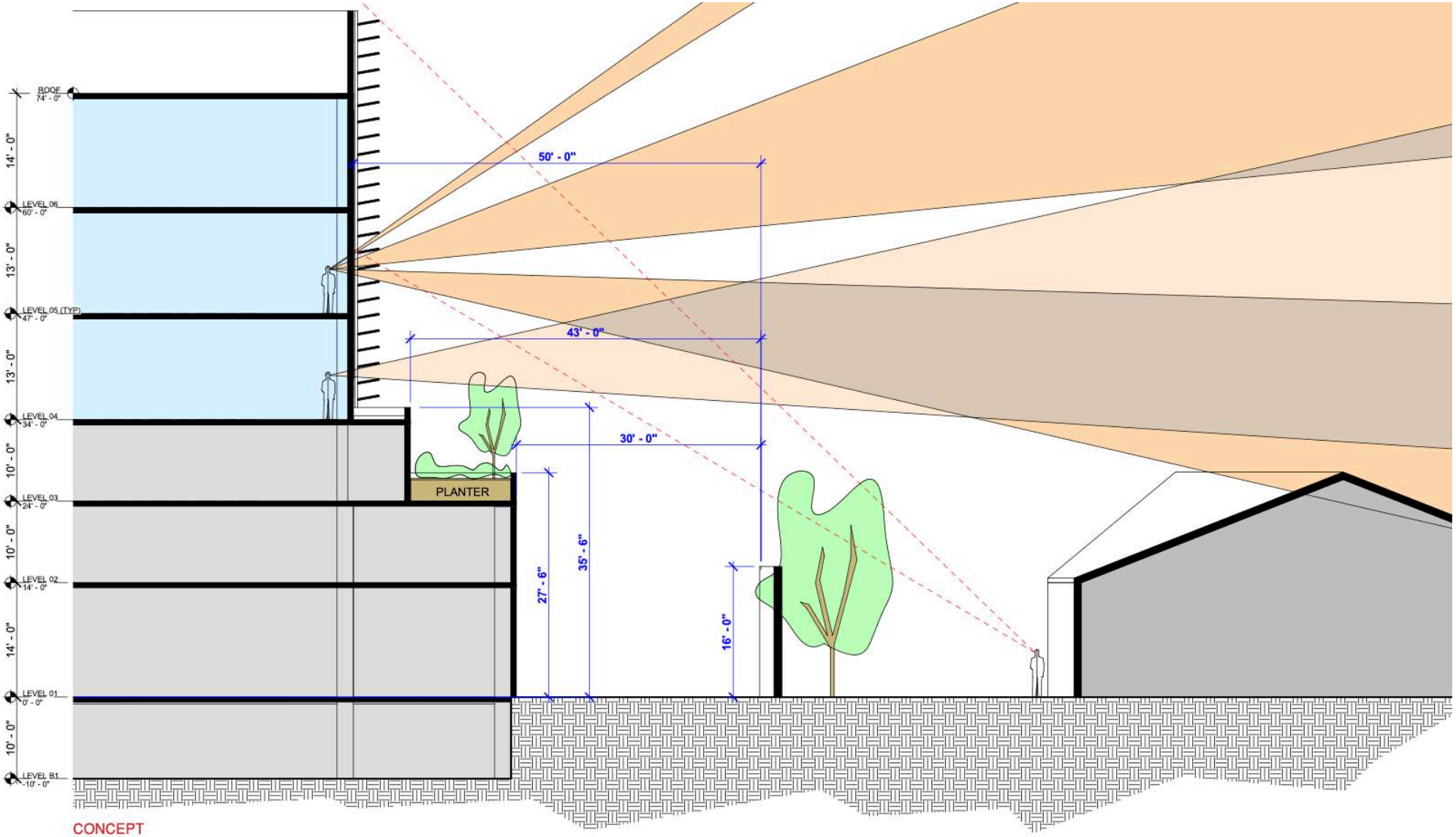


Confederate Star Jasmine

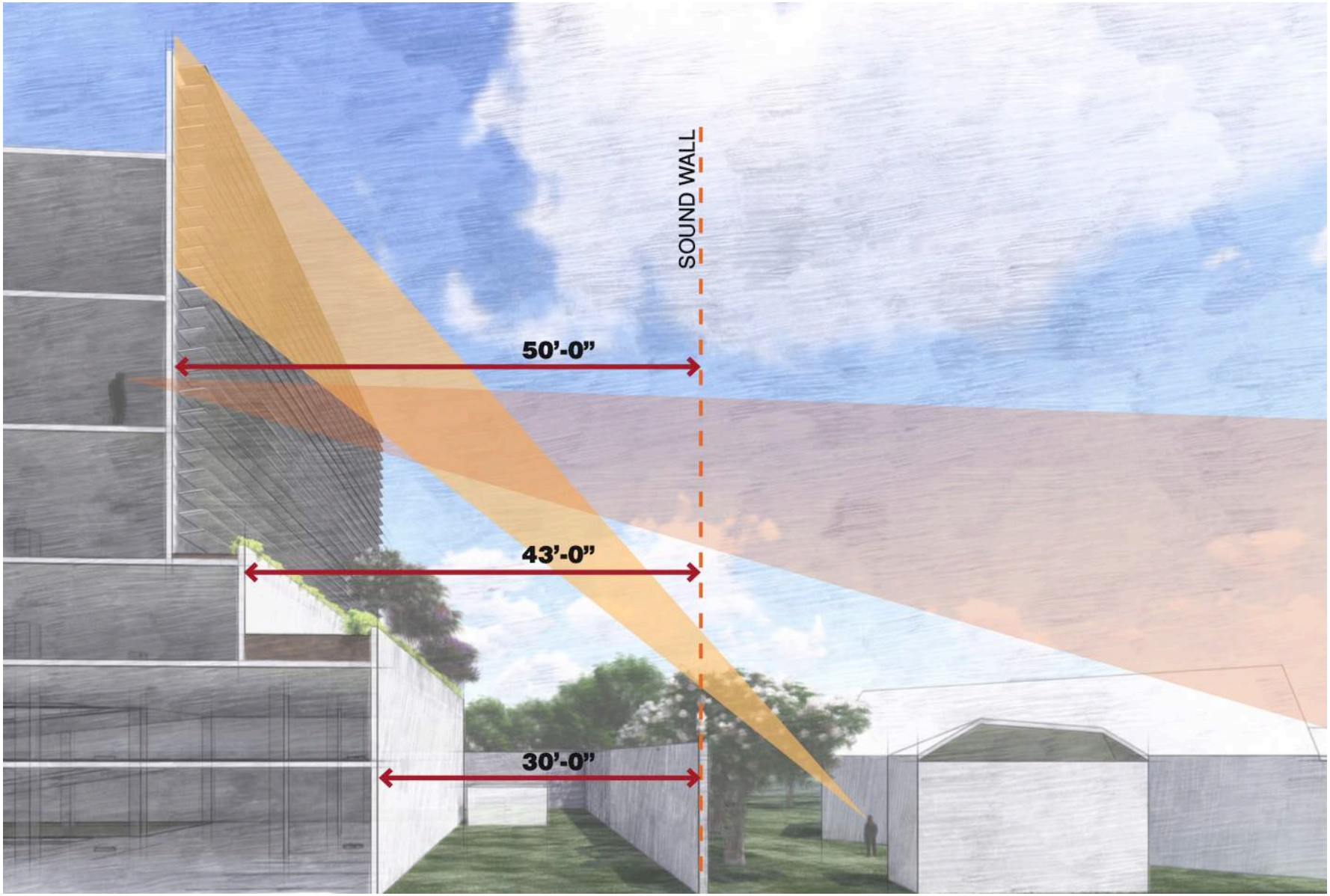
Savannah Holly

Muhly Grass or Similar

SITE LINE

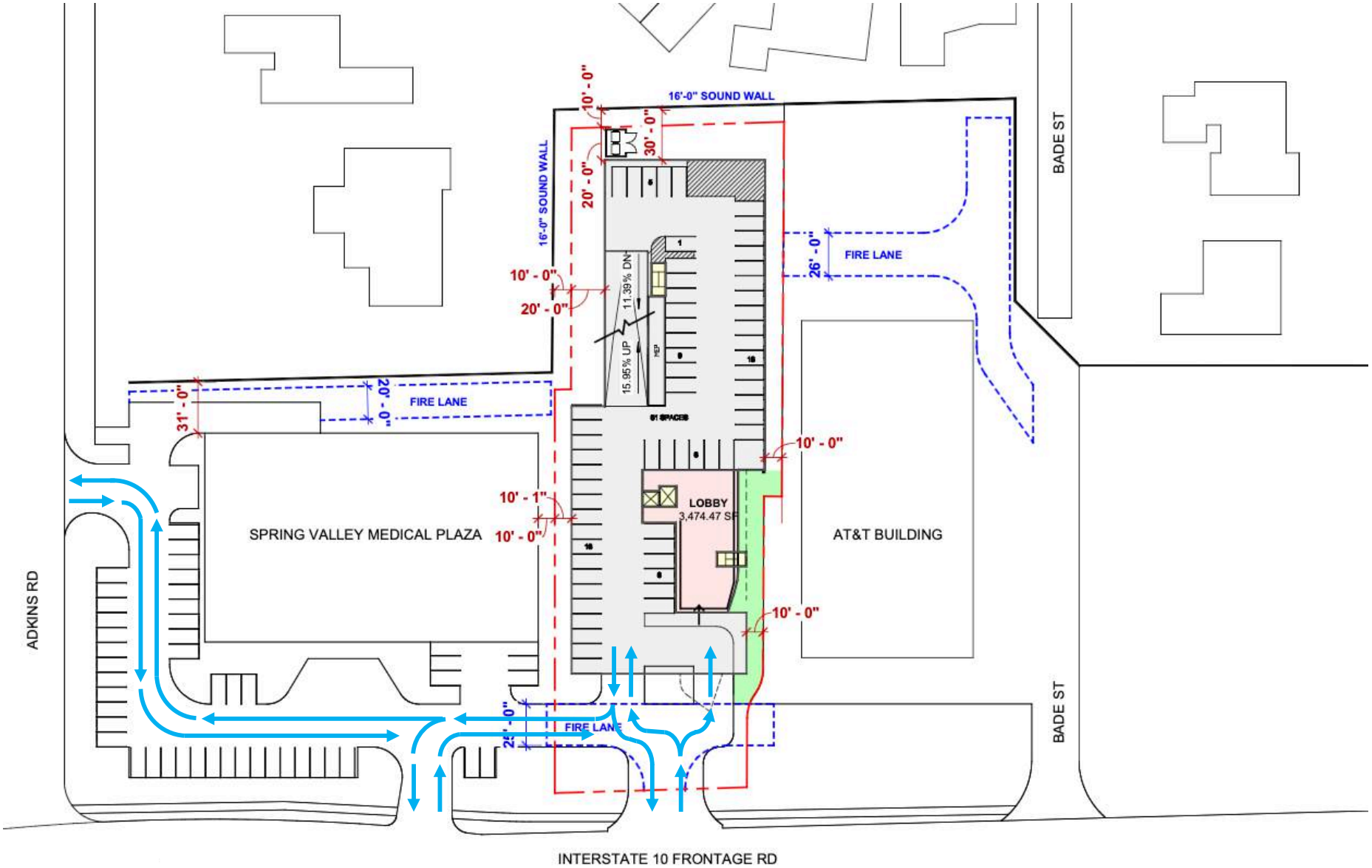

ROOF
74' - 0"
LEVEL 06
60' - 0"
LEVEL 05 (TYP)
47' - 0"
LEVEL 04
34' - 0"
LEVEL 03
24' - 0"
LEVEL 02
14' - 0"
LEVEL 01
0' - 0"
LEVEL B1
-10' - 0"
14' - 0"
13' - 0"
13' - 0"
10' - 0"
10' - 0"
14' - 0"
10' - 0"
50' - 0"
43' - 0"
30' - 0"
PLANTER
27' - 6"
35' - 6"
16' - 0"
CONCEPT

SITE LINE

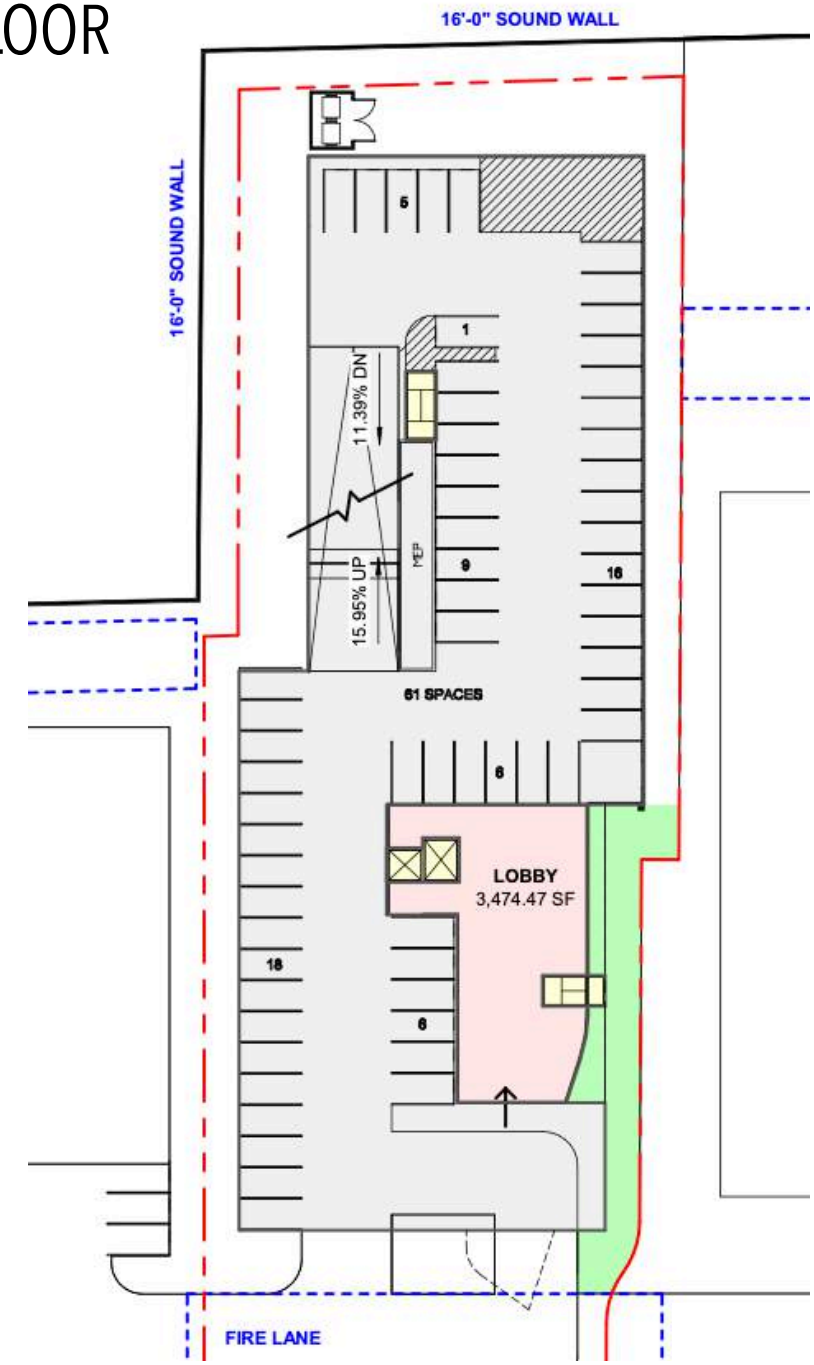


CONCEPT BUILDING ELEVATION: VIEW FROM RESIDENCE

PROPOSED SITE PLAN & TRAFFIC FLOW

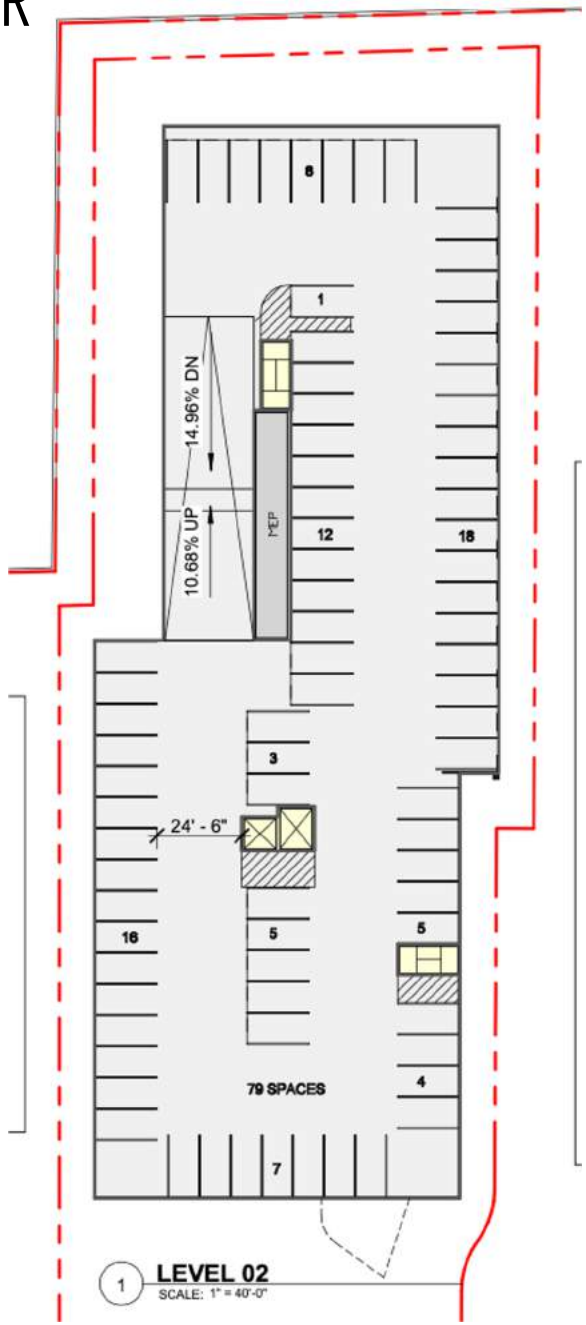


FLOOR PLAN: FIRST FLOOR



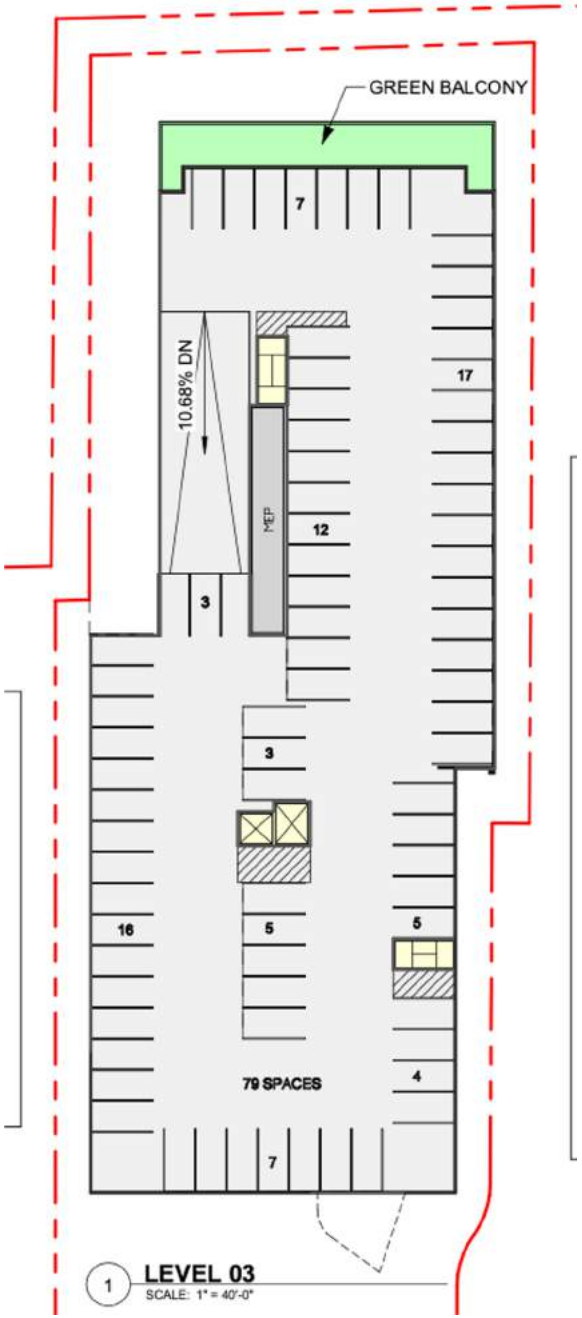
FLOOR PLAN: BASEMENT

FLOOR PLAN: SECOND FLOOR

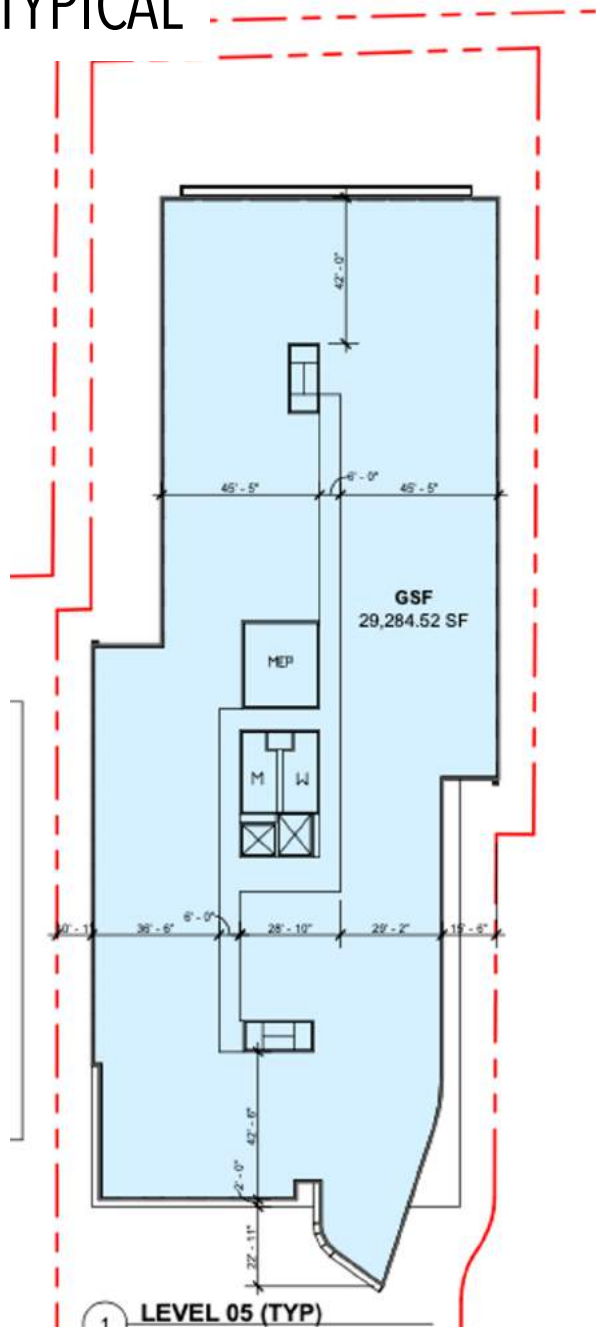


PARKING COUNT	
OFFICE SPACE	
Gross per level	29,285 GSF
1.15 NRA Factor	25,465 NRA
	X3
Total NRA	**76,396 NRA**
4 per 1,000	**306 Cars**
PARKING	
Level 3	79
Level 2	79
Level 1	61
Level B1	79
Total	**298 Cars**
	3.9 cars per 1,000

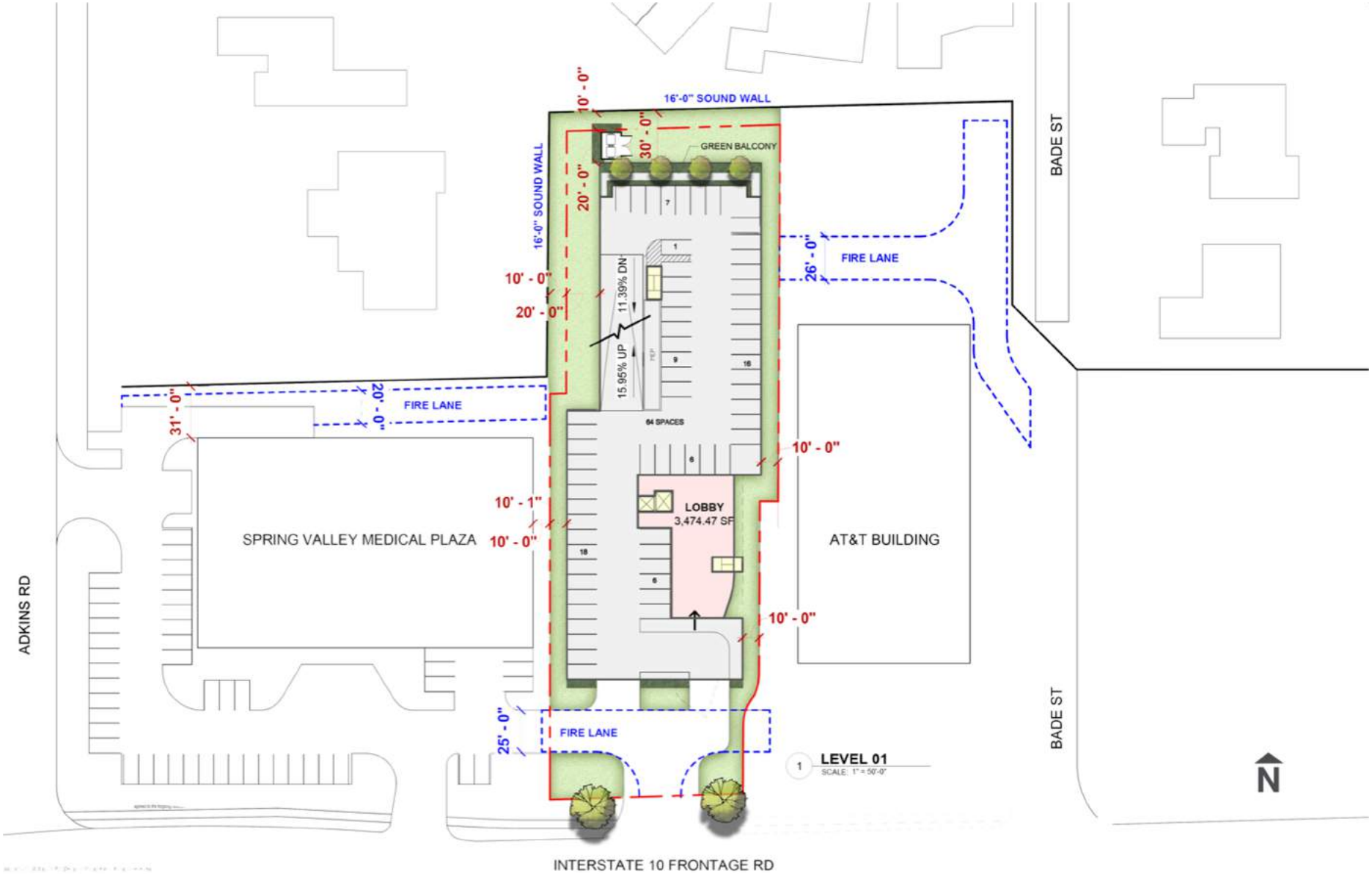
FLOOR PLAN: THIRD FLOOR



FLOOR PLAN: FIFTH FLOOR, TYPICAL

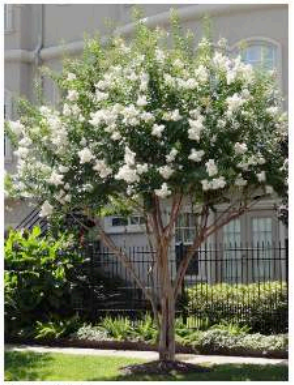


LANDSCAPE PLAN

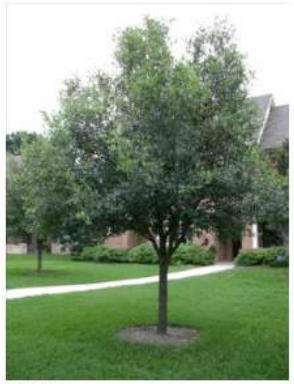


LANDSCAPING VEGETATION

Savannah Holly


Crape Myrtle

Wax Myrtle


Live Oak

Little Gem Southern Magnolia

Liriope

Dwarf Yaupon Holly

Boxwood

Muhly Grass

Aztec Grass

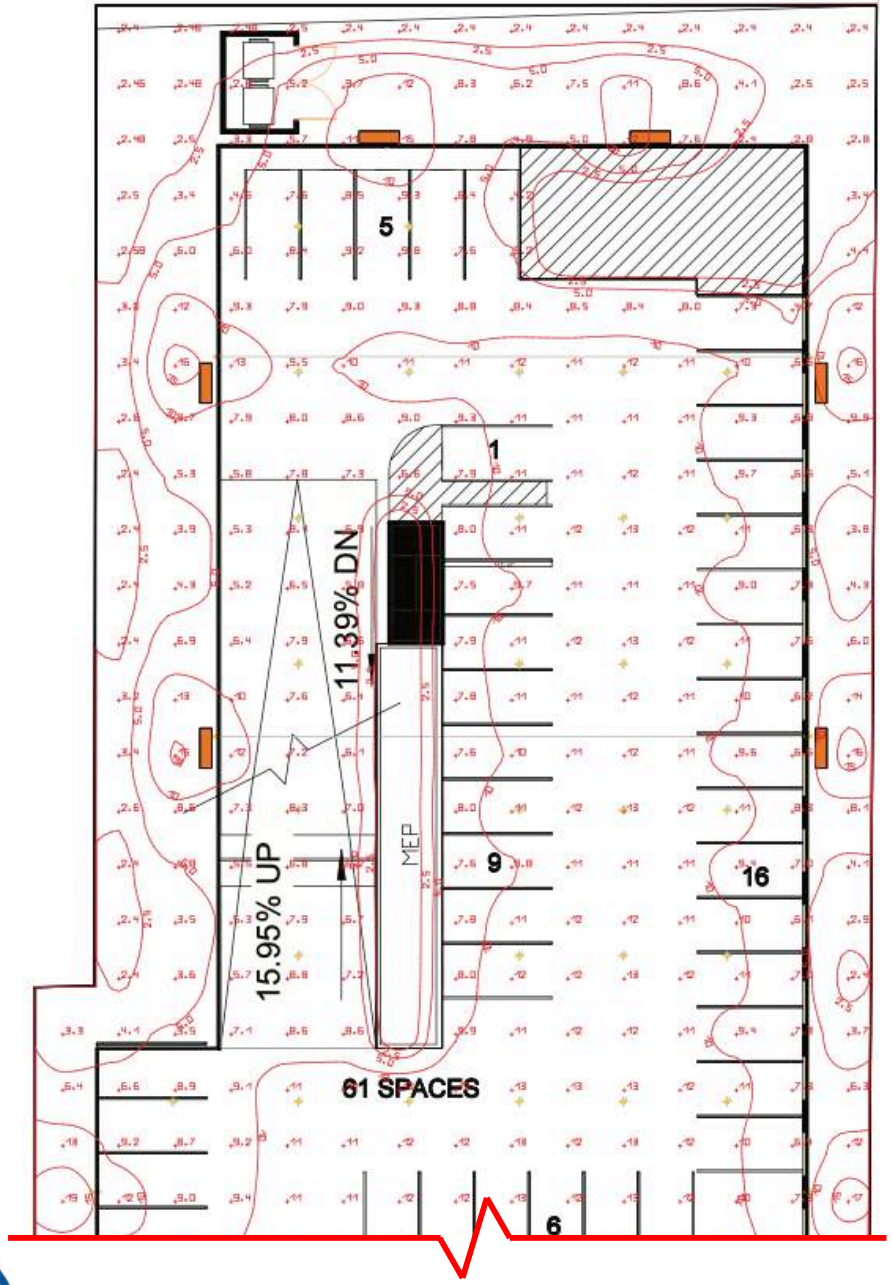
Knockout Roses

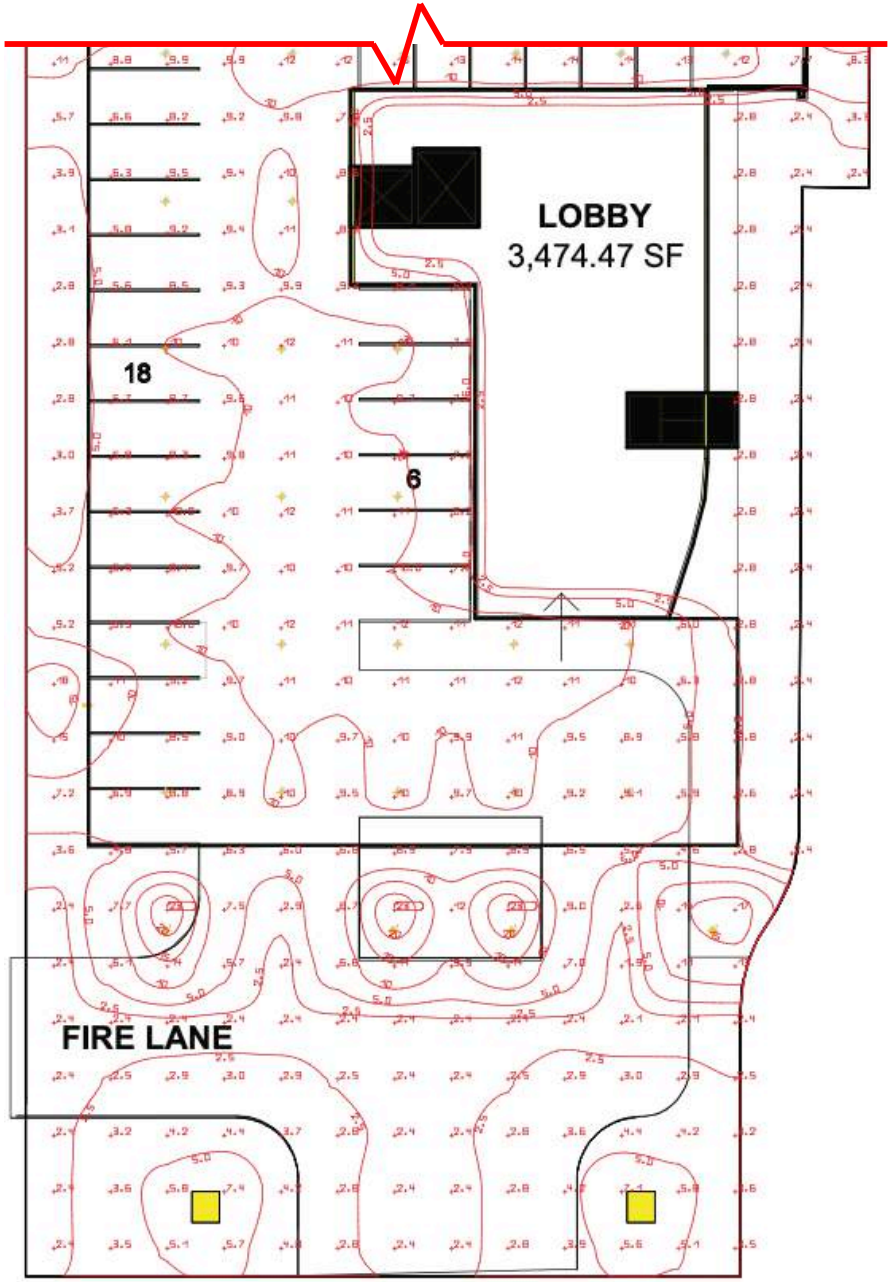
Indian Hawthorn

New Gold Lantana

Little Bunny

PHOTOMETRIC STUDY





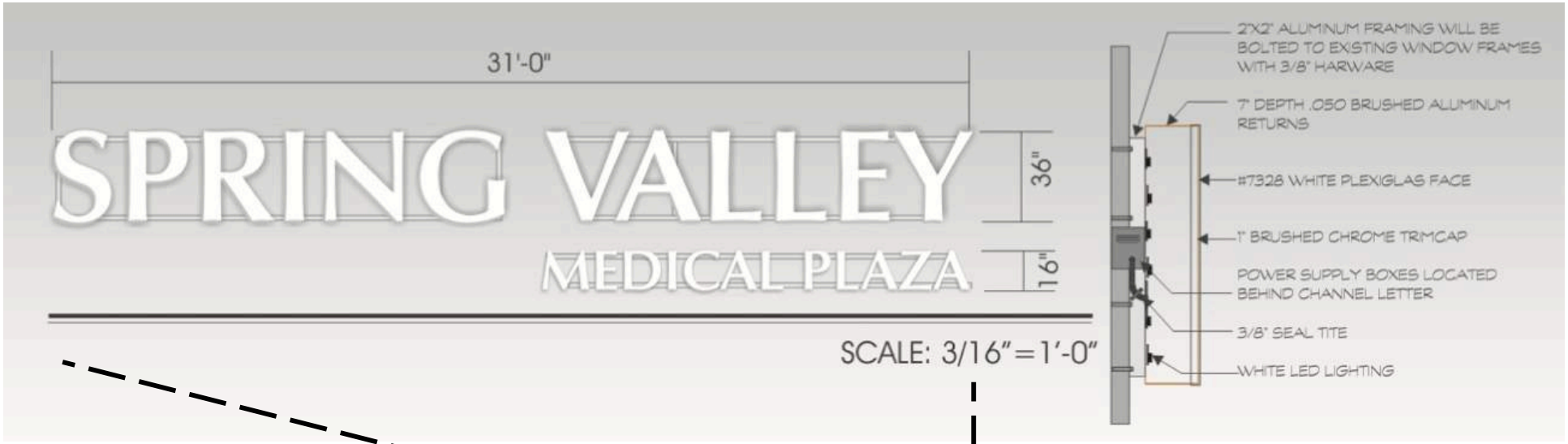
PHOTOMETRIC STUDY

Luminaire list (Site 1)								
Index	Manufacturer	Article name	Item number	Fitting	Luminous flux	Light loss factor	Connected load	Quantity
1	LUMINOSO LED INC	ECPY-65W-50K		1x	6320 lm	0.80	64.9 W	53
2	AV POLES & LIGHTING	AVPL-CL-S-4-VS-1050mA-220W-5K		1x LUMILEDS LUXEON Mx 4 MODULES WITH 4 LEDS PER MODULE 220W PER MODULE 1050mA DRIVE CURRENT TYPE VS MEDIUM	24092 lm	0.80	220 W	2
3	AV POLES & LIGHTING	ATR-BOL-42-VS-1050mA-55W-5K		1x LUMILEDS LUXEON Mx 1 MODULE WITH 4 LEDS PER MODULE 55W PER MODULE 1050mA DRIVE CURRENT TYPE VS MEDIUM	6023 lm	0.80	55 W	4
4	HEPER	Domi_2_Module_4000K	LW7031.682	1x Domi_2_Module_4000K	8000 lm	0.80	70 W	9

MONUMENT SIGN

Intend to match existing monument signage at neighboring property.

BUILDING SIGNAGE



Intend to match existing building signage at neighboring property.

SITE DESIGN CRITERIA

Hours of Operation: Retail (1st floor) 8AM to 12AM.

Outdoor uses: Outdoor displays and storage are prohibited.

Lighting Levels and Limitations:

- No outdoor lighting shall shine directly on adjacent residential or business properties.
- Lighting levels on the surface parking lot will be maintained at a minimum average of 2.4 foot candles in the parking field.
- Reduced levels of 1 foot candle average will be maintained for after-hours security purposes.
- All lighting will be "white" color corrected lighting of metal halide or color corrected fluorescents.

Trash Dumpsters: The development will have one enclosed trash/refuse dumpster location.

Drainage Systems: It's assumed that underground detention will be utilized for drainage mitigations requirements. The site will be drained via a parking lot catch basin storm sewer system with drainage complying with regulations. A final drainage and irrigation plan will be submitted with construction documents at time of permit submission. Drainage will be sloped to the south toward I-10.

Noise: All activities will comply with the ordinances of the City applicable to noise and sounds, except that operating hours may be extended as provided above.

CODE ANALYSIS

APPLICABLE CODES AND STANDARDS

1. NATIONAL FIRE PROTECTION ASSOCIATION (NFPA)
   1. NFPA 13, SPRINKLER SYSTEMS
   2. NFPA 101, LIFE SAFETY CODE
   3. NFPA 99, HEALTHCARE FACILITIES
   4. NFPA 110, POWER SYSTEMS, EMERGENCY AND STANDBY
   5. ALL REFERENCED NFPA WITHIN ALL ABOVE
2. SPRING VALLEY VILLAGE CODES AND AMENDMENTS
   A. 2018 INTERNATIONAL BUILDING CODE
   B. 2018 INTERNATIONAL MECHANICAL CODE
   C. 2018 INTERNATIONAL PLUMBING CODE
   D. 2018 INTERNATIONAL ENERGY CONSERVATION CODE
   E. 2018 FUEL GAS CODE
   F. 2017 NATIONAL ELECTRIC CODE
3. 2012 TAS STANDARDS

PROJECT DESCRIPTION:
This Project consists of a new Medical Office Building in Spring Valley Village, Texas.

NAME OF PROJECT: Spring Valley Medical Plaza - Phase II

ADDRESS: 9216 Old Katy Road, Houston, Texas 77055

PROPOSED USE: Shell Medical Office Building and Parking Garage

OWNER OR AUTHORIZED AGENT: i3 Interests PHONE: TBD

OWNED BY: i3 Interests ☐ CITY/COUNTY ■ PRIVATE ☐ STATE

CODE ENFORCEMENT JURISDICTION: CITY: Spring Valley Village COUNTY: Harris

LEAD DESIGN PROFESSIONAL: Munoz + Albin

DESIGNER	FIRM	NAME	LICENSE #	TELEPHONE #
ARCHITECT:	THR3E Design	--	--	--
CIVIL:	Kimley Horn	--	--	--
ELECTRICAL:	--	--	--	--
FIRE ALARM:	--	--	--	--
PLUMBING:	--	--	--	--
MECHANICAL:	--	--	--	--
SPRINKLER:	--	--	--	--
STRUCTURAL:	--	--	--	--
RETAINING WALLS:	--	--	--	--
OTHER:	--	--	--	--

■ NEW CONSTRUCTION ■ SHELL BUILDING
☐ LEASE SPACE BUILD OUT (LSBO) ☐ CHANGE OF OCCUPANCY
☐ SUBSTANTIAL IMPROVEMENT ☐ OTHER:

BUILDING DATA

CONSTRUCTION TYPE: ☐ I-A ☐ I-B ■ II-A ☐ II-B ☐ III-A ☐ III-B ☐ IV ☐ V-A V-B

MIXED CONSTRUCTION: ■ NO ☐ YES TYPES: N/A

SPRINKLERS: ☐ NO ■ YES ■ NFPA 13 ☐ NFPA 13R ☐ NFPA 13D ☐ EXISTING

STANDPIPES: ☐ NO ■ YES CLASS: ■ I ☐ II ☐ III ■ WET ■ DRY (GARAGE ONLY)

FIRE DISTRICT: ■ NO ☐ YES

BUILDING HEIGHT: 84' - 2" FEET 7 NUMBER OF STORIES ☐ UNLIMITED PER --

MEZZANINE: ■ NO ☐ YES

HIGH RISE: ■ NO ☐ YES CENTRAL REFERENCE SHEET # (IF PROVIDED) --

GROSS BUILDING AREA:

BUSINESS - B OCC	
1ST FLOOR	3,441 SF
4TH FLOOR	30,589 SF
5TH FLOOR	30,589 SF
6TH FLOOR	30,589 SF
BUSINESS TOTAL:	95,208 SF

PARKING GARAGE - S-2 OCC	
BASEMENT	31,383 SF
1ST FLOOR	27,864 SF
2ND FLOOR	31,848 SF
3RD FLOOR	31,848 SF
PARKING GARAGE TOTAL:	122,943 SF

FIRE PROTECTION REQUIREMENTS

LIFE SAFETY PLAN SHEET #, IF PROVIDED: TBD

	FIRE SEPARATION DISTANCE (FEET)	RATING REQ'D	RATING PROVIDED (W/ A REDUCTION)	DETAIL # AND SHEET #	DESIGN # FOR RATED ASSEMBLY	DESIGN # FOR RATED PENETRATION	DESIGN # FOR RATED JOINTS
STRUCTURAL FRAME INCLUDING COLUMNS, GIRDERS AND TRUSSES	--	1	--	--	--	--	--
BEARING WALLS							
EXTERIOR							
NORTH (at Firs 4-6, X=33')	10 ≤ X ≤ 30	1	--	--	--	--	--
EAST	10 ≤ X ≤ 30	1	--	--	--	--	--
WEST	10 ≤ X ≤ 30	1	--	--	--	--	--
SOUTH	X ≥ 30	1	--	--	--	--	--
INTERIOR	--	1	--	--	--	--	--
NONBEARING WALLS AND PARTITIONS							
EXTERIOR - SEE TABLE 602							
NORTH (at Firs 4-6, X=33' = 0hr)	10 ≤ X ≤ 30	0[3]	--	--	--	--	--
EAST (at Firs 1-3, note 3)	10 ≤ X ≤ 30	1[3]	--	--	--	--	--
WEST (at Firs 1-3, note 3)	10 ≤ X ≤ 30	1[3]	--	--	--	--	--
SOUTH	X ≥ 30	0	--	--	--	--	--
INTERIOR	--	0	--	--	--	--	--
FLOOR CONSTRUCTION INCLUDING SUPPORTING BEAMS AND JOISTS	--	1	--	--	--	--	--
ROOF CONSTRUCTION INCLUDING SUPPORTING BEAMS AND JOISTS	--	1	--	--	--	--	--
CORRIDOR SEPARATION	--	0[1]	--	--	--	--	--
OCCUPANCY SEPARATION	--	1	--	--	--	--	--
PARTY/FIRE WALL SEPARATION	--	N/A	--	--	--	--	--
SMOKE BARRIER SEPARATION	--	N/A	--	--	--	--	--
TENANT SEPARATION	--	TBD[2]	--	--	--	--	--

[1] Per table 1020.1, with sprinkler system.
[2] Ambulatory Care Facilities (Section 422) shall have a minimum of 1 hour per Section 708.
[3] Open parking garages complying with Section 406 shall not be required to have a fire-resistance rating.

LIFE SAFETY SYSTEM REQUIREMENTS

EMERGENCY LIGHTING: ☐ NO ■ YES
EXIT SIGNS: ☐ NO ■ YES
FIRE ALARMS: ☐ NO ■ YES
SMOKE DETECTION SYSTEMS: ☐ NO ■ YES
PANIC HARDWARE: ■ NO ☐ YES

FLOOR USE OR SPACE DESIGNATION	MINIMUM[2] NUMBER OF EXITS REQ'D	MINIMUM[2] NUMBER OF EXITS SHOWN ON PLANS	TRAVEL DISTANCE ALLOWABLE TRAVEL DISTANCE (1017.2)[1]	TRAVEL DISTANCE ACTUAL TRAVEL DISTANCE SHOWN ON PLANS	ARRANGEMENT OF MEANS OF EGRESS[1,4] (SECTION 1007.1.1) REQ'D DISTANCE BETWEEN EXIT DOORS	ARRANGEMENT OF MEANS OF EGRESS[1,4] (SECTION 1007.1.1) ACTUAL DISTANCE
B OCC	2	2	300'	-	331'-4" X 1/3 = 110' - 5"	-
S-2 OCC	2	2	400'	--	331'-4" X 1/3 = 110' - 5"	--
--	-	-	--	--	--	--

[1] Corridor dead ends (Section 1020.4, Exception 2.) 50' for B and S Occupancies in Sprinkled Buildings.
[2] Minimum Number of Exits or Access to Exits Per Story (Table 1006.3.1); Single Exits (Section 1006.3.2)
[3] Common Path of Travel (Table 1006.2.1) 75' for B and S Occupancies in Sprinkled Buildings.
[4] Per Table 1017.2, with sprinkler system.

CODE ANALYSIS

ALLOWABLE AREA

PRIMARY OCCUPANCY:

ASSEMBLY: ☐ A-1 ☐ A-2 ☐ A-3 ☐ A-4 ☐ A5 BUSINESS: ■ B EDUCATIONAL: ☐ E

FACTORY & INDUSTRIAL: ☐ F-1 ☐ F-2 HIGH HAZARD: ☐ H-1 ☐ H-2 ☐ H-3 ☐ H-4 ☐ H-5

INSTITUTIONAL: ☐ I-1 ☐ I-2 ☐ I-3 ☐ I-4 I-3 USE CONDITION: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5

MERCANTILE: ☐ M RESIDENTIAL: ☐ R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐ R-5 STORAGE: ☐ S-1 ☐ S-2

UTILITY & MISCELLANEOUS: ☐ U

SECONDARY OCCUPANCY: STORAGE: S-2

SPECIAL OCCUPANCY: ☐ 510.2 ☐ 510.3 ☐ 510.4 ☐ 510.5 ☐ 510.6 ■ 510.7 ☐ 510.8 ☐ 510.9

MIXED OCCUPANCY: ☐ NO ■ YES SEPARATION: 1 HR

STORY #	DESCRIPTION AND USE	(A) BLDG AREA PER STORY (ACTUAL)	(B) TABLE 506.2 [1,2] ALLOWABLE AREA	(C) BUILDING HEIGHT (ACTUAL)	(D) TABLE 504.3 [3,4] ALLOWABLE HEIGHT	(E) BUILDING STORIES (ACTUAL)	(F) TABLE 504.4 [5,4] ALLOWABLE STORIES
B1	(BASEMENT) S-2 PARKING GARAGE	31,383	50,000	84' - 2" [6]	15 Tiers	6	15 Tiers
1	S-2 AND B (LOBBY)	31,305	50,000	84' - 2" [6]	15 Tiers	6	15 Tiers
2	S-2 PARKING GARAGE	31,848	50,000	84' - 2" [6]	15 Tiers	6	15 Tiers
3	S-2 PARKING GARAGE	31,848	50,000	84' - 2" [6]	15 Tiers	6	15 Tiers
4	B MEDICAL OFFICE	30,589	112,500	84' - 2" [6]	85'	6	6
5	B MEDICAL OFFICE	30,589	112,500	84' - 2" [6]	85'	6	6
6	B MEDICAL OFFICE	30,589	112,500	84' - 2" [6]	85'	6	6
--	---	---	---	---	---	---	---

[1] Allowable Area Factor shown is for Occupancy Classification B, Single Story Sprinkled Building, Type VB.
[2] Allowable Area Factor shown is for Open Garage Areas (Table 406.5.4), Type II-A Garage.
[3] Allowable Building Height in feet above grade shown is for Occupancy Classification B, Sprinkled Building, Type II-A.
[4] Allowable Building Height in tiers above grade shown is for Open Garage Areas (Table 406.5.4), Type II-A Sprinkled Garage.
[5] Allowable Number of Stories Above Grade shown is for Occupancy Classification B, Sprinkled Building, Type II-A.
[6] Top of roof average is 74' - 0". 84' - 2" is height of parapet around roof equipment.

6	(B) 30,589 SF - (S-2) 0 SF
5	(B) 30,589 SF - (S-2) 0 SF
4	(B) 30,589 SF - (S-2) 0 SF
3	(B) 0 SF - (S-2) 31,848 SF
2	(B) 0 SF - (S-2) 31,848 SF
1	(B) 3,441 SF - (S-2) 27,864 SF
B1	(B) 0 SF - (S-2) 31,383 SF

EXIT WIDTH

USE GROUP OR SPACE DESCRIPTOR		(a) AREA [1] (sq. ft.)	(b) AREA PER OCCUPANT (TABLE 1004.1.2)	(c) EGRESS WIDTH PER OCCUPANT: STAIR [4] (1005.3.1)	(c) EGRESS WIDTH PER OCCUPANT: LEVEL [5] (1005.3.2)	EXIT WIDTH (IN) [2,3]: REQUIRED WIDTH (SECTION 1005.3) (a/b) X c: STAIR	EXIT WIDTH (IN) [2,3]: REQUIRED WIDTH (SECTION 1005.3) (a/b) X c: LEVEL	EXIT WIDTH (IN) [2,3]: ACTUAL WIDTH SHOWN ON PLANS: STAIR	EXIT WIDTH (IN) [2,3]: ACTUAL WIDTH SHOWN ON PLANS: LEVEL
(BASEMENT) S-2 PARKING GARAGE	157occ	31,383	200	0.2"	0.15"	31.4"	23.55"	—	—
(GROUND LEVEL) S-2	140occ	27,864	200	0.2"	0.15"	N/A [6]	21" [6]	—	—
(GROUND LEVEL) B (LOBBY)	35occ	3,441	100	0.2"	0.15"	N/A [6]	5.25" [6]	—	—
(2ND FLOOR) S-2 PARKING GARAGE	160occ	31,848	200	0.2"	0.15"	32"	24"	—	—
(3RD FLOOR) S-2 PARKING GARAGE	160occ	31,848	200	0.2"	0.15"	32"	24"	—	—
(4TH FLOOR) B MEDICAL OFFICE	306occ	30,589	100	0.2"	0.15"	61.2"	45.9"	—	—
(5TH FLOOR) B MEDICAL OFFICE	306occ	30,589	100	0.2"	0.15"	61.2"	45.9"	—	—
(6TH FLOOR) B MEDICAL OFFICE	306occ	30,589	100	0.2"	0.15"	61.2"	45.9"	—	—

[1] See Table 1004.1.2 to determine whether net or gross area is applicable.
[2] Minimum stairway width (Section 1011.2); min. corridor width (Section 1020.2); min. door width (Section 1010.1.1)
[3] The loss of one means of egress shall not reduce the available capacity to less than 50 percent of the total required (Section 1005.5)
[4] 1005.3.1, Exception 1. Stairways reduced from 0.3" to 0.2" per occupant in buildings equipped throughout with an automatic sprinkler system.
[5] 1005.3.2, Exception 1. Doors (others) reduced from 0.2" to 0.15" per occupant in buildings equipped throughout with an automatic sprinkler system.
[6] Garage Occupancy and Second Floor Stairway egress convergence will be shown on First Floor Code Plan Diagram.

PLUMBING FIXTURE REQUIREMENTS

OCCUPANCY	WATER CLOSETS: MALE: REQUIRED	WATER CLOSETS: MALE: PROVIDED	WATER CLOSETS: FEMALE: REQUIRED	WATER CLOSETS: FEMALE: PROVIDED	URINALS: REQUIRED	URINALS: PROVIDED	LAVATORIES: MALE: REQUIRED	LAVATORIES: MALE: PROVIDED	LAVATORIES: FEMALE: REQUIRED	LAVATORIES: FEMALE: PROVIDED	SHOWERS/TUBS: REQUIRED	SHOWERS/TUBS: PROVIDED	DRINKING FOUNTAINS: REGULAR: REQUIRED	DRINKING FOUNTAINS: REGULAR: PROVIDED	DRINKING FOUNTAINS: ACCESSIBLE: REQUIRED	DRINKING FOUNTAINS: ACCESSIBLE: PROVIDED	MOP SINK: REQUIRED	MOP SINK: PROVIDED
1ST FLR B - 3,441 SF = 35 OCC / 2 = 18M/18F	1	—	1	—	-	-	1	—	1	—	-	-	1	—	1	—	1	-
4TH - 6TH FLR B - 30,589 SF = 306 OCC = 153M/153F	4	—	4	—	-	-	3	—	3	—	-	-	4	—	4	—	1	-
---	—	—	—	—	-	-	—	—	—	—	-	-	—	—	—	—	-	-

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 OF THE CITY OF SPRING VALLEY VILLAGE CREATING AND APPROVING A PLANNED AREA DEVELOPMENT ("PAD") OF APPROXIMATELY 1.17 ACRES OF LAND JUST EAST OF THE NORTH EAST INTERSECTION OF KATY FREEWAY AND ADKINS ROAD, BEING OUT OF LOT 17 AND LOT 2 OF THE WEST PARK SUBDIVISION, IN THE THOMAS A. HOSKINS SURVEY, ABSTRACT NO. 342, HARRIS COUNTY, TEXAS, WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT TO ALLOW CONSTRUCTION OF A THREE STORY PROFESSIONAL BUILDING OVER A FOUR LEVEL PARKING STRUCTURE, WITH ONE LEVEL BELOW GROUND, FOR A MAXIMUM HEIGHT OF EIGHTY-FIVE FEET (85'), ADDITIONAL SURFACE PARKING, AND ALLOWING PROFESSIONAL, MEDICAL AND SURGICAL USES; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

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: Monday, July 13, 2020
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, July 14, 2020
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 Director of Community Development, Zachary Meadows at (713) 465-8308.

DIVIDER PAGE

EST. 1955

SPRING VALLEY

VILLAGE

June 22, 2020

Dear Property Owner:

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

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE CREATING AND APPROVING A PLANNED AREA DEVELOPMENT ("PAD") OF APPROXIMATELY 1.17 ACRES OF LAND JUST EAST OF THE NORTH EAST INTERSECTION OF KATY FREEWAY AND ADKINS ROAD, BEING OUT OF LOT 17 AND LOT 2 OF THE WEST PARK SUBDIVISION, IN THE THOMAS A. HOSKINS SURVEY, ABSTRACT NO. 342, HARRIS COUNTY, TEXAS, WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT TO ALLOW CONSTRUCTION OF A THREE STORY PROFESSIONAL BUILDING OVER A FOUR LEVEL PARKING STRUCTURE, WITH ONE LEVEL BELOW GROUND, FOR A MAXIMUM HEIGHT OF EIGHTY-FIVE FEET (85'), ADDITIONAL SURFACE PARKING, AND ALLOWING PROFESSIONAL, MEDICAL AND SURGICAL USES; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

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: Monday, July 13, 2020
Time: 7:00 p.m.
Location: Council Chambers of Spring Valley Village City Hall, 1025 Campbell Road

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, July 14, 2020
Time: 6:00 p.m.
Location: Council Chambers of Spring Valley Village City Hall, 1025 Campbell Road

This notice is being sent to you as current property records indicate that you own property in close proximity to 9210 Old Katy Road. All interested parties are invited to attend both public hearings and will have the opportunity to be heard. For further information, please contact me at (832) 910-8577 or zmeadows@springvalleytx.com.

Sincerely,

Zachary Meadows
Director of Community Development

1025 CAMPBELL ROAD • HOUSTON, TEXAS 77055-7495
(713) 465-8308 • FAX (713) 461-7969 • www.springvalleytx.com

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04A 9210

SV Physician Properties I LP
9230 Katy Freeway, Suite 500
Houston, Texas 77055

Ronald Stiger
1010 Adkins Road
Houston, Texas 77055

John & Janice Sullivan
1014 Adkins Road
Houston, Texas 77055

Sheri Wilcox & Duane Clementson
10 Martin Court
Houston, Texas 77055

Current Owner
11 Martin Court
Houston, Texas 77055

Current Owner
4521 San Felipe Street, Unit 1605
Houston, Texas 77027-3386

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
11 MARTIN COURT
HOUSTON, TEXAS 77055

Syangywe Jou & Cynthia Chen
9200 Cardwell Drive
Houston, Texas 77055

Ricki Lee Finstad
9201 Cardwell Drive
Houston, Texas 77055

Lauren Nguyen
9204 Cardwell Drive
Houston, Texas 77055

Joseph Lopez
9205 Cardwell Drive
Houston, Texas 77055

Anthony Roubik & Vallerie Spears
9208 Cardwell Drive
Houston, Texas 77055

Zack Raffoul
9209 Cardwell Drive
Houston, Texas 77055

Janice Pollan
9212 Cardwell Drive
Houston, Texas 77055

James Hamilton
1108 Bade Street
Houston, Texas 77055

Iraj & Lili Mahvash
1018 Bade Street
Houston, Texas 77055

C. J. Lamonte Jr.
P. O. Box 19897
Houston, Texas 77224-9897

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
0 BADE STREET
HOUSTON, TEXAS 77055

Huong Le
1014 Bade Street
Houston, Texas 77055

Huong Le
17 Stonegate Drive
Houston, Texas 77024

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
1014 BADE STREET
HOUSTON, TEXAS 77055

Joan Claire Temple Living Trust
c/o Jon A Joseph, Trustee
1010 Bade Street
Houston, Texas 77055

Southwestern Bell Telephone Co.
1015 Bade Street
Houston, Texas 77055

Southwestern Bell Telephone Co.
Attn: Property Tax Dept.
1010 Pine 9E-L-01
Saint Louis, Missouri 63101

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
1015 BADE STREET
HOUSTON, TEXAS 77055

Spring Valley Calico LP
9198 Katy Road
Houston, Texas 77055

Spring Valley Calico LP
9190 Katy Freeway, Suite 101
Houston, Texas 77055

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
9198 OLD KATY ROAD
HOUSTON, TEXAS 77055

Azzam Krouma
218 Hayes
Irvine, California

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
9200 OLD KATY ROAD
HOUSTON, TEXAS 77055

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04A

9210

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Étiquette de format 25 mm x 67 mm compatible avec Avery ®5160/8160

Azzam Krouma
218 Hayes
Irvine, California

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
9210 OLD KATY ROAD
HOUSTON, TEXAS 77055

Southwestern Bell Telephone Co.
Attn: Property Tax Dept.
1010 Pine 9E-L-01
Saint Louis, Missouri 63101

THIS NOTICE IS IN REGARDS
TO YOUR PROPERTY AT:
9210 OLD KATY ROAD
HOUSTON, TEXAS 77055

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DIVIDER PAGE

SPRING VALLEY VILLAGE

COMMERCIAL ZONING CHANGE NOTIFICATION SIGN CRITERIA

A zoning sign is a sign erected on property for which a zoning case has been filed with the City, including, but not limited to, zoning changes, Specific Use Permits, Variances, or Special Exceptions. **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 change sign criteria. To order zoning signs, the applicant should contact a sign company concerning sign creation and installation in the Building Official designated location(s).

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

ADHERE TO THE FOLLOWING INSTRUCTIONS:

SIGNS DESIGN

- The sign shall be constructed in accordance with the City's design standards for zoning signs.
- Signs shall be a minimum of four (4) feet by four (4) feet.
- Must be two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
- Lettering shall be 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 one (1) foot.
- 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 ensure they are readable 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 before the Planning & Zoning Commission ("Commission").
- The applicant is responsible for maintaining the sign(s) on the property throughout the entire review process.
- A minimum of seven (7) calendar days prior to the public hearing before the Commission, 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: Rene Joubert **Preparer's Signature:** _____

NOTE: Violations of the sign ordinance will result in fines to the property owner and will delay the requested zoning case. Failure to remove zoning signs per the sign ordinance will result in a citation of $500 per sign/per day until removed.

SPRING VALLEY VILLAGE

AFFIDAVIT OF SIGN POSTING

(Re)Zoning Case No. Date 20-02-25

Date of Planning and Zoning Commission Meeting: Monday, July 13, 2020

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 Rene Joubert 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 9210 Old Katy Rd., Houston, TX 77055

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 Tuesday, March 31, 2020 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 Old Katy Rd and Katy Freeway

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 date: 07/07/2020

Printed Name of Applicant or Authorized Representative for Zoning Case No. TLM-SVMP II, LLC

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

Sworn and subscribed before me on this date: 7/7/20

(Seal)

NOTARY PUBLIC STATE OF TEXAS
CHRISTINA SOLOMON
ID #129580915
My Commission Expires
October 23, 2021

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 Planning and Zoning Commission public hearing shall result in the postponement of consideration by the Commission.

STAFF USE ONLY:

Date/Time submitted: _____ Verified by: _____

SPRING VALLEY VILLAGE

AFFIDAVIT OF ZONING CHANGE NOTIFICATION SIGN MAINTENANCE

(Re)Zoning Case No. Date 20-02-25

Date of City Council Meeting: Tuesday, July 14, 2020

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 Rene Joubert hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at 9210 Old Katy Rd., Houston, TX 77055

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 date July 7, 2020 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 on the application taken by the City of Spring Valley Village regarding the zoning change.

Executed this date: 07/07/2020

Printed Name of Applicant or Authorized Representative for Zoning Case No. TLM-SVMP II, LLC

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

Sworn and subscribed before me on this date: 7/7/20

Notary Public _____ (Seal)

NOTARY PUBLIC STATE OF TEXAS
CHRISTINA SOLOMON
ID #129580915
My Commission Expires
October 23, 2021

PLEASE NOTE: Failure to maintain the signs prior to 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: _____

DIVIDER PAGE

Julie Robinson

From:	rebecca bloch-lopez <rbloch623@gmail.com>
Sent:	Wednesday, June 3, 2020 2:46 PM
To:	Trey Hoffman; Anne-Marie McMichael; Amy Winstead; Charlie Calderwood; Maryellen McGlothlin; Louise Richman; Patrick Johnson; Allen Carpenter; David Dominy; Tom Donaho; Joy McCormack; citycouncil; Mayor
Cc:	Trey Hoffman; Anne-Marie McMichael; Charlie Calderwood; Maryellen McGlothlin; 'Joseph Lopez'
Subject:	Proposed building at 9210 Katy Freeway
Attachments:	Petition description and names of neighbors who signed petition.pdf; Petition description, names and addresses of neighbors who signed petition.xlsx

Dear Planning and Zoning Committee and City Council Members

The purpose of this email is to share with both committees the results of the attached electronic petition asking for a limit of the height and a minimum setback in the proposed building at 9210 Katy Freeway. The petition outlines the various concerns expressed by the Spring Valley Village neighbors that support this request.

Also attached is the list of the neighbors who signed the petition electronically with their addresses, a total of 48 signatures representing 33 homes.

<u>We trust this strong support for the petition from Spring Valley residents will guide your efforts for a lower profile development at 9210 Katy Freeway.</u>

In the event you have any questions, please feel free to email or call at 832-646-5976. Thank you.

Rebecca & Joe Lopez
9205 Cardwell Dr.

This petition has collected
48 signatures
using the online tools at ipetitions.com

Printed on 2020-06-01

Limit Height of SV Commercial Building

About this petition

We request that the Spring Valley Planning and Zoning Committee and City Council approve a much lower profile building than originally proposed at 9210 Katy Freeway, to reduce the negative impact on our Spring Valley neighborhood between Campbell Rd and Adkins Rd. Specifically, we would like to propose height limits of no higher than fifty-four (54) feet and a minimum setback of 80 feet from the sound wall as described in the existing Spring Valley Village District B ordinance.

Summary of original proposal from developer i3 Interests

To build a 6-story (85 ft. high) medical building at 9210 Katy Freeway (this is the lot where AT&T currently has a large shed for parking some of their trucks, just east of the existing large 6-story 9230 Katy Freeway Medical Building). The first 4 floors (one underground) are for parking and the top 3 stories for medical offices. The proposed setback from the sound wall is 60 ft.

Planning and Zoning Committee (P&Z) held a public hearing May 12, 2020, where several neighbors expressed concerns with such a massive building so close to the sound wall (which is the back fence for several homes in our neighborhood).

At the conclusion, P&Z asked the developer to consider changing the design due to the many concerns expressed.

Concerns Expressed

1. Deterioration of the residential character of our neighborhood. Spring Valley Village (SVV) is primarily a residential community and the proximity of such a large building is detrimental to maintaining a residential appeal

a. This could set the standard for future developments between Adkins Rd and Campbell Rd along the Katy freeway

b. The line of sight for the neighborhood would be dramatically and negatively impacted with a massive tall building right behind our backyards

2. Negative impact on property values

3. Our section of SVV would be disproportionally affected by the location of more tall buildings between Campbell Rd and Adkins Rd. There are already two tall buildings in this section

4. Significant detrimental impact on the privacy and safety of our neighborhood. Anyone can monitor our neighborhood's activities from a tall building. With today's advanced zoom lenses, our privacy is at risk

5. Increased cut through traffic across the West Tex Dr. /Anne St. /Cardwell St. /Bade St. /Hilldale St. neighborhood

6. Some have pointed out that a building will reduce I-10 freeway noise. However, some testing indicates only a very small noise reduction which does not justify the negative impact of a large building. Besides, a lower profile building will also reduce noise

7. Because SVV is such a wonderful small community where our leaders and representatives are also our neighbors, we ask that anyone serving on the Planning and Zoning Board or City Council who is personally or professionally associated with i3 interests recuse themselves from discussing and voting on this matter

Signatures

1. Name: Rebecca bloch-lopez on 2020-05-23 19:17:21
Comments:

---

2. Name: Joseph Lopez on 2020-05-23 19:33:00
Comments:

---

3. Name: Sheila J Hamilton on 2020-05-23 20:41:09
Comments: I hope this petition works, we love our neighbor and wouldn't want anything to distract from it.

---

4. Name: Alison Simmons on 2020-05-23 20:52:44
Comments:

---

5. Name: Doug Simmons on 2020-05-23 20:54:00
Comments:

---

6. Name: Laura Peachee on 2020-05-23 21:09:56
Comments:

---

7. Name: Mark Peachee on 2020-05-23 21:53:34
Comments:

---

8. Name: Lauren Nguyen on 2020-05-24 03:13:12
Comments:

---

9. Name: Scott Posey on 2020-05-24 12:38:38
Comments:

---

10. Name: Charleen Siroky on 2020-05-24 15:30:02
Comments: A building this tall changes the character of the neighborhood.

---

11. Name: Helene McCorvey on 2020-05-24 15:51:55
Comments:

---

12. Name: Janice Pollan on 2020-05-24 16:02:14
Comments: My house is extremely close to this proposed new building as well as other homes in the cul de sac in which I live. I will have a view of it from my yard & every time I drive to and from my house. I am requesting that necessary steps be taken to influence lowering the height of this new building so as not to distract from our street's residential appearance and our privacy. Janice Pollan, resident on Cardwell Drive since 1980, and Pat Pollan

13. Name: James Daley on 2020-05-24 18:24:23
Comments:

14. Name: Grace Daley on 2020-05-24 19:10:39
Comments:

15. Name: Joe Nguyen on 2020-05-24 20:36:38
Comments:

16. Name: marco sclocchi on 2020-05-24 20:57:54
Comments:

17. Name: Trey Erwin on 2020-05-24 21:14:22
Comments:

18. Name: Frank Siroky on 2020-05-24 22:34:06
Comments: 3 Martin Ln in SVV.
Unfair to ask western edge of SVV to carry burden of close/tall commercial development within the City

19. Name: Chester Smitherman on 2020-05-24 22:38:33
Comments: against tall bldg.

20. Name: Bridgette Penel on 2020-05-25 00:29:34
Comments: Spring Valley has built, and maintained, a charming and safe residential community. The integrity of the family-oriented small village is at jeopardy with the entrance of commercial activity. This invites a number of degradations to our privacy, mis-proportions future property value growth for the homes in this area of Spring Valley, and is not serving the best interests of Spring Valley citizens. You can drive through Bunker Hill - Hedwig Village - and surrounding villages and you will not find a 6-story commercial building peeking into the yards of residential properties. Reconsidering this entire commercial build would be optimal, but at minimum limiting the story height and distance proximity to residents of Spring Valley would be best for protecting citizens and properties.

Bridgette Penel, 1110 Bade Street AND 8435 Westview Drive - Spring Valley Village

21. Name: Zack Raffoul on 2020-05-25 13:00:49
Comments:

22. Name: Jenny Raffoul on 2020-05-25 13:04:50
Comments:

23. Name: Chuck Dixon on 2020-05-25 16:37:23
Comments:

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24. Name: Lisa Rogers on 2020-05-26 14:54:33
Comments: The goals of this proposed building can be accomplished in a way that also protect the character of the neighborhood - Change the design to a lower height.

---

25. Name: Mat Trenchard on 2020-05-26 16:17:20
Comments:

---

26. Name: Mark Rogers on 2020-05-26 16:22:01
Comments:

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27. Name: Sonya Akhave on 2020-05-26 22:56:51
Comments:

---

28. Name: Harsh Vaidya on 2020-05-26 22:57:50
Comments:

---

29. Name: Shridhar Akhave on 2020-05-26 22:59:23
Comments:

---

30. Name: Cynthia Chen on 2020-05-27 01:25:38
Comments: The tall buildings right next to our court and neighborhood definitely have a negative impact on SVV residents' privacy and safety. The safety of SVV residents should not be compromised by any commercial benefits.

Cynthia and Ray Jou

---

31. Name: silvia candida on 2020-05-27 04:19:34
Comments:

---

32. Name: Luigi F Candida on 2020-05-27 05:25:41
Comments: As proposed, this development will degrade the residential nature of the community and undoubtedly will have negative repercussion on the value of our properties. In particular, having three stories of parking visible and fronting our homes, on the line between Campbell Rd and Adkins Rd will be extremely ugly. In addition, the three floor of offices above the parking will overlook our homes and compromise privacy. We therefore urge our representatives to defend and preserve the residential character and integrity of our village, which we all share and are proud of.

---

33. Name: Vallerie Spears on 2020-05-27 13:35:39
Comments:

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34. Name: Jorge Alvarez on 2020-05-27 14:23:43
Comments: We already have , none resident traffic thru our neighborhood. We don't need more of that. They don't respect the speed limits , and we have a lot of small children playing in the streets.

---

35. Name: Margie Webb on 2020-05-27 14:32:15
Comments:

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36. Name: Brian Cutrell on 2020-05-27 15:11:34
Comments:

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37. Name: Christina Linton on 2020-05-27 15:35:12
Comments:

---

38. Name: Eva Novotny on 2020-05-27 17:40:44
Comments: We do not support high commerical buildings in the area. It would have a negative impact on the drainage and sewer system. It could cause first time flooding in our area.

---

39. Name: Marjorie Jean Meyer on 2020-05-27 23:14:04
Comments: I'm just up the street from the proposed 6-story building and am adamantly opposed to a building of that height in my neighborhood. Not only would it detrimentally affect my property values, but the additional traffic would ruin our little, close-knit community as well as be a danger to the many children in the area. Finally, I cannot believe that our SVV Councilmembers would in good faith approve a building that would absolutely destroy the right of enjoyment of their home by the homeowners in the Cardwell St. cul-de-sac as well as the owners along the southern part of Bade. Those folks are already suffering because of the sound wall. Let's not make it even more difficult for them to enjoy their home. Please do not approve a building that exceeds 54 feet and has less than an 80' setback.

Margey Meyer, 9166 Cardwell St.

---

40. Name: Wen-Kai Lu on 2020-05-29 02:23:13
Comments: I am most concerned about the negative impact the proposed tall building will have on property values in our section of SVV.

---

41. Name: Kim Cutrell on 2020-05-29 03:39:10
Comments:

---

42. Name: Richard Evers on 2020-05-30 16:16:01
Comments: Commercial development along I-10 is good for our City; however, a

compromise needs to be reached regarding height and setback that preserves the integrity of our neighborhood while still benefiting the City and property owner.

---

43. Name: Christopher Evers on 2020-05-30 16:17:36
Comments:

---

44. Name: Eugene Linton on 2020-05-30 17:33:11
Comments:

---

45. Name: Julio Zaga on 2020-05-30 22:07:00
Comments:

---

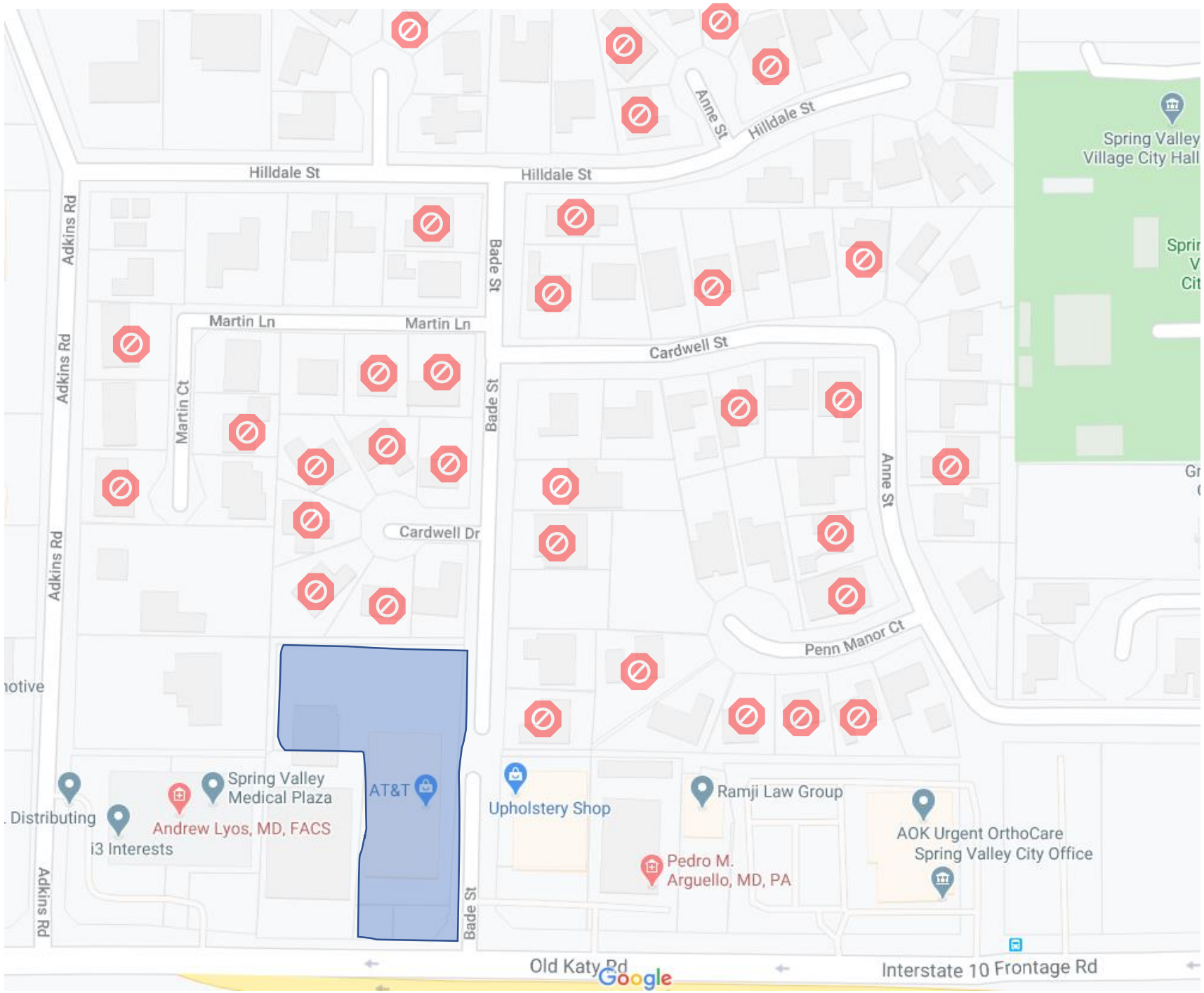
46. Name: Mary A Serrano on 2020-05-31 01:05:31
Comments:

---

47. Name: Huong Le on 2020-05-31 19:59:34
Comments: With a tall structure next to residential area will have a big negative impact to quality of life for surrounding residents.

---

48. Name: Joseph Nguyen on 2020-05-31 20:05:21
Comments:


Hilldale St
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Adkins Rd
Adkins Rd
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Bade St
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Martin Ln
Martin Ln
Martin Ct
Cardwell St
Cardwell Dr
Anne St
Penn Manor Ct
Spring Valley Village City Hall
Spring Valley Medical Plaza
Andrew Lyos, MD, FACS
i3 Interests
Distributing
AT&T
Upholstery Shop
Ramji Law Group
Pedro M. Arguello, MD, PA
AOK Urgent OrthoCare Spring Valley City Office
Old Katy Rd
Interstate 10 Frontage Rd
Google

Spring Valley Village City Council
Agenda Item Data Sheet

MEETING DATE:	July 14, 2020
TOPIC:	**ORDINANCE NO. 2020-XX** **AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE CREATING AND APPROVING A PLANNED AREA DEVELOPMENT ("PAD") OF APPROXIMATELY 1.17 ACRES OF LAND JUST EAST OF THE NORTH EAST INTERSECTION OF KATY FREEWAY AND ADKINS ROAD, BEING OUT OF LOT 17 AND LOT 2 OF THE WEST PARK SUBDIVISION, IN THE THOMAS A. HOSKINS SURVEY, ABSTRACT NO. 342, HARRIS COUNTY, TEXAS, WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT TO ALLOW CONSTRUCTION OF A THREE STORY PROFESSIONAL BUILDING OVER A FOUR LEVEL PARKING STRUCTURE, WITH ONE LEVEL BELOW GROUND, FOR A MAXIMUM HEIGHT OF EIGHTY-FIVE FEET (85'), ADDITIONAL SURFACE PARKING, AND ALLOWING PROFESSIONAL, MEDICAL AND SURGICAL USES; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.**
BACKGROUND:	In the previous agenda item, the City Council conducted a public hearing on a requested new Planned Area Development for the property at 9210 Old Katy Road. If approved, this ordinance would implement the requested new PAD as proposed.
RECOMMENDATION:	This item will be considered by the Planning & Zoning Commission on July 13, 2020 and their recommendation will be during the City Council meeting.
ATTACHMENTS:	• Ordinance No. 2020-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: Zachary Meadows, Director of Community Development	**CITY ADMINISTRATOR APPROVAL:**

DIVIDER PAGE

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS CREATING AND APPROVING A PLANNED AREA DEVELOPMENT ("PAD") OF APPROXIMATELY 1.17 ACRES OF LAND JUST EAST OF THE NORTH EAST INTERSECTION OF KATY FREEWAY AND ADKINS ROAD, BEING OUT OF LOT 17 AND LOT 2 OF THE WEST PARK SUBDIVISION, IN THE THOMAS A. HOSKINS SURVEY, ABSTRACT NO. 342, HARRIS COUNTY, TEXAS, WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT TO ALLOW CONSTRUCTION OF A THREE STORY PROFESSIONAL BUILDING OVER A FOUR LEVEL PARKING STRUCTURE, WITH ONE LEVEL BELOW GROUND, FOR A MAXIMUM HEIGHT OF EIGHTY-FIVE FEET (85'), ADDITIONAL SURFACE PARKING, AND ALLOWING PROFESSIONAL, MEDICAL AND SURGICAL USES; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

* * * * *

WHEREAS, TLM-SVMP II, LLC (the "Owner"), whose contact is John Joubert, an individual, with the mailing address of 110 E. Davis Street, McKinney, Texas, 75089 owns a 1.17 acre tract of land, more or less, being identified as the property just east of the northeast corner of the intersection of I-10 and Adkins Road (the "Property") within the corporate limits of the City of Spring Valley Village, Texas, the tract of land being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes; and

WHEREAS, the property is presently zoned Freeway Planned Area Development District ("FPADD") pursuant to the City's Zoning Ordinance, as amended; and

WHEREAS, the City Council wishes to adopt this Ordinance to allow construction of a building on the 1.17 acres of property described above, in compliance with the terms and provisions set forth herein; and

WHEREAS, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on

the proposed ordinance for the construction of improvements on the 1.17 acre tract just east of the northeast corner of I-10 and Adkins Road; and

WHEREAS, the City Council has considered the report of the Commission; and

WHEREAS, the City Council now finds it in the best interest of the health, safety and welfare of the citizens to adopt this Ordinance as an amendment to the City's Zoning Ordinance as provided herein; now, therefore,

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

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

Section 2. The application of the owner of the 1.17 acre tract just east of the northeast corner of I-10 and Adkins Road for a planned area development is hereby approved, subject to the regulations, restrictions, terms and conditions hereinafter set forth.

Section 3. The Zoning District Map of the City of Spring Valley Village, Texas, shall be revised and amended to show the designation of the 1.17 acre tract just east of the northeast corner of I-10 and Adkins Road as provided in the preamble hereof, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 4. 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. When a conflict exists between the Comprehensive Zoning Ordinance and this Ordinance, this Ordinance shall prevail.

Section 5. The Planned Area Development use authorized and permitted on the 1.17 acre tract of land hereby shall be, and is, subject to the following additional limitations, restrictions and covenants:

A. Compliance with Application and Site Plans. The granting of the PAD shall be, and is hereby, conditioned upon the proposed improvements being located, constructed, and conducted upon the Property in substantial compliance with the Application dated June 26, 2020 (the "Application") including the description of the proposed use, and the site and landscape plan that are attached hereto as Exhibit "B" and made a part hereof for all purposes.

B. Buildings; setbacks, architectural elevations:

1. The Development within the PAD shall consist of a single three-story professional building over a four-level parking garage, with one parking level below grade, with up to 87,855 square feet of interior space.

2. The new construction shall be fully equipped with the number of fire sprinklers as required by City Ordinance.

3. All structures shall be set back at least 50' from the I-10 right-of-way, 30' from any privately owned tract in Residential District A, and 10' from the any adjacent property containing a commercial use.

4. The Development may include a single three-story building over a four-level parking structure, with one parking level below grade, and as described in the Application.

5. Number of stories; Height limitations. The building and extensions shall not exceed 85 feet above ground level in height. The building and structures within the district shall be constructed and maintained in substantial compliance with the Application.

7. All buildings shall be constructed and maintained in substantial compliance with the architectural elevations of the building to be approved by the Planning and Zoning Commission and City Council prior to commencement of construction.

C. Access; Parking facilities.

1. The Development shall be accessed by one (1) existing forty-four foot (44') wide driveway on the I-10 frontage road as well as cross access through the existing medical office building development on the hard corner of the I-10 frontage road and Adkins Road. The City is not responsible for controlling traffic into, out of, or within the PAD driveways/private access roads.

2. The Owner shall provide paved parking spaces, either surface parking or in the parking structure, for all persons attending activities on the Property in substantial compliance with the Application and the City's off-street parking ordinances. The site will include 3.9 parking spaces per 1,000 square feet of net rentable building square footage.

3. Parking on streets adjacent to the Property by persons attending activities on the Property is prohibited.

4. Parking on the Property on any surface other than a paved surface is prohibited.

5. Overnight parking is prohibited except for tenants' delivery vans or trucks in designated parking spaces only.

6. Signs shall be posted and maintained prohibiting overnight parking.

D. Occupancy/Use.

1. The Property may be used for the following purposes only:

Retail shops (other than retail shops performing vehicular and heavy machinery repair; shops that require outside bulk storage; convenience retail food stores; pornography shops and massage parlors); and

Restaurants, cafes, and cafeterias, including restaurants, cafes and cafeterias that serve alcoholic beverages to customers in conjunction with the sale of food prepared and served by the restaurant, cafe or cafeteria; and

Professional and business offices and clinics (other than drive-in and/or drive-through facilities connected with or part of a professional and/or business office or clinic).

There is no retail requirement for this development.

2. Restaurants, including those serving alcohol, shall be permitted to operate from 6:00 am to 2:00 am. Mercantile shall be permitted to operate from 7:00 a.m. to 12:00 a.m.

3. Outdoor uses restricted.

a) Outdoor patio dining hours shall be permitted between the hours of 6:00 a.m. and 12:00 a.m. in the areas designated on the application.

(b) Outdoor storage and outdoor displays are prohibited.

4. Initial construction hours are between 7:00 am and 7:00 p.m. Monday – Friday and between 9 am and 6 pm Saturday – Sunday.

5. Except as expressly provided above, the property shall not have operating hours outside 7:00 a.m. to 9:00 p.m. Monday through Saturday and outside 8:00 a.m. to 7:00 p.m. on Sundays and City holidays, with the exception of post-surgical care.

6. Uses not specifically identified as permitted uses are not authorized.

E. Landscape/Screening/Lighting.

1. The Owner shall provide landscaping in substantial compliance with the Application.

2. The landscaping and irrigation for the development will meet or exceed City ordinance requirements. The owner shall preserve, plant and maintain trees and landscaping as shown on the site and landscape plan, including the removal of the trees on the existing medical office building parcel that are planted along the south side of the sound wall shown in the Application. The existing landscaping (the field dug trees) behind the existing building immediately adjacent to the Property to the west will be removed as

shown on the site plan submitted with the Application to accommodate a fire lane as required by the Village Fire Department Fire Marshal. A final landscape and irrigation plan shall be submitted to the City with full construction documents at the time of building permit submission.

3. Landscape maintenance shall be permitted between the hours of 7:00 a.m. and 7:00 p.m. Monday – Friday and between 9:00 a.m. and 6:00 p.m. Saturday - Sunday.

4. No outdoor lighting shall be permitted to directly shine on any adjacent property. All outdoor lighting shall be screened or shaded. Lighting shall be placed and oriented to minimize indirect or reflected lighting onto adjacent properties. Lighting levels in the parking lot shall average no more than 2.4 foot (2.4') candles with no more than 3.69 foot (3.69') candles on top of the parking structure during business hours. Lighting shall be reduced to average one foot candle for after-hours security. All lighting shall be "white" color corrected lighting. Light poles not exceeding twenty feet (20') in height will be utilized on the surface parking lot. No high pressure sodium lighting is permitted.

F. Refuse; building maintenance; deliveries.

1. Location. The Development will have one (1) dumpster location for two (2) dumpsters as shown on the Application. The dumpsters

shall be enclosed and located in the northwest corner of the surface lot and shall not be visible from any public right-of-way.

2. Pickup. Refuse/dumpster containers shall only be picked up between 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. to 6:00 p.m. on weekends.

3. Parking Lot Maintenance. Parking lot areas shall be cleaned at least five days each calendar month between 7:00 a.m. and 7:00 p.m. on weekdays and between 9:00 a.m. and 6:00 p.m. on weekends.

4. Building Maintenance. Building maintenance is permitted 7:00 a.m. to 7:00 p.m. Monday – Friday and between 9:00 a.m. and 6:00 p.m. on Saturday - Sunday.

5. Deliveries. Deliveries are permitted only between 7:00 a.m. and 7:00 p.m. Monday – Friday and between 9:00 a.m. and 6:00 p.m. on Saturdays.

G. Drainage Systems. The Owners shall design and construct storm water drainage improvements in compliance with all applicable City ordinances and in substantial compliance with the Application, as approved by the City's Floodplain Administrator.

H. Signs.

1. The Development may have one building identification sign on I-10 in compliance with the City's sign regulations.

2. All signage shall comply with all other ordinances of the City applicable to signage; permits shall be required for all signage in compliance with other ordinances of the City.

3. Landscaping shall be placed adjacent to the building identification sign. This landscaping shall consist of bushes, shrubs, annual and perennial flowering plants, and appropriate vegetative ground cover or a combination thereof, and shall be in addition to any other landscape requirements set forth.

I. Noise. All activities shall comply with the ordinances of the City applicable to noise and sounds, except that operating hours may be extended as provided above.

Section 6. In the event that construction activities on the property subject to this Ordinance has not commenced within two (2) years of the effective date of this Ordinance, this Ordinance shall expire on its own terms and become null and void.

Section 7. 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 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 8. 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 9. Attached to this ordinance are the following documents:

Exhibit A: Legal Description;
Exhibit B: The Application.

ADOPTED this the ____ of _____, 2020.

_____
Marcus Vajdos, Mayor
Spring Valley Village, Texas

ATTEST:

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

EXHIBIT "A" –
LEGAL DESCRIPTION

A SUBDIVISION OF 1.1703 ACRES BEING OUT OF LOT 2 AND LOT 17, WEST PARK SUBDIVISION (VOL. 23, PG. 10, H.C.M.R.) IN THE THOMAS A. HOSKINS SURVEY, ABSTRACT NO. 342, CITY OF SPRING VALLEY VILLAGE, HARRIS COUNTY, TEXAS

EXHIBIT "B" –
APPLICATION

Due to the Size of the Application This Exhibit Will Be Added After Action Has Been Taken By City Council

Spring Valley Village City Council
Agenda Item Data Sheet

MEETING DATE:	July 14, 2020
TOPIC:	**CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Appointments / Reappointments to Boards and Commissions: A. Planning & Zoning Commission B. Board of Adjustment
BACKGROUND:	The following Board or Commission Member terms have expired or become vacant: **PLANNING & ZONING COMMISSION** **(4 Positions, 3 Regular, 1 Alternate, Two-Year Terms)** Anne-Marie McMichael, Member (serving since April 23, 1996) Louise Richman, Member (serving since August 23, 2011) Amy Winstead, Member (serving since June 24, 2008) John Lisenby, Alternate (serving since September 25, 2018) Ms. Winstead submitted her resignation from the Commission on June 8, 2020. I received applications from the other three members as they are seeking reappointment to the Commission. I also received applications from the following residents who are interested in serving on the Planning & Zoning Commission: James (Jim) Autenreith Brendan Gilbert Jerry Kent *(Currently serving as an Alternate Member on the Board of Adjustment)* PJ Laxmidas Randy Owens Bertha Valle Shannon Young **BOARD OF ADJUSTMENT** **(4 Positions – 2 Regular, 2 Alternates, Two-Year Terms)** William Featherston, Member (serving since August 28, 2018) Cameron Kreager, Member (serving since September 20, 2016) John Byerly, Alternate (serving since August 28, 2018) Douglas Potts, Alternate (serving since August 28, 2018) I received applications from all four members as they are seeking reappointment to the Board. I also received applications from the following residents who are interested in serving on the Board of Adjustment: Brendan Gilbert PJ Laxmidas

	Randy Owens Bertha Valle
RECOMMENDATION:	For the Planning & Zoning Commission, Mayor Vajdos recommends that Anne-Marie McMichael and Louise Richman be reappointed as Regular Members, John Lisenby be appointed as a Regular Member, and James (Jim) Autenreith be appointed as the Alternate Member. For the Board of Adjustment, Mayor Vajdos recommends that William Featherston and Cameron Kreager be reappointed as Regular Members, and John Byerly and Douglas Potts be reappointed as Alternate Members.
ATTACHMENTS:	• Volunteer Applications • Excerpt from Code of Ordinances regarding Planning & Zoning members and appointment • Excerpt from Code of Ordinances regarding Board of Adjustment members and appointment
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: Roxanne Benitez, City Secretary	**CITY ADMINISTRATOR APPROVAL:**

DIVIDER PAGE

City of Spring Valley Village
Volunteer Application

EST 1955
SPRING VALLEY
VILLAGE

Board/Commission/Committee (Check areas of interest):

- [x] Planning and Zoning Commission
- [ ] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: Autenreith First Name: James (Jim)

Address: 8731 Cavell Ln City: Houston State: TX Zip: 77055

Home Phone: 713-922-0829 Work Phone: 713-773-5593

Email address: jautenreith@moodyrambinint.com

Occupation: Commercial Real Estate Broker

First Time Appointment: Yes Reappointment: _____

If reappointment, indicate name of group: _____

And the time period previously served: CAB

Education (list highest grade/degree completed): Bachelor

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

I have served on the CAB.

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

Looking to serve the city in another capacity.

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
As a commercial real estate broker I deal with planning and zoning issue when representing clinets

on purchase, dispositions, and development deals.

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: _____

Date: 6-11-2020

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

ESTD. 1955
SPRING VALLEY
VILLAGE

Board/Commission/Committee (Check areas of interest):

☐ Planning and Zoning Commission

☑ Board of Adjustment

☐ Other: _____

22MAY'20
AM1:51
RCVD

Personal Information

Last Name: Byerly First Name: John

Address: 8329 Cedarspur City: Hou/SV State: Tx Zip: 77055

Home Phone: 713-464-4171 Work Phone: 713-446-2914

Email address: jbprop@swbell.net

Occupation: Real Estate Broker

First Time Appointment: No Reappointment: Yes

If reappointment, indicate name of group: Board of Adjustment

And the time period previously served: 2018-2020

Education (list highest grade/degree completed): BA Finance

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

President Brighton Place HOA for 6 years

SAP Program MHS for 2 years

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

Having lived here for 37 years - simply interested in giving something back to SV - it's been a wonderful place to live.

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
45+ years in real estate brokerage

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: John D. Bagley

Date: May 14, 2020

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

EST. 1955
SPRING VALLEY
VILLAGE

RECEIVED
By: NB Date: 5/13/20

Board/Commission/Committee (Check areas of interest):

- [ ] Planning and Zoning Commission
- [x] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: FEATHERSTON First Name: William

Address: 8515 Cedarbrake City: Houston State: Tx Zip: 77055

Home Phone: (713) 858-3833 Work Phone: SAME

Email address: bfeatherston450@hotmail.com

Occupation: Attorney; Sole Practitioner

First Time Appointment: _____ Reappointment: ✓

If reappointment, indicate name of group: BOA

And the time period previously served: 2018-2020

Education (list highest grade/degree completed): J.D.

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

Current Member - BoA. Chairperson: St. Theresa Catholic Church Capital Campaign. Sacristan - St. Theresa Church.

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

I have lived in Spring Valley since 1986 and have had my place of business in Spring Valley for the past 18 months. I am interested in assisting the City in fairly and equitably maintaining its unique character.

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
Current BOA member. Texas Comptroller of Accounts; Arbitrator - property tax disputes; mediator. 38 years of legal and litigation experience.

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

_____

_____

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: Will S Feal

Date: 5-11-2020

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

EST. 1955
SPRING VALLEY
VILLAGE

Board/Commission/Committee (Check areas of interest):

- [x] Planning and Zoning Commission
- [x] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: Gilbert First Name: Brendan

Address: 9109 Hilldale Street City: Houston State: TX Zip: 77055

Home Phone: 703.674.8604 Work Phone: 703.674.8604

Email address: brendan.gilbert@gmail.com

Occupation: Senior Vice President, Solaris Oilfield Infrastructure

First Time Appointment: Yes Reappointment: _____

If reappointment, indicate name of group: _____

And the time period previously served: _____

Education (list highest grade/degree completed): Juris Doctor (law degree)

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

Chairman, Oil & Gas Society, Houston Racquet Club (2018-Present); Vice-Chairman, K9s4COPS (2014-2015)

Candlelighters Childhood Cancer Family Alliance (2015-Present); American Business Counsel of Dubai (2017-2018)

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

As an 8+year resident of Spring Valley, I am interested actively participating in affairs related to the Spring Valley community.

RECEIVED
By: RB Date: 5/13/20

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
I am a licensed attorney with 16 years experience, licensed in Texas & Pennslyvania. In addition to the above-referenced

I have participated on various ad hoc boards & committees for my company, as well as during my time in military and gov't service.

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

_____

_____

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: _____

Date: 13 May 2020

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

EST. 1955
SPRING VALLEY
VILLAGE

Board/Commission/Committee (Check areas of interest):

RECEIVED
By: RB Date: 5/27/20

- [x] Planning and Zoning Commission
- [x] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: Kent First Name: Jerry

Address: 9108 Hilldale City: Houston State: TX Zip: 77055

Home Phone: 713 465 5368 Work Phone: 713 467 5368

Email address: jerry@kentelectric.com

Occupation: Electrical Contractor

First Time Appointment: _____ Reappointment: yes

If reappointment, indicate name of group: Alternate to Board of Adjustment

And the time period previously served: 2020

Education (list highest grade/degree completed): 12 / HS

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

Board of Directors HLS&R. Board of Directors IEC National.
Alternate on Board of Adjustment

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

I would bring construction perspective in addition to property ownership perspective to either or both committees.

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
Interested citizen, licensed electrical contractor with over 40 years in business and member of Code Panel 6 for the National Electrical Code by NFPA

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: G W "Jerry" Kent Digitally signed by G W "Jerry" Kent Date: 2020.05.27 15:57:05 -05'00'

Date: 5/27/2020

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

EST. 1955
SPRING VALLEY
VILLAGE

11JUN'20
PM7:41
RCVD

Board/Commission/Committee (Check areas of interest):

[ ] Planning and Zoning Commission

[X] Board of Adjustment

[ ] Other: _____

Personal Information

Last Name: KREAGER First Name: CAMERON

Address: 9022 BACE DR. City: HOUSTON State: TX Zip: 77055

Home Phone: 281.413.5064 Work Phone: 281.413.5064

Email address: CAMERONKREAGER@GMAIL.COM

Occupation: CONTRACTOR

First Time Appointment: 2014 Reappointment: 2019

If reappointment, indicate name of group: _____

And the time period previously served: _____

Education (list highest grade/degree completed): BBA

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

6 YEARS ON THE BOARD OF APPEALS & ADJUSTMENTS

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

INTERESTED IN THE LONG TERM DIRECTION OF MAINTAINING THE APPEAL OF SPRING VALLEY WITH REGARD TO UPHOLDING ORDINANCES THAT REFLECT ITS COMMUNITY APPEARANCE.

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
I HAVE BEEN A GENERAL CONTRACTOR FOR 42 YEARS. I HOLD THE FOLLOWING STATE LICENSE: MASTER ELECTRICIAN, MASTER PLUMBER, MRFSS, HVAC COMBINATION.

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☒ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

_____

_____

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: _____

Date: 6-10-20

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

EST. 1955
SPRING VALLEY
VILLAGE

22MAY'20
AM3:15
RCVD

Board/Commission/Committee (Check areas of interest):

- [x] Planning and Zoning Commission
- [x] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: Laxmidas First Name: PJ

Address: 1333 Voss Road City: Houston State: TX Zip: 77055

Home Phone: 832.868.5215 Work Phone: _____

Email address: Prasheen.Laxmidas@gmail.com

Occupation: Accountant

First Time Appointment: _____ Reappointment: _____

If reappointment, indicate name of group: _____

And the time period previously served: _____

Education (list highest grade/degree completed): Bachelors Degree

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

Volunteer as a tax advisor/filer for a foundation.

Volunteered with Red Cross during Hurricane Harvey to coordinate corporate donations.

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

Would like to give back to the community since I've been a resident for over a decade.

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
Am currently a CPA candidate with a projection to be a CPA by the end of the year.

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?
N/A

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: _____

Date: 05/19/2020

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

EST. 1955
SPRING VALLEY
VILLAGE

RECEIVED
By: JB Date: 5/20/20

Board/Commission/Committee (Check areas of interest):

- [x] Planning and Zoning Commission
- [ ] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: Lisenby First Name: John

Address: 8822 Heather Circle City: Houston State: TX Zip: 77055

Home Phone: 713-875-4901 Work Phone: 713-827-7177

Email address: JohnL@LisenbyHomes.com

Occupation: Home Builder, Land Developer, Real Estate Broker

First Time Appointment: _____ Reappointment: X

If reappointment, indicate name of group: Planning and Zoning Commission

And the time period previously served: 9-26-2018 to present

Education (list highest grade/degree completed): BBA Finance - University of Texas-Austin 1977

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

West Houston Young Life - Committee Chairman; Second Baptist Church - Deacon, various committees; SBSMA - volunteer, coach;

Office of Former President Bush (41) - volunteer for numerous events; Memorial HS Booster Club - various committees; University of Texas - Parents Committee - board member

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

Want to use my work and community experience to help our city continue to be a great place to live.

I am starting to wind down some of my business operations and want to serve my community.

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
Have been in the real estate business as a home builder, land developer and real estate broker for over 40 years. I have developed numerous properties and built homes in most of the Memorial Villages. Have worked with all the Memorial Village municipalities in various capacities.

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

_____

_____

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: John D. Lisenby Digitally signed by John D. Lisenby Date: 2020.05.19 18:22:42 -05'00'

Date: _____

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

EST. 1955
SPRING VALLEY
VILLAGE

Board/Commission/Committee (Check areas of interest):

- [x] Planning and Zoning Commission
- [ ] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: McMichael First Name: Anne-Marie

Address: 1400 Beutel Drive City: Houston State: Texas Zip: 77055

Home Phone: 713-962-5999 Work Phone: _____

Email address: emcmichael@sbcglobal.net

Occupation: homemaker, Director of Business Operations at Scarlet & Gold

First Time Appointment: _____ Reappointment: x

If reappointment, indicate name of group: Planning & Zoning

And the time period previously served: Approximately 1993

Education (list highest grade/degree completed): B.B.A., Texas A&M University

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

Planning & Zoning Commission, SV Election Judge & Harris County Election Judge (27 years)

Active leadership roles at church, National Charity League, Junior League of Houston Patron.

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

Our community is special for many reasons - comprehensive zoning ordinances is just one of them! It would be an honor to continue to serve my neighbors and to positively impact SVV through fair evaluation of business brought to P&Z.

RECEIVED
By: NB Date: 5/29/20

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
I have a comprehensive working knowledge of SVV; its history and its ordinances. Continuity is very important to this commission. I also have a productive & positive relationship with City Council as well as City Staff.

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: Anne-Marie McMichael

Date: May 28, 2020

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

EST. 1955
SPRING VALLEY
VILLAGE

Board/Commission/Committee (Check areas of interest):

- [x] Planning and Zoning Commission
- [x] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: Owens First Name: Randy

Address: 1408 Beutel Dr City: Houston State: TX Zip: 77055

Home Phone: 832-212-1167 Work Phone: 713-952-4321

Email address: rco1957@gmail.com

Occupation: Attorney

First Time Appointment: Yes Reappointment: _____

If reappointment, indicate name of group: _____

And the time period previously served: _____

Education (list highest grade/degree completed): M.Div. J.D.

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

Deacon and Bible Study teacher for many years. Volunteer photographer for Memorial High School football and women's soccer and SFA college women's soccer teams

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

My kids are grown, married and out of the house, and I would like to get more involved in the community.

RECEIVED
By: YOB Date: 6/12/20

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
I have practiced law for over 30 years in Houston and served as managing partner for one of my firms. I have extensive experience in commercial litigation which includes real estate litigation

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?
I checked "no", because I don't anticipate anything, but if I was uncomfortable in a matter I would follow whatever protocol the City has in place, report the potential conflict to the proper person, and withdraw from the matter if appropriate. As an attorney, I am used to handling conflicts.

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: Randy Owens Digitally signed by Randy Owens Date: 2020.06.12 17:46:40 -05'00'

Date: June 12, 2020

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

ESTD 1955
SPRING VALLEY
VILLAGE

Board/Commission/Committee (Check areas of interest):

- [x] Planning and Zoning Commission
- [x] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: Potts First Name: Douglas

Address: 8615 Cedarbrake City: Houston State: TX Zip: 77055

Home Phone: 832-433-325 Work Phone: 713-783-8710

Email address: pottsdw@gmail.com

Occupation: Sr. Project Manager - Construction

First Time Appointment: _____ Reappointment: YES

If reappointment, indicate name of group: Board of Adjustment

And the time period previously served: 1 Appt

Education (list highest grade/degree completed): BS - TAMU

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

_____

_____

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

_____

_____

RECEIVED
By: RB Date: 6/15/20

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
Commerical construction / development experience

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: D/s Pitts

Date: 6/15/20

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

EST. 1955
SPRING VALLEY
VILLAGE

Board/Commission/Committee (Check areas of interest):

- [x] Planning and Zoning Commission
- [ ] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: Richman First Name: Louise

Address: 8444 Winningham Ln City: Houston State: TX Zip: 77055

Home Phone: 713-465-9347 Work Phone: 713-301-8164 - cell

Email address: louiserichman@sbcglobal.net

Occupation: CPA

First Time Appointment: _____ Reappointment: X

If reappointment, indicate name of group: P&Z

And the time period previously served: 8+ years

Education (list highest grade/degree completed): MBA

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

Served as mayor of SVV (8 yrs). Serving as secretary for P&Z. Reading tutor at Woodview Elementary School. Treasurer, member of vestry and altar guild for St. Francis Episcopal Church.

Currently lead a women's bible study group & former Flower Chair for church. Former METRO board member, have served on various finance committees for community and governmental organizations..

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

Having been actively involved in SVV, I enjoy being involved in the community and in the growth and changes that the city is experiencing.

Plus taking the minutes for P&Z is not too bad(!). I get to experience the P&Z meetings twice!

RECEIVED
MG Date: 5/29/20

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:
Knowledge of SVV as having served as mayor and P&Z member plus have presented to other P&Z boards and City Councils of other cities.

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: Louise L. Richman

Date: 5-28-20

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application

EST. 1955
SPRING VALLEY
VILLAGE

Board/Commission/Committee (Check areas of interest):

- [x] Planning and Zoning Commission
- [x] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: Valle First Name: Bertha

Address: 9100 Hilldale St City: Hou. State: TX Zip: 77055

Home Phone: 713-249-8213 Work Phone: _____

Email address: bmcvalle@gmail.com

Occupation: currently N/A

First Time Appointment: ✓ Reappointment: _____

If reappointment, indicate name of group: _____

And the time period previously served: _____

Education (list highest grade/degree completed): Ph.D. Analytical Chemistry

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

See page 3

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

See page 3

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:

See page 3

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: BWalle

Date: June 11, 2020

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

City of Spring Valley Village
Volunteer Application
(Page 3)

Volunteer Information

(1) I have been a long standing member of the SV Moms Club where I have volunteered in numerous Civic Activities including Fall Festival, Police/Fire/Public Works food donations; and via SV Moms club helped mobilize food/supplies donations across the city during Harvey. In addition, I am a former Valley Oaks PTA Treasurer, co-chair of Sister school committee (aids with underserved elementary schools), coached youth basketball team through SBMSA, and have served as mentor for Spring Branch Middle School.

(2) I have always wanted to fulfill my civic responsibility in some meaningful way and fortunately I am currently in a position in my life that I can share some of my time with my community.

(3) I am a 10-year City resident and, just as I have done in the past as assistant professor and PTA treasurer, I am committed to learning the various ordinances and do my part to help promote the general health, safety, morals, and welfare of our community.

City of Spring Valley Village
Volunteer Application

SPRING VALLEY

RECEIVED
By: RB Date: 5/24/20

Board/Commission/Committee (Check areas of interest):

- [x] Planning and Zoning Commission
- [ ] Board of Adjustment
- [ ] Other: _____

Personal Information

Last Name: Young First Name: Shannon

Address: 8714 Green Valley City: Houston State: Tx Zip: 77055

Home Phone: 713 465 5454 Work Phone: 832 596 7337

Email address: shannon.youngii@outlook.com

Occupation: Consultant

First Time Appointment: _____ Reappointment: _____

If reappointment, indicate name of group: _____

And the time period previously served: _____

Education (list highest grade/degree completed): Bachelors

Volunteer Information

(1) Briefly describe previous community activities associated with the City of Spring Valley Village, as well as any outside civic, charitable, or other community work.

Former president of technical computer organization. Consulting manager for national management consulting firm.

(2) Briefly summarize your interest in appointment or reappointment to the board, commission, or committee:

As a homeowner I wish to participate in the zoning process for the community

City of Spring Valley Village
Volunteer Application
(Page 2)

(3) Please write a brief summary of your qualification for service on this board, commission, or committee:

Strong accounting and finance background

Do you anticipate any conflicts of interest arising on connection with your service on the selected Board or Commission? Yes: ☐ No: ☑ Possibly: ☐

If you answered yes and a conflict of interest did arise, how would you proposed to resolve it?

The information I have provided is true. I understand that by signing this form, I am confirming that I am a resident of Spring Valley Village and volunteer my services with a clear understanding that there will be no monetary compensation. I will be prompt and regular in my service. I will notify the appropriate person if I am unable to perform my volunteer duties as assigned. I agree to conform to all policies and regulations as stated in the Ordinances of the City of Spring Valley Village.

Signature: _____

Date: 5/12/2020

For City Hall Use Only:

Applicant approved by: Mayor _____ City Council _____ City Administrator _____

Applicant assigned to: _____ Date: _____

DIVIDER PAGE

PLANNING & ZONING COMMISSION

§ 12.102 - Membership, Appointment, and Term of Office

(a) Members The commission shall be composed of seven (7) regular members and one (1) alternate member. Members shall be resident citizens of the City of Spring Valley, Texas.

(b) Selection and Period of Service

(1) The mayor shall select, subject to approval by the city council, the regular and alternate members of the commission. Commission members so selected and approved shall serve in such capacity for period of not more than two (2) years. Four (4) members of the commission will serve terms beginning on odd-numbered years, and four (4) members will serve terms beginning on even-numbered years. The alternate member shall serve in the absence of a regular member when requested to do so by the chairman of the commission. Vacancies for the unexpired term of any member whose term becomes vacant shall be filled by selection by the mayor, subject to approval by the city council. Newly selected members shall be duly sworn and installed at the first regular commission meeting or city council meeting after their appointment, or as soon thereafter as practicable. Members of the commission shall serve without compensation.

(2) Members shall serve at the pleasure of city council and are subject to removal by the city council at any time, with or without cause, and shall have no expectation of continued service either in the position or on the commission. A member who is absent from three (3) consecutive meetings of the commission shall be subject to removal by city council.

DIVIDER PAGE

BOARD OF ADJUSTMENT

A1:A

Board Members : The Mayor shall appoint, subject to approval by the City Council, a Board of Adjustment. Such Board of Adjustment shall consist of five (5) members, each to be appointed for a term of two (2) years. Three (3) members of the Board shall serve terms beginning on odd-numbered years, and two (2) members shall serve terms beginning on even-numbered years. Members may be removed for cause by the appointing authorities upon written charges and after a public hearing. Any vacancy in the office shall be filled for the unexpired term of the member whose term vacant by appointment by the Mayor subject to approval by the City Council. (Ordinance 2017-14 adopted 7-18-17)

A1:B

Alternates : The Mayor shall also appoint, subject to approval by the City Council, four (4) alternate members of the Board of Adjustment who shall serve for the same period as the regular members, and shall be subject to removal as the regular members. Two (2) alternate members of the Board shall serve terms beginning on odd-numbered years, and two (2) alternate members of the Board shall serve terms beginning on even-numbered years. Any vacancies in the office of alternate members shall be filled for the unexpired term of the member whose term becomes vacant by appointment by the Mayor subject to approval by the City Council. The alternate members shall serve in the absence of one or more regular members when requested to do so by the Mayor and/or Chairman of the Board of Adjustment. (Ordinance 2017-14 adopted 7-18-17)