

**MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, DECEMBER 15, 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 Pro-Tem Carpenter at 6:02 p.m.

Members Present:

Mayor Marcus Vajdos (arrived at 6:05 p.m.)

Mayor Pro-Tem Allen Carpenter

Council Member Bo Bothe

Council Member David Dominy (by video conference)

Council Member Tom Donaho (by video conference; left at 7:52 p.m.)

Council Member Joy McCormack

Members Absent:

None.

2. INTRODUCTIONS

Julie M. Robinson, City Administrator

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

Mark Schulze, Police Captain

Loren Smith, City Attorney

3. PROCLAMATIONS / ANNOUNCEMENTS / SWEARING-IN

3.1 Recognition of Eagle Scout George Altmann in Appreciation of his Contributions to the City of Spring Valley Village.

Director of Public Works Pat Riley acknowledged Mr. Altmann'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 November 17, 2020
- 5.2 Minutes for Special Called City Council Meeting on November 17, 2020
- 5.3 Approval of Pay Estimate No. 1 for Green Valley Drive & Winningham Lane Pavement & Utility Improvements Project to Conrad Construction Co., LTD. in the Amount of \$63,000.00
- 5.4 Approval of Village Fire Department's FY 2021 Budget Amendment for Facility Fund and Compensated Absence Fund for the Village Fire Station Facility Renovations Project.

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: November 2020 Police Department Staff Report (Chief Evans):

Captain Schulze provided the report on behalf of Chief Evans.

- 1. Number of Calls for Service – 1,312
- 2. Number of Traffic Violations – 750
- 3. Number of K-9 Deployments – 116

At this time, Council Member Carpenter made a motion to take Agenda Items 9 through 15 out of order, and Council Member McCormack seconded the motion. Motion carried 5-0.

NEW BUSINESS

9. PRESENTATION, BRIEFING AND DISCUSSION CONCERNING: Status of the City of Spring Valley Village's Retirement Plan Through Texas Municipal Retirement System. (Anthony Mills, Texas Municipal Retirement System)

Anthony Mills, with the Texas Municipal Retirement System, appeared before the Council virtually and gave a presentation regarding the City's status and how it compares to other cities in Texas.

10. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Award Of Competitive Sealed Bid Number 2020-11-101 For Paving And Utility Improvements To Serve Lone Star Dr., Loeser Dr., Traweek Dr., West Tex Dr. And Lariat Dr. To Conrad Construction In An Amount Not To Exceed \$2,837,491.00.

Council Member Donaho made a motion to award Competitive Sealed Bid Number 2020-11-101 for Paving and Utility Improvements to Serve Lone Star Dr., Loeser Dr., Traweek Dr., West Tex Dr. and Lariat Dr. to Conrad Construction Co. LTD. in an amount not to exceed \$2,837,491.00, and Council Member Carpenter seconded the motion. Motion carried 5-0.

11. 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 A CONTRACT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND CONRAD CONSTRUCTION CO. LTD. FOR PAVING AND UTILITY IMPROVEMENTS TO SERVE LONE STAR DR., LOESER DR., TRAWEEK DR., WEST TEX DR. AND LARIAT DR. (CSB #2020-11-101); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

Mayor Vajdos read the Resolution by caption only. Council Member McCormack made a motion to approve Resolution No. 20-34, and Council Member Carpenter seconded the motion. Motion passed 5-0.

- 12. CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2020-XX - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES OF THE CITY, EXHIBIT A BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ORDINANCE 2018-28 AMENDING A PLANNED AREA DEVELOPMENT (“PAD”) OF APPROXIMATELY 2.5511 ACRES OF LAND AT THE NORTHWEST INTERSECTION OF I-10 AND CAMPBELL ROAD WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT REQUIRING CONSTRUCTION ON THE DEVELOPMENT APPROVED BY ORDINANCE NO. 2018-28 TO COMMENCE NO LATER THAN JUNE 30, 2022; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Mayor Vajdos opened the Public Hearing at 6:30 p.m.

A. Presentation of Requested PAD Amendment by City

Director of Community Development Zachary Meadows advised that, as recommended by the Planning and Zoning Commission during the December 8, 2020 meeting, the proposed PAD Amendment would extend the deadline to begin construction on or before June 30, 2022, otherwise the PAD would automatically be repealed, and would specify that the extension would only be effective if CBK Interests and/or Cullen Kappler become the owners of the property prior to December 31, 2020. New owner Cullen Kappler also addressed the Council concerning the requested extension of the PAD Ordinance.

B. Those In Favor

None.

C. Those Opposed

None.

D. Adjourn Public Hearing

Mayor Vajdos adjourned the Public Hearing at 6:35 p.m.

- 13. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2020-

XX - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES OF THE CITY, EXHIBIT A BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ORDINANCE 2018-28 AMENDING A PLANNED AREA DEVELOPMENT (“PAD”) OF APPROXIMATELY 2.5511 ACRES OF LAND AT THE NORTHWEST INTERSECTION OF I-10 AND CAMPBELL ROAD WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT REQUIRING CONSTRUCTION ON THE DEVELOPMENT APPROVED BY ORDINANCE NO. 2018-28 TO COMMENCE NO LATER THAN JUNE 30, 2022; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Mayor Vajdos read the Ordinance by caption only. Council Member McCormack made a motion to approve Ordinance No. 2020-32, and Council Member Bothe seconded the motion. Motion carried 5-0.

14. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance Number 2020-XX – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES OF THE CITY, EXHIBIT A BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ORDINANCE 2014-12 PROVIDING FOR A PLANNED AREA DEVELOPMENT (“PAD”) OF APPROXIMATELY 2.38 ACRES OF LAND AT THE NORTHEAST INTERSECTION OF I-10 AND CAMPBELL ROAD WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT BY PERMITTING OUTDOOR PATIO DINING BETWEEN THE HOURS OF 6:00 A.M. AND 12:00 A.M.; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Mayor Vajdos opened the Public Hearing at 6:41 p.m.

A. Presentation of Requested PAD Amendment by City

Director of Community Development Zachary Meadows advised that the proposed PAD Amendment would add specific language to clearly allow outdoor patio dining for the property in this PAD between the hours of 6:00 a.m. and 12:00 a.m. consistent with other previously adopted PAD ordinances.

B. Those In Favor

None.

C. Those Opposed

None.

D. Adjourn Public Hearing

Mayor Vajdos adjourned the Public Hearing at 6:43 p.m.

15. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 2020-XX – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES OF THE CITY, EXHIBIT A BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ORDINANCE 2014-12 PROVIDING FOR A PLANNED AREA DEVELOPMENT (“PAD”) OF APPROXIMATELY 2.38 ACRES OF LAND AT THE NORTHEAST INTERSECTION OF I-10 AND CAMPBELL ROAD WITHIN THE FREEWAY PLANNED AREA DEVELOPMENT DISTRICT BY PERMITTING OUTDOOR PATIO DINING BETWEEN THE HOURS OF 6:00 A.M. AND 12:00 A.M.; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Mayor Vajdos read the Ordinance by caption only. Council Member Dominy made a motion to approve Ordinance No. 2020-33, and Council Member Carpenter seconded the motion. Motion carried 5-0.

OLD BUSINESS

7. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Village Fire Department Commissioners Meeting on November 18, 2020 and Any Special Meetings That May Have Occurred since November 18, 2020. (Mayor Pro-Tem Carpenter / Council Member Bothe)

Mayor Pro-Tem Carpenter advised that the Village Fire Department was currently fully staffed and on budget. He also advised that a floater was hired to assist since two employees were out sick with COVID-19. Mayor Pro-Tem Carpenter advised that the reserve fire engine was sold for \$65,000. He is also advised that the renovation of the fire department building was in its second phase, progressing, and on budget with Chief Foster and staff working out of the Hedwig Village City Hall.

8. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Planning and Zoning Commission Meeting of December 8, 2020. (Council Member Dominy / Council Member Donaho / City Attorney Loren Smith)

City Attorney Loren Smith advised that the items discussed at the December 8, 2020 meeting had already been acted upon by Council that evening.

NEW BUSINESS

16. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 20-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING A POLICY REGARDING PUBLIC ACCESS TO CITY INFORMATION OUTLETS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Vajdos read the Resolution by caption only. Council Member McCormack made a motion to approve Resolution No. 20-35, and Council Member Bothe seconded the motion. Motion passed 5-0.

17. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 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. 13 TO THE PERSONNEL MANUAL, TO ADOPT A NEW CHAPTER 20, SOCIAL MEDIA 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 McCormack made a motion to approve Ordinance No. 2020-34, and Council Member Carpenter seconded the motion. Motion carried 5-0.

18. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 20-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING A DEBT MANAGEMENT POLICY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Vajdos read the Resolution by caption only. Council Member McCormack made a motion to approve Resolution No. 20-36, and Council Member Carpenter seconded the motion. Motion passed 5-0.

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

1. Status of New Production Well

Public Works Director Pat Riley advised that walls of the CMU (Concrete Masonry Unit) building had been constructed and anticipates that the building should be complete by mid-January.

2. Green Valley Drive & Winningham Lane (West of Voss) Roadway, Drainage and Utility Improvements 2020

Public Works Director Pat Riley advised that 50% of the water lines had been installed and the pipe-bursting of the sewer lines on Green Valley Drive has been completed as well. He also advised that the entire project was progressing well.

20. **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:

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

20.2 Section 551.071. Consultation with Attorney regarding pending or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in closed meeting.

Council adjourned into the Executive Session at 7:05 p.m.

21. **RECONVENE**

The City Council meeting reconvened at 7:52 p.m.

22. **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 A STREETLIGHT NETWORK NODE DEPLOYMENT AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND GTE MOBILNET OF SOUTH TEXAS, LP D/B/A VERIZON WIRELESS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Mayor Vajdos read the Resolution by caption only. Council Member Carpenter made a motion to approve Resolution No. 20-37, and Council Member Dominy seconded the motion. Motion passed 4-0.

23. **ADJOURNMENT**

Council Member Carpenter made a motion to adjourn the meeting at 7:54 p.m., and Council Member McCormack seconded the motion. Motion carried 4-0.

Signed: _____

Marcus Vajdos
Mayor

Attest: _____

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