



Regular City Council Meeting
January 25, 2022
6:00 p.m.

Marcus Vajdos, Mayor
Bo Bothe
Tom Donaho

Allen Carpenter, Mayor Pro Tem
David Dominy
Joy McCormack



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, January 25, 2022, beginning at 6:00 p.m., For the Purpose of Considering and Acting upon the Following Items of Business:

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/86766113615>

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: 867 6611 3615 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 Regular Called City Council Meeting on December 14, 2021

5.2 2021 Racial Profiling Report presented by the Spring Valley Village Police Department.

- 5.3 Resolution No. 22-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 6 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND CONRAD CONSTRUCTION COMPANY, LTD., FOR THE LOESER, TRAWEEK, LONE STAR, WEST TEX PAVEMENT AND UTILITIES PROJECT AND THEREBY RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING WORK CHANGE DIRECTIVE 6 FOR CONRAD CONSTRUCTION CO. LTD. FOR INCREASED QUANTITIES SIDEWALK AND 30" CMP QUANTITIES AND WORK CHANGE DIRECTIVE 7 FOR LARGE WATERLINE OFFSETS ON BACE DRIVE TO AVOID PROPOSED STORM SEWER; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH CHANGE ORDER NUMBER 6; AND PROVIDING AN EFFECTIVE DATE.
- 5.4 Approval of Pay Estimate No. 8 for Loeser, Traweek, Lone Star, West Tex Pavement & Utility Improvements Project to Conrad Construction Co., LTD. of \$307,824.61.
- 5.5 Resolution No. 22-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A TECHNOLOGY SUPPORT AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE AND BEMA INFORMATION TECHNOLOGIES, LLC; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY OF SPRING VALLEY VILLAGE; AND PROVIDING AN EFFECTIVE DATE.
- 5.6 Resolution No. 22-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND W.W. PAYTON CORPORATION FOR THE GROUND STORAGE TANK #2 REPLACEMENT 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.
- 5.7 Resolution No. 22-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 4 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND W.W. PAYTON CORPORATION, FOR THE NEW PRODUCTION WELL PROJECT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

- 5.8 Resolution No. 22-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 W.W. PAYTON CORPORATION FOR THE NEW PRODUCTION WELL 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.
- 5.9 Resolution No. 22-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING AND ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SPRING VALLEY VILLAGE AND A LIST OF QUALIFIED BROKERS/DEALERS THAT ARE AUTHORIZED TO ENGAGE IN INVESTMENT TRANSACTIONS WITH THE CITY; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

OLD BUSINESS

6. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** December 2021 Police Department Staff Report (Chief Evans):
1. Number of Calls for Service
 2. Number of Traffic Violations
7. **DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Possible Revisions to the City of Spring Valley Village's Animal Control Regulations Contained in Chapter 2, Animal Control, of the Code of Ordinances.
8. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Village Fire Department Commissioners Meeting on December 16, 2021 and Any Special Meetings That May Have Occurred since December 16, 2021. (Mayor Pro-Tem Carpenter / Council Member Bothe)

NEW BUSINESS

9. **PRESENTATION:** Eagle Scout Project Completed by Ian McCormack at Pech Road Pocket Park.
10. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2022-XX: AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 7, 2022 FOR THE PURPOSE OF ELECTING THE MAYOR AND TWO (2) CITY COUNCIL MEMBERS; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.
11. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Changing the Dates of the City Council Meetings for May, November, and December.

12. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2022-XX - AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING AMENDMENT NO. 2 TO THE ORIGINAL BUDGET OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, FOR THE FISCAL YEAR 2020-2021; FUNDING CERTAIN OBLIGATIONS OF THE CITY DURING THE BUDGET PERIOD NECESSARY FOR THE PROVISION OF CITY SERVICES; CONTAINING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER DETAILS RELATING TO THE SUBJECT.
13. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution No. 22-XX – A RESOLUTION OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING THE CITY’S FINANCIAL AND ACCOUNTING POLICIES & PROCEDURES MANUAL, AS ADOPTED BY ACTION ONLY ON JULY 26, 2005, TO DELETE THE SECTION “GRANTS” AND ADOPT A NEW GRANT ACCOUNTING POLICY; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
14. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2022-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. 16 TO THE PERSONNEL MANUAL, TO DELETE CHAPTER 9, WAGES AND SALARY; HOURS OF WORK; JOB PERFORMANCE; AND TO ADOPT A NEW CHAPTER 9, ATTENDANCE, ABSENCES AND COMPENSATION; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
15. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Briefing by City Staff:
1. Status of New Production Well
 2. Status of Loeser, Traweek, Lone Star and W. Tex Paving and Utility Improvements Project
 3. Status of Replacement of Ground Storage Tank #2
 4. Status of Bingle Road Road Diet
 5. Status of Installation of Flock License Plate Readers
 6. Removal of Tree in Park
16. **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:
- 16.1 Section 551.071. Consultation with Attorney regarding pending or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in closed meeting.
17. **RECONVENE**

18. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution No. 22-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE FIRST AMENDMENT TO THE 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 AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

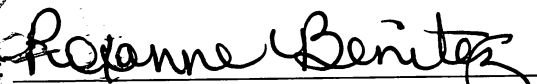
19. ADJOURNMENT

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

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

I certify that a copy of the January 25, 2022 agenda of items to be considered by City Council was posted on or before the 20th day of January, 2022, at 11:00 a.m. pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code.

Attest:


Roxanne Benitez, TRMC, CPM, CMCO
City Secretary

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

Consent Agenda Items

**MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, DECEMBER 14, 2021 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 6:00 p.m.

Members Present:

Mayor Marcus Vajdos
Mayor Pro Tem Allen Carpenter
Council Member Bo Bothe
Council Member David Dominy
Council Member Joy McCormack

Members Absent:

Council Member Tom Donaho

2. INTRODUCTIONS

Zachary Meadows, Director of Community Development
Roxanne Benitez, City Secretary
Michelle Yi, City Treasurer
Arthur Faiello, Director of Public Works
Matthew Hitt, Assistant to the City Administrator
Taryn Modisette, Administrative Services Coordinator
Loren Smith, City Attorney
Loyd Evans, Chief of Police (by phone conference)
Mark Schulze, Police Captain

3. PROCLAMATIONS / ANNOUNCEMENTS / SWEARING-IN

Mayor Vajdos welcomed two Boy Scouts from Troop 642 who were in attendance.

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.**

4.1 Peggy Schwabenland, who lives at 8445 Merlin Drive, spoke regarding the leash laws and requested that the laws be enforced.

5. CONSENT AGENDA

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

5.1 Minutes for Regular Called City Council Meeting on November 16, 2021

- 5.2 Resolution 21-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE RENEWAL OF AN INTERLOCAL AGREEMENT BETWEEN HARRIS COUNTY, TEXAS, AND THE CITY OF SPRING VALLEY VILLAGE, TEXAS, TO HOUSE, SUPPORT, MAINTAIN, AND CONFINE MUNICIPAL PRISONERS IN HARRIS COUNTY JAILS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE RENEWAL BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.
- 5.3 Approval of Pay Estimate No. 7 for Loeser, Traweek, Lone Star, West Tex Pavement & Utility Improvements Project to Conrad Construction Co., LTD. of \$202,865.67.

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

OLD BUSINESS

6. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** November 2021 Police Department Staff Report (Chief Evans):

Captain Schulze provided the report on behalf of Chief Evans.

1. Number of Calls for Service – 2, 472
2. Number of Traffic Violations – 1,805

7. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Village Fire Department Commissioners Meeting on November 17, 2021 and Any Special Meetings That May Have Occurred since November 17, 2021. (Mayor Pro-Tem Carpenter / Council Member Bothe)

Mayor Pro Tem Carpenter advised that the Village Fire Department held their Open House for the building renovation on December 9. He also advised that the event was well attended and building tours were provided. He also advised that the bay doors were still on backorder. Mayor Pro Tem Carpenter advised that the Board would discuss if the Fire Department should continue paying \$10,000 to fund a second ambulance. He also advised that the second ambulance is currently used during the day as the Village Fire Department does not receive ambulance assistance from the Houston Fire Department.

8. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Request for Rate Modification by Waste Corporation of America (“WCA”) Effective January 2022.

Suzanne Haboush, Marjorie West, and Kevin Toussant with WCA, appeared before Council. Ms. Haboush advised that following the previous Council meeting, the service concerns were discussed with the WCA/GFL team. She also advised that there were staffing issues that have now been rectified. Ms. Haboush discussed that they believe WCA currently has a 99.9% success rate in resolving customer service issues and that all future issues would be addressed as they arise. After a brief discussion, Council Member Dominy made a motion to approve the rate modification request made by Waste Corporation of America (WCA), and Council Member McCormack seconded the motion. Motion carried 4-0.

NEW BUSINESS

9. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 2021-XX - AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING THE SCHEDULE OF CHARGES AND FEES FOR THE COLLECTION AND DISPOSAL OF GARBAGE, RUBBISH, AND RECYCLABLES; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

Mayor Vajdos read the Ordinance by caption only. Council Member Bothe made a motion to approve Ordinance No. 2021-21, and Council Member Dominy seconded the motion. Motion carried 4-0.

10. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance Number 2021-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.19, SOLAR PANELS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A”; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO ALTER THE REGULATIONS OF BOTH ROOF MOUNTED AND GROUND MOUNTED SOLAR PANELS TO COMPLY WITH THE PROVISIONS OF SENATE BILL 398 REGARDING MUNICIPAL REGULATION SOLAR PANELS; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.

Mayor Vajdos opened the Public Hearing at 6:20 p.m.

- A. Presentation of Proposed Ordinance by City Staff

City Attorney Loren Smith advised that the amendments reflect changes made by the Legislature in the last session.

- B. Those In Favor

None.

- C. Those Opposed

None.

- D. Adjourn Public Hearing

Mayor Vajdos adjourned the Public Hearing at 6:23 p.m.

11. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 2021-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS TO AMEND SUBSECTION 02.19, SOLAR PANELS, OF SECTION 5, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A”; OF EXHIBIT A, ZONING REGULATIONS, OF CHAPTER 12, PLANNING AND ZONING, TO ALTER THE REGULATIONS OF BOTH ROOF MOUNTED AND GROUND MOUNTED SOLAR PANELS TO COMPLY WITH THE PROVISIONS OF SENATE BILL 398 REGARDING MUNICIPAL REGULATION SOLAR PANELS; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION.

Mayor Vajdos read the Ordinance by caption only. Council Member Dominy made a motion to approve Ordinance No. 2021-22, and Council Member McCormack seconded the motion. Motion carried 4-0.

18. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Briefing by City Staff:

1. Status of New Production Well

Director of Public Works Arthur Faiello advised that a walk through was done on December 9 and went well. He also advised that they were waiting for W.W. Payton to submit the final pay application and as-built drawings.

2. Status of Loeser, Traweek, Lone Star and W. Tex Paving and Utility Improvements Project

Director of Public Works Arthur Faiello advised that project was progressing, and added that the sanitary sewer and pavement were completed for Lone Star and Traweek.

3. Status of Replacement of Ground Storage Tank #2

Director of Public Works Arthur Faiello advised that the project was moving ahead quickly and was 90% complete. He also advised that the ring wall inspection had been completed and went well.

4. Status of Bingle Road Road Diet

Director of Public Works Arthur Faiello advised that the City of Houston postponed the anticipated project start date for some time after the New Year.

5. Status of Installation of Flock License Plate Readers

Assistant to the City Administrator Matthew Hitt advised that five right-of-way permits were approved in November. Captain Mark Schulze advised that notices were sent to affected residents, and, in response, the City received some inquiries on how the cameras would function. Chief Loyd Evans advised that the devices strictly take photographs of license plates and run the numbers in the system for cases matching that criteria. Chief Evans also advised that a presentation would be provided after the devices were installed.

13. ADJOURNMENT

Council Member Carpenter made a motion to adjourn the meeting at 6:41 p.m., and Council Member Bothe seconded the motion. Motion carried 4-0.

Signed: _____
Marcus Vajdos
Mayor

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



**City of Spring Valley Village
Police Department**

1025 Campbell Road
Houston, TX 77055
713-465-8323
Fax: 713-465-3135

Date: January 6, 2022

To: City Secretary Roxanne Benitez

From: Chief L. Evans

Reference: 2021 Racial Profiling Report

As required by Article 2.132 of the Texas Code of Criminal Procedure, please allow the attached document to serve as my annual submission to the governing body (City Council) of the City of Spring Valley Village, with the Spring Valley Village Police Department's Racial Profiling Report for calendar year 2021. The pages include a copy of the Spring Valley Village Police Department Senate Bill 1187 Racial Profiling Report which will be electronically filed with the Texas Commission on Law Enforcement.

Spring Valley Village, TX PD

Jan 1, 2021 - Dec 31, 2021

Racial Profiling Report

PLEASE NOTE: The official form does not allow for Other and Unknown in the Race or Ethnicity boxes on the TCOLE website. Please contact TCOLE for instructions on how to resolve these issues. This report only includes traffic stops resulting in a citation, traffic stops resulting in a citation with an arrest, traffic stops resulting in a warning with an arrest, and field interviews that resulted in an arrest. This report does not include any stops from traffic collisions.

1. Gender				8. Was Contraband Discovered?			
FEMALE	ALASKA NATIVE/ AMERICAN INDIAN	0.25%	12	N	BLACK	50.00%	5
	ASIAN/ PACIFIC ISLANDER	6.54%	316		HISPANIC/ LATINO	50.00%	5
	BLACK	19.11%	924			100.00%	10
	HISPANIC/ LATINO	37.23%	1,800	Y	BLACK	20.00%	1
	WHITE	36.88%	1,783		HISPANIC/ LATINO	40.00%	2
					WHITE	40.00%	2
		100.00%	4,835			100.00%	5
				Total			15
MALE	ALASKA NATIVE/ AMERICAN INDIAN	0.85%	73	9. Description of Contraband			
	ASIAN/ PACIFIC ISLANDER	5.71%	491	ALCOHOL	HISPANIC/ LATINO	100.00%	1
	BLACK	16.04%	1,379			100.00%	1
	HISPANIC/ LATINO	46.92%	4,034	DRUGS	WHITE	100.00%	1
	WHITE	30.48%	2,620			100.00%	1
				STOLEN PROPERTY	WHITE	100.00%	1
		100.00%	8,597			100.00%	1
Total			13,432	WEAPONS	BLACK	25.00%	1
2. Race or Ethnicity					HISPANIC/ LATINO	25.00%	1
ALASKA NATIVE/AMERICAN INDIAN	0.63%	85			WHITE	50.00%	2
ASIAN/PACIFIC ISLANDER	6.01%	807				100.00%	4
				Total			7

Spring Valley Village, TX PD

Jan 1, 2021 - Dec 31, 2021

Racial Profiling Report

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2. Race or Ethnicity			
BLACK	17.15%	2,303	
HISPANIC/LATINO	43.43%	5,834	
WHITE	32.78%	4,403	
Total	100.00%	13,432	

3. Was Race or Ethnicity Known Prior to Stop?			
N	99.77%	13,401	
Y	0.23%	31	
Total	100.00%	13,432	

4. Reason for Stop?			
MOVING TRAFFIC VIOLATION	ALASKA NATIVE/ AMERICAN INDIAN	0.70%	45
	ASIAN/ PACIFIC ISLANDER	7.16%	459
	BLACK	16.64%	1,067
	HISPANIC/ LATINO	36.62%	2,349
	WHITE	38.88%	2,494
		100.00%	6,414
PRE EXISTING KNOWLEDGE	BLACK	60.00%	3
	HISPANIC/ LATINO	40.00%	2
		100.00%	5

10. Result of the Stop			
CITATION	ALASKA NATIVE/ AMERICAN INDIAN	0.59%	61
	ASIAN/ PACIFIC ISLANDER	5.60%	582
	BLACK	16.97%	1,763
	HISPANIC/ LATINO	47.93%	4,978
	WHITE	28.90%	3,002
		100.00%	10,386
CITATION AND ARREST	BLACK	54.55%	6
	HISPANIC/ LATINO	27.27%	3
	WHITE	18.18%	2
		100.00%	11
WRITTEN WARNING	ALASKA NATIVE/ AMERICAN INDIAN	0.79%	24
	ASIAN/ PACIFIC ISLANDER	7.42%	225
	BLACK	17.58%	533
	HISPANIC/ LATINO	28.10%	852
	WHITE	46.11%	1,398
		100.00%	3,032

Spring Valley Village, TX PD

Jan 1, 2021 - Dec 31, 2021

Racial Profiling Report

PLEASE NOTE: The official form does not allow for Other and Unknown in the Race or Ethnicity boxes on the TCOLE website. Please contact TCOLE for instructions on how to resolve these issues. This report only includes traffic stops resulting in a citation, traffic stops resulting in a citation with an arrest, traffic stops resulting in a warning with an arrest, and field interviews that resulted in an arrest. This report does not include any stops from traffic collisions.

4. Reason for Stop?

VEHICLE TRAFFIC VIOLATION	ALASKA NATIVE/ AMERICAN INDIAN	0.58%	40
	ASIAN/ PACIFIC ISLANDER	4.92%	342
	BLACK	17.58%	1,223
	HISPANIC/ LATINO	49.76%	3,461
	WHITE	27.16%	1,889
		100.00%	6,955

VIOLATION OF LAW	ASIAN/ PACIFIC ISLANDER	10.34%	6
	BLACK	17.24%	10
	HISPANIC/ LATINO	37.93%	22
	WHITE	34.48%	20

		100.00%	58
Total			13,432

5. Street Address or Approximate Location of the Stop

CITY STREET	13,178
COUNTY ROAD	8
PRIVATE PROPERTY OR OTHER	229
STATE HIGHWAY	2
US HIGHWAY	15

10. Result of the Stop

WRITTEN WARNING AND ARREST	BLACK	33.33%	1
	HISPANIC/ LATINO	33.33%	1
	WHITE	33.33%	1
		100.00%	3
Total			13,432

11. Arrest Based On

OUTSTANDING WARRANT	BLACK	75.00%	6
	HISPANIC/ LATINO	12.50%	1
	WHITE	12.50%	1
		100.00%	8

VIOLATION OF PENAL CODE	WHITE	100.00%	1
		100.00%	1

VIOLATION OF TRAFFIC LAW	BLACK	20.00%	1
	HISPANIC/ LATINO	60.00%	3
	WHITE	20.00%	1
		100.00%	5

Total			14
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12. Was Physical Force Resulting in Bodily Injury Used During Stop?

N	ALASKA NATIVE/ AMERICAN INDIAN	0.63%	85
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Spring Valley Village, TX PD

Jan 1, 2021 - Dec 31, 2021

Racial Profiling Report

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5. Street Address or Approximate Location of the Stop

Total	13,432
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6. Was a Search Conducted?

N	ALASKA NATIVE/ AMERICAN INDIAN	0.63%	85
	ASIAN/ PACIFIC ISLANDER	6.01%	807
	BLACK	17.12%	2,297
	HISPANIC/ LATINO	43.43%	5,827
	WHITE	32.80%	4,401
		100.00%	13,417

Y	BLACK	40.00%	6
	HISPANIC/ LATINO	46.67%	7
	WHITE	13.33%	2
		100.00%	15

Total	13,432
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7. Reason for Search?

CONSENT	BLACK	50.00%	1
	HISPANIC/ LATINO	50.00%	1
		100.00%	2

CONTRABAND IN PLAIN VIEW	HISPANIC/ LATINO	100.00%	1
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12. Was Physical Force Resulting in Bodily Injury Used During Stop?

N	ASIAN/ PACIFIC ISLANDER	6.01%	807
	BLACK	17.15%	2,303
	HISPANIC/ LATINO	43.43%	5,834
	WHITE	32.78%	4,403

Total	100.00%	13,432
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13. Was Arrest Due to Contraband Found?

N	BLACK	53.85%	7
	HISPANIC/ LATINO	30.77%	4
	WHITE	15.38%	2
		100.00%	13

Y	WHITE	100.00%	1
		100.00%	1

Total	14
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Spring Valley Village, TX PD

Jan 1, 2021 - Dec 31, 2021

Racial Profiling Report

PLEASE NOTE: The official form does not allow for Other and Unknown in the Race or Ethnicity boxes on the TCOLE website. Please contact TCOLE for instructions on how to resolve these issues. This report only includes traffic stops resulting in a citation, traffic stops resulting in a citation with an arrest, traffic stops resulting in a warning with an arrest, and field interviews that resulted in an arrest. This report does not include any stops from traffic collisions.

7. Reason for Search?			
		100.00%	1
INCIDENT TO ARREST	BLACK	55.56%	5
	HISPANIC/LATINO	44.44%	4
		100.00%	9
INVENTORY	HISPANIC/LATINO	100.00%	1
		100.00%	1
NO SEARCH	ALASKA NATIVE/AMERICAN INDIAN	0.63%	85
	ASIAN/PACIFIC ISLANDER	6.01%	807
	BLACK	17.12%	2,297
	HISPANIC/LATINO	43.43%	5,827
	WHITE	32.80%	4,401
		100.00%	13,417
PROBABLE CAUSE	WHITE	100.00%	2
		100.00%	2
Total			13,432

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

MEETING DATE: January 25, 2022

TOPIC:	Resolution Number 22-XX A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 6 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND CONRAD CONSTRUCTION COMPANY, LTD., FOR THE LOESER, TRAWEEK, LONE STAR, WEST TEX PAVEMENT AND UTILITIES PROJECT AND THEREBY RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING WORK CHANGE DIRECTIVE 6 FOR CONRAD CONSTRUCTION CO. LTD. FOR INCREASED QUANTITIES SIDEWALK AND 30" CMP QUANTITIES AND WORK CHANGE DIRECTIVE 7 FOR LARGE WATERLINE OFFSETS ON BACE DRIVE TO AVOID PROPOSED STORM SEWER; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH CHANGE ORDER NUMBER 6; AND PROVIDING AN EFFECTIVE DATE.
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BACKGROUND:	Change Order Number 6 covers the necessary increased quantities for the following pay items: Removal and Disposal of Pipe Culvert, Sewers and Sewer Leads (All Sizes), Reinforced Concrete Walkways (4-1/2"), 30" Diameter RCP Storm Sewer, Yard Drainage and Repair, and 10" Diameter Sanitary Sewer by Open Cut for unforeseen field conditions. Change Order Number 6 also includes a necessary offset of two (2) waterlines not shown on record documents along Bace Dr at Lone Star Dr to avoid conflict with the proposed storm sewer. Change Order Number 6 increases the Revised Contract Price from Change Order Number 5 by \$70,122.19. There is also an additional 6 days added to the Contract Time for this change, bringing the modified total Contract Time to 340 calendar days. In order to keep the Project moving forward, City Administrator Julie Robinson executed Work Change Directive 6 on November 9, 2021, and Work Change Directive 7 on December 29, 2021. This Resolution would approve Change Order Number 6 (which incorporates Work Change Directives 6 and 7) and thereby ratify Ms. Robinson's actions on behalf of the City in approving Work Change Directives 6 and 7 for the Project.
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**Spring Valley Village City Council
Agenda Item Data Sheet**

	Revised Contract Price with Change Order Number 4	<u>\$3,006,486.24</u>
	Net Increase of this Change Order Number 5	<u>\$70,112.19</u>
	Revised Contract Price with Change Order Number 5	<u>\$3,076,598.43</u>

RECOMMENDATION: Coy P. Custer, Project Manager with IDS Engineering, and City staff recommend approval of the Resolution.

ATTACHMENTS: • Resolution Number 22-XX

FUNDING ISSUES:

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

☐ Full amount already budgeted in Acct/Project# _____

☒ Not budgeted, if approved, this will be funded from CO Bond 2019

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

☒ \$70,112.19 from CO Bond 2019 will be used and added to Acct/Project# 25-50-7517

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

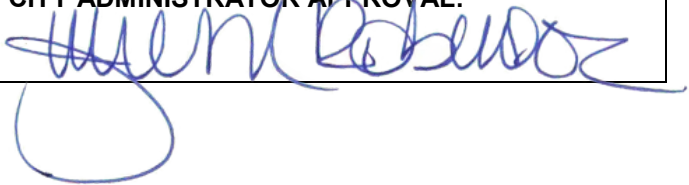
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Arthur Faiello, Director of Public Works

CITY ADMINISTRATOR APPROVAL:



RESOLUTION NUMBER 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 6 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND CONRAD CONSTRUCTION COMPANY, LTD., FOR THE LOESER, TRAWEEK, LONE STAR, WEST TEX PAVEMENT AND UTILITIES PROJECT AND THEREBY RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING WORK CHANGE DIRECTIVE 6 FOR CONRAD CONSTRUCTION CO. LTD. FOR INCREASED QUANTITIES SIDEWALK AND 30" CMP QUANTITIES AND WORK CHANGE DIRECTIVE 7 FOR LARGE WATERLINE OFFSETS ON BACE DRIVE TO AVOID PROPOSED STORM SEWER; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH CHANGE ORDER NUMBER 6; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Change Order Number 6 to the Agreement by and between the City of Spring Valley Village, Texas and Conrad Construction Company, LTD., for the Loeser, Traweek, Lone Star West Tech Pavement & Utilities Project ("Change Order Number 6"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, on November 9, 2021, the City Administrator executed Work Change Directive Number 6 for Conrad Construction Co. LTD for increased sidewalk and 30" CMP quantities for the Loeser, Traweek, Lone Star, West Tex Project ("Work Change Directive 6"), a copy of which is incorporated into Change Order Number 6, on behalf of the City of Spring Valley Village; and

WHEREAS, on December 29, 2021, the City Administrator executed Work Change Directive Number 7 for Conrad Construction Co. LTD for quantity increases and large waterline offsets on Bace Drive to avoid proposed storm sewer for the Loeser, Traweek, Lone Star, West Tex Project ("Work Change Directive 7"), a copy of which is incorporated into Change Order Number 6, on behalf of the City of Spring Valley Village; and

WHEREAS, upon review and consideration of Change Order Number 6 and all matters attendant and related thereto, the City Council hereby finds and determines that (1) the terms and conditions thereof should be approved; (2) the actions of the City Administrator in executing Work Change Directives 6 and 7 should be ratified in all respects; and (3) the Mayor should be authorized to execute Change Order Number 6 and any documents necessary to effectuate such Change Order Number 6 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 outlined 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 6, 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 actions of the City Administrator taken for and on behalf of the City in executing Work Change Directives 6 and 7 on behalf of the City of Spring Valley Village are ratified in all respects.

Section 4. The Mayor is hereby authorized to execute Change Order Number 6 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 6 as shall in the judgment of the Mayor be appropriate in order to effect the purposes of the foregoing resolution and Change Order Number 1.

Section 5. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED on this the _____ day of January, 2022.

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 22-XX

CONSTRUCTION CHANGE ORDER NO. 6

Project: Loeser, Traweek, Lone Star, West Tex Paving and Utility Improvements Project

IDS Job No: 2316-001-00

Date: 10/13/21

Owner: City of Spring Valley Village
1025 Campbell Road
Houston, Texas 77055

Engineer: IDS Engineering Group
1340 Northwest Freeway, Suite 700
Houston, Texas 77040

Engineer of Record: Rich Fuller, P.E.

Please make the following changes in the Contract Documents.

Description: Increase quantities for pay items 11 - Remove and Dispose Pipe Culvert, Sewers and Sewer Leads (All Sizes), 34 – Reinforced Concrete Sidewalk (4-1/2”), 39 – 30” Diameter RCP Storm Sewer, 41 – Yard Drainage Repair, and 47 – 10” Diameter Sanitary Sewer By Open Cut for unforeseen conditions in the field. Contractor shall also offset 2 waterlines not shown on record documents, along Bace Dr to avoid proposed storm sewer.

All changes are addressed under Work Change Directive (WCD) 06 and WCD 07 which includes RFI 14, RFI 17, and RFP 5 & 6. See attached for reference.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price	Original Contract Time
<u>\$2,837,491.00</u>	<u>315</u> Calendar Days
Previous Change Orders No.	Net Change from Previous Change Orders
<u>\$168,995.24</u>	<u>19</u> Calendar Days
Contract Price Prior to this Change Order	Contract Time Prior to this Change Order
<u>\$3,006,486.24</u>	<u>334</u> Calendar Days
Net Increase (Decrease) of this Change Order	Net Increase (Decrease) of this Change Order
<u>\$70,112.19</u>	<u>6</u> Calendar Days
Contract Price with all approved Change Orders (Including this Change Order)	Proposed Contract Time with all approved Change Orders (Including this Change Order)
<u>\$3,076,598.43</u>	<u>340</u> Calendar Days

RECOMMENDED:
IDS Engineering Group



by: _____
Coy Custer, PE
Project Manager

APPROVED:
City of Spring Valley Village

Owner

Attachments:

1. WCD #06
2. WCD #07



WORK CHANGE DIRECTIVE

(Instructions on reverse side)

No. 06

PROJECT Loeser, Traweek, Lone Star, West Tex, Pavement & Utility Project BID # 2020-11-101

DATE OF ISSUANCE _____ EFFECTIVE DATE _____

OWNER City of Spring Valley Village

OWNER'S Contract No. _____

CONTRACTOR Conrad Construction Company LTD ENGINEER IDS ENGINEERING

You are directed to proceed promptly with the following change(s):

Description: Install 48 SF of sidewalk and 18 LF of 30" CMP above current contract quantity.

Purpose of Work Change Directive: Quantities for sidewalk and 30" CMP in bid form did not match what design plans have shown.

Attachments: (List documents supporting change)

If a claim is made that the above change(s) have affected Contract Price or Contract Times any claim for a Change Order based thereon will involve one or more of the following methods of determining the effect of the change(s).

Method of determining change in

Contract Price:

Unit Price

Lump Sum

Other _____

Estimated increase (decrease) in Contract Price:

\$ \$3,276

If the change involves an increase, the estimated amount is not to be exceeded without further authorization

AUTHORIZED:

Coy P. Custer, PE

ENGINEER

By:

(Authorized Signature)

Method of determining change in

Contract Times:

Contractor's records

Engineer's record

Other _____

Estimated increase (decrease) in Contract Times:

Substantial Completion: _____ days;

Ready for final payment: _____ days; If

the change involves an increase, the estimated time are not to be exceeded without further authorization.

AUTHORIZED:

OWNER

By:

(Authorized Signature)

WORK CHANGE DIRECTIVE INSTRUCTIONS

A. GENERAL INFORMATION

This document was developed for use in situations involving changes in the Work, which, if not processed expeditiously, might delay the Project. These changes are often initiated in the field and may affect the Contract Price or the Contract Times. This is not a Change Order, but only a directive to proceed with Work that may be included in a subsequent Change Order.

For supplemental instructions and minor changes not involving a possible change in the Contract Price or the Contract Times a Field Order may be used.

B. COMPLETING THE WORK CHANGE DIRECTIVE FORM

Engineer initiates the form, including a description of the items involved and attachments.

Based on conversations between Engineer and Contractor, Engineer completes the following:

METHOD OF DETERMINING CHANGE, IF ANY, IN CONTRACT PRICE: Mark the method to be used in determining the final cost of Work involved and the estimated net effect on the Contract Price. If the change involves an increase in the Contract Price and the estimated amount is approached before the additional or changed Work is completed, another Work Change Directive must be issued to change the estimated price or Contractor may stop the changed Work when the estimated price is reached. If the Work Change Directive is not likely to change the Contract Price, the space for estimated increase (decrease) should be marked "Not Applicable".

METHOD OF DETERMINING CHANGE, IF ANY, IN CONTRACT TIMES: Mark the method to be used in determining the change in Contract Times and the estimated increase or decrease in Contract Times. If the change involves an increase in the Contract Time and the estimated times are approached before the additional or changed Work is completed, another Work Change Directive must be issued to change the times or Contractor may stop the changed Work when the estimated times are reached. If the Work Change Directive is not likely to change the Contract Times, the space for estimated increase (decrease) should be marked "Not Applicable".

Once Engineer has completed and signed the form, all copies should be sent to Owner for authorization because Engineer alone does not have authority to authorize changes in Price or Times. Once authorized by Owner, a copy should be sent by Engineer to Contractor. Price and Times may only be changed by Change Order signed by Owner and Contractor with Engineer's recommendation.

Once the Work covered by this directive is completed or final cost and times are determined, Contractor should submit documentation for inclusion in a Change Order.

THIS IS A DIRECTIVE TO PROCEED WITH A CHANGE THAT MAY AFFECT THE CONTRACT PRICE OR THE CONTRACT TIMES. A CHANGE ORDER, IF ANY, SHOULD BE CONSIDERED PROMPTLY.

Work Change Directive 06 Pay Item Cost Breakdown

Pay Item No.	Description	Unit	Unit Cost	Current QTY	Additional QTY	Total Proposed QTY	Prop Price Increase
34	Reinforced Concrete Sidewalk (4-1/2")	SF	\$ 12.00	175*	48	223	\$ 576.00
39	30-inch Diameter RCP Storm Sewer by Open Cut	LF	\$ 150.00	288	18	306	\$ 2,700.00
Unit Item Cost Increase							\$ 3,276.00

*Current quantities reflect WCD 07 total proposed quantities



WORK CHANGE DIRECTIVE

(Instructions on reverse side)

No. 07

PROJECT Loeser, Traweek, Lone Star, West Tex, Pavement & Utility Project BID # 2020-11-101

DATE OF ISSUANCE _____ EFFECTIVE DATE _____

OWNER City of Spring Valley Village

OWNER'S Contract No. 2020-11-101

CONTRACTOR Conrad Construction Company LTD ENGINEER IDS ENGINEERING

You are directed to proceed promptly with the following change(s):

Description: Quantity Increases and Bace Dr 16" & 8" waterline offsets.

Purpose of Work Change Directive: Increase quantities for pay items 11, 34, 41, and 47 (From RFI 17) for unforeseen conditions in the field and offset 2 waterlines (RFI 14 & RFP 5/6) not shown on record documents along Bace Dr to avoid proposed storm sewer.

Attachments: (List documents supporting change)

If a claim is made that the above change(s) have affected Contract Price or Contract Times any claim for a Change Order based thereon will involve one or more of the following methods of determining the effect of the change(s).

Method of determining change in

Method of determining change in

Contract Price:

Contract Times:

Unit Price

Contractor's records

Lump Sum

Engineer's record

Other See attached breakdown

Other _____

Estimated increase (decrease) in Contract Price:

Estimated increase (decrease) in Contract Times:

\$ 66,836.19

Substantial Completion: 6 days;

If the change involves an increase, the estimated amount is not to be exceeded without further authorization

Ready for final payment: 6 days; If

the change involves an increase, the estimated time are not to be exceeded without further authorization.

AUTHORIZED:

AUTHORIZED:

Coy P. Custer, PE

OWNER

ENGINEER

By:

By:

(Authorized Signature)

(Authorized Signature)

WORK CHANGE DIRECTIVE INSTRUCTIONS

A. GENERAL INFORMATION

This document was developed for use in situations involving changes in the Work, which, if not processed expeditiously, might delay the Project. These changes are often initiated in the field and may affect the Contract Price or the Contract Times. This is not a Change Order, but only a directive to proceed with Work that may be included in a subsequent Change Order.

For supplemental instructions and minor changes not involving a possible change in the Contract Price or the Contract Times a Field Order may be used.

B. COMPLETING THE WORK CHANGE DIRECTIVE FORM

Engineer initiates the form, including a description of the items involved and attachments.

Based on conversations between Engineer and Contractor, Engineer completes the following:

METHOD OF DETERMINING CHANGE, IF ANY, IN CONTRACT PRICE: Mark the method to be used in determining the final cost of Work involved and the estimated net effect on the Contract Price. If the change involves an increase in the Contract Price and the estimated amount is approached before the additional or changed Work is completed, another Work Change Directive must be issued to change the estimated price or Contractor may stop the changed Work when the estimated price is reached. If the Work Change Directive is not likely to change the Contract Price, the space for estimated increase (decrease) should be marked "Not Applicable".

METHOD OF DETERMINING CHANGE, IF ANY, IN CONTRACT TIMES: Mark the method to be used in determining the change in Contract Times and the estimated increase or decrease in Contract Times. If the change involves an increase in the Contract Time and the estimated times are approached before the additional or changed Work is completed, another Work Change Directive must be issued to change the times or Contractor may stop the changed Work when the estimated times are reached. If the Work Change Directive is not likely to change the Contract Times, the space for estimated increase (decrease) should be marked "Not Applicable".

Once Engineer has completed and signed the form, all copies should be sent to Owner for authorization because Engineer alone does not have authority to authorize changes in Price or Times. Once authorized by Owner, a copy should be sent by Engineer to Contractor. Price and Times may only be changed by Change Order signed by Owner and Contractor with Engineer's recommendation.

Once the Work covered by this directive is completed or final cost and times are determined, Contractor should submit documentation for inclusion in a Change Order.

THIS IS A DIRECTIVE TO PROCEED WITH A CHANGE THAT MAY AFFECT THE CONTRACT PRICE OR THE CONTRACT TIMES. A CHANGE ORDER, IF ANY, SHOULD BE CONSIDERED PROMPTLY.

Work Change Directive 07 Pay Item Cost Breakdown

Pay Item No.	Description	Unit	Unit Cost	Current QTY	Additional QTY	Total Proposed QTY	Prop Price Increase
11	Remove and Dispose Pipe Culvert, Sewers and Sewer Leads (All Sizes)	LF	\$ 12.00	1486	750	2236	\$ 9,000.00
34	Reinforced Concrete Sidewalk (4-1/2")	SF	\$ 12.00	85	90	175	\$ 1,080.00
41	Yard Drainage Repair, Incl. Sch. 40 PVC, Curb Drainage Outlet and Curb Repair	EA	\$ 500.00	31	23	54	\$ 11,500.00
47	10" Diameter Sanitary Sewer By Open Cut (PVC)	LF	\$ 130.00	1630	30	1660	\$ 3,900.00
N/A	RFP 5 - 16" Waterline Offset	LS	\$ 25,885.10	0	1	1	\$ 25,885.10
N/A	RFP 6 - 8" Waterline Offset	LS	\$ 15,471.09	0	1	1	\$ 15,471.09
Unit Item Cost Increase							\$ 66,836.19

Conrad Construction Co., Ltd.
P.O.Box 841134
Houston, Texas 77284
Office: 713-937-3081
Fax: 713-937-1172
E-mail: brianwconrad@hotmail.com

Request for Information

Date: 12/21/21

Rfi No: 17 revised

Project: Lone Star

Subject: Pay item quantity overruns

Information Requested:

As of today, there are 4 additional items of work that have overrun plan quantity.

#11 – Remove pipe is 503 LF over contract amount and looks to be approximately 250' more to be removed. This is due to many culverts being double culverts. Total overrun approx. 750 LF
All daily reports have been sent by email with locations and footages.

#34 – Sidewalk is 90 SF over plan quantity

#41 – yard drainage repair and curb outlet is currently 8 EA over plan quantity and looks to be approximately 15 more. Many were not visible prior to construction and large and multiple drainage lines required multiple 4" drainage lines and curb outlets to be installed.

#47 – 10" sanitary sewer overrun is 30 LF due to storm sewer lead and inlet conflict documented in RFI 7. Sanitary main had to be moved and offset around the conflict.

Can the City approve overrun of these 4 items and issue Work Change Directive to allow for payment on the next pay estimate?

Brian Conrad, Vice President

Response:

City of Spring Valley Village and EOR agree to quantity increases to pay items 11, 34, 41, and 47 as requested above. A work change directive will follow this response.

Approved:  **Title** Project Manager **Date:** 12/27/21

CONRAD CONSTRUCTION CO., LTD.

P.O. BOX 841134

HOUSTON, TEXAS 77284

Proposal

Date: 12/20/21

RFP: 5

Owner: Spring Valley Village

Project: Lone Star

Ref. RFI: 14

Description: 16" waterline conflict Bace at Lone Star

Materials:

Item	Qty	Unit	Unit Price	Unit Total
Ferguson Water line materials	1	LS	\$ 12,458.78	\$ 12,458.78
			\$ -	\$ -
			\$ -	\$ -
Subtotal				\$ 12,458.78
Total Material				\$ 12,458.78

Labor:

Name and/or Position	Qty	Unit	Unit Price	Unit Total
Utility crew	3	day	\$ 2,000.00	\$ 6,000.00
dump truck driver	1	day	\$ 250.00	\$ 250.00
			\$ -	\$ -
Subtotal				\$ 6,250.00
Total Labor				\$ 6,250.00

Equipment:

Item	Qty	Unit	Unit Price	Unit Total
excavator	3	day	\$ 600.00	\$ 1,800.00
wheel loader	3	day	\$ 500.00	\$ 1,500.00
dump truck	1	day	\$ 500.00	\$ 500.00
Total Equipment				\$ 3,800.00

Total Equipment, Labor, Material, Misc.	\$ 22,508.78
OH&P 15%	\$ 3,376.32
SubTotal	\$ 25,885.10
1 1/2% Bond Premium	\$ -
Total	\$ 25,885.10

Time Request	3 days
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FERGUSON WATERWORKS #2939
15711 EASTEX FREEWAY
DELIVERIES MADE ON BENDER ROAD
HUMBLE, TX 77396-0000
Phone: 713-675-2211
Fax: 713-676-0803

Deliver To: ROBERT BARROW
From: Jeffrey Moreland
Comments:

21:53:43 DEC 06 2021

Page 1 of 1

FERGUSON WATERWORKS #1105

Price Quotation
Phone: 713-675-2211
Fax: 713-676-0803

Bid No: B475955
Bid Date: 12/03/21
Quoted By: MHD

Cust Phone: 713-937-3081
Terms: NET 10TH PROX

Customer: CONRAD CONSTRUCTION CO LT
PO BOX 841134
HOUSTON, TX 77284

Ship To: CONRAD CONSTRUCTION CO LT
PO BOX 841134
HOUSTON, TX 77284

Cust PO#:

Job Name:

Item	Description	Quantity	Net Price	UM	Total
DR18BP16	16 C900 DR18 CL235 PVC GJ BLUE PIPE	40	82.190	FT	3287.60
DR18BPX	8 C900 DR18 PVC GJ BLUE PIPE	40	26.770	FT	1070.80
MJ4LA16	16 MJ C153 45 BEND L/A	4	797.320	EA	3189.28
MJ4LAX	8 MJ C153 45 BEND L/A	4	188.960	EA	755.84
MJLSLA16	16X15 MJ C153 LONG SLV L/A	2	718.030	EA	1436.06
MJLSLAX	8X12 MJ C153 LONG SLV L/A	2	233.420	EA	466.84
SSLCE16	16 PVC WDG REST GLND *ONELOK	12	287.110	EA	3445.32
IMJBGP16	16 MJ C153 BLT GSKT PK L/ GLAND	12	91.710	EA	1100.52
SSLCE8	8 PVC WDG REST GLND *ONELOK	12	65.040	EA	780.48
IMJBGPX	8 MJ C153 BLT GSKT PK L/ GLAND	12	27.430	EA	329.16
Net Total:					\$15861.90
Tax:					\$1308.62
Freight:					\$0.00
Total:					\$17170.52

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

CONTACT YOUR SALES REPRESENTATIVE IMMEDIATELY FOR ASSISTANCE WITH DBE/MBE/WBE/SMALL BUSINESS REQUIREMENTS.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with "NP" in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to
complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=1105&on=11187>

Conrad Construction Co., Ltd.
P.O.Box 841134
Houston, Texas 77284
Office: 713-937-3081
Fax: 713-937-1172
E-mail: brianwconrad@hotmail.com

Request for Information

Date: 11/17/21

Rfi No: 14

Project: Lone Star

Subject: Waterline conflicts at Bace

Information Requested:

We have located existing 8" and 16" waterlines running along Bace at Lone Star. Both of these lines are in conflict with proposed manholes and storm sewer pipe. See attached for locations and elevations. It appears that WL offsets may be required. We would like to meet to discuss possible solutions. Please advise.

Brian Conrad, Vice President

Response: As discussed in the field on December 1, 2021, Conrad shall install four 45-degree bends in each waterline to offset (lower) the line and avoid conflict with the storm sewer system as shown in Detail 5 (Offset Assembly) on Sheet 56. Conrad to provide a cost estimate for the 16" and 8" waterline offsets.

Approved:  **Title:** Project Manager **Date:** 12/3/21

CONRAD CONSTRUCTION CO., LTD.
P.O. BOX 841134
HOUSTON, TEXAS 77284

Proposal

Date: 12/20/21

RFP: 6

Owner: Spring Valley Village

Project: Lone Star

Ref. RFI: 14

Description: 8" waterline conflict Bace at Lone Star

Materials:

Item	Qty	Unit	Unit Price	Unit Total
Ferguson Water line materials	1	LS	\$ 3,403.12	\$ 3,403.12
			\$ -	\$ -
			\$ -	\$ -
Subtotal				\$ 3,403.12
Total Material				\$ 3,403.12

Labor:

Name and/or Position	Qty	Unit	Unit Price	Unit Total
Utility crew	3	day	\$ 2,000.00	\$ 6,000.00
dump truck driver	1	day	\$ 250.00	\$ 250.00
			\$ -	\$ -
Subtotal				\$ 6,250.00
Total Labor				\$ 6,250.00

Equipment:

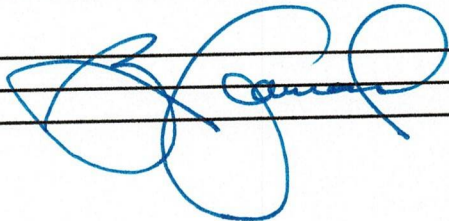
Item	Qty	Unit	Unit Price	Unit Total
excavator	3	day	\$ 600.00	\$ 1,800.00
wheel loader	3	day	\$ 500.00	\$ 1,500.00
dump truck	1	day	\$ 500.00	\$ 500.00
Total Equipment				\$ 3,800.00

Total Equipment, Labor, Material, Misc.
OH&P 15%
SubTotal
1 1/2% Bond Premium
Total

\$ 13,453.12
\$ 2,017.97
\$ 15,471.09
\$ -
\$ 15,471.09

Time Request

3 days





FERGUSON WATERWORKS #2939
15711 EASTEX FREEWAY
DELIVERIES MADE ON BENDER ROAD
HUMBLE, TX 77396-0000
Phone: 713-675-2211
Fax: 713-676-0803

Deliver To: ROBERT BARROW
From: Jeffrey Moreland
Comments:

21:53:43 DEC 06 2021

Page 1 of 1

FERGUSON WATERWORKS #1105

Price Quotation
Phone: 713-675-2211
Fax: 713-676-0803

Bid No: B475955
Bid Date: 12/03/21
Quoted By: MHD

Cust Phone: 713-937-3081
Terms: NET 10TH PROX

Customer: CONRAD CONSTRUCTION CO LT
PO BOX 841134
HOUSTON, TX 77284

Ship To: CONRAD CONSTRUCTION CO LT
PO BOX 841134
HOUSTON, TX 77284

Cust PO#:

Job Name:

Item	Description	Quantity	Net Price	UM	Total
DR18BP16	16 C900 DR18 CL235 PVC GJ BLUE PIPE	40	82.190	FT	3287.60
DR18BPX	8 C900 DR18 PVC GJ BLUE PIPE	40	26.770	FT	1070.80
MJ4LA16	16 MJ C153 45 BEND L/A	4	797.320	EA	3189.28
MJ4LAX	8 MJ C153 45 BEND L/A	4	188.960	EA	755.84
MJLSLA16	16X15 MJ C153 LONG SLV L/A	2	718.030	EA	1436.06
MJLSLAX	8X12 MJ C153 LONG SLV L/A	2	233.420	EA	466.84
SSLCE16	16 PVC WDG REST GLND *ONELOK	12	287.110	EA	3445.32
IMJBGP16	16 MJ C153 BLT GSKT PK L/ GLAND	12	91.710	EA	1100.52
SSLCE8	8 PVC WDG REST GLND *ONELOK	12	65.040	EA	780.48
IMJBGPX	8 MJ C153 BLT GSKT PK L/ GLAND	12	27.430	EA	329.16
Net Total:					\$15861.90
Tax:					\$1308.62
Freight:					\$0.00
Total:					\$17170.52

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

CONTACT YOUR SALES REPRESENTATIVE IMMEDIATELY FOR ASSISTANCE WITH DBE/MBE/WBE/SMALL BUSINESS REQUIREMENTS.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with *NP in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.



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<https://survey.medallia.com/?bidsorder&fc=1105&on=11187>

Conrad Construction Co., Ltd.
P.O.Box 841134
Houston, Texas 77284
Office: 713-937-3081
Fax: 713-937-1172
E-mail: brianwconrad@hotmail.com

Request for Information

Date: 11/17/21

Rfi No: 14

Project: Lone Star

Subject: Waterline conflicts at Bace

Information Requested:

We have located existing 8" and 16" waterlines running along Bace at Lone Star. Both of these lines are in conflict with proposed manholes and storm sewer pipe. See attached for locations and elevations. It appears that WL offsets may be required. We would like to meet to discuss possible solutions. Please advise.

Brian Conrad, Vice President

Response: As discussed in the field on December 1, 2021, Conrad shall install four 45-degree bends in each waterline to offset (lower) the line and avoid conflict with the storm sewer system as shown in Detail 5 (Offset Assembly) on Sheet 56. Conrad to provide a cost estimate for the 16" and 8" waterline offsets.

Approved:



Title: Project Manager

Date: 12/3/21

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

MEETING DATE: January 25, 2022

TOPIC:	Approval of Pay Estimate No. 8 for Loeser, Traweck, Lone Star, West Tex Pavement & Utility Improvements Project to Conrad Construction Co., LTD. of \$ 307,824.61
---------------	--

BACKGROUND:	This is the eighth pay estimate to be submitted by Conrad Construction Co., LTD. for the Loeser, Traweck, Lone Star, West Tex Pavement & Utility Improvements Project (2020-11-101) for work completed on the Project from December 1, 2021, to December 31, 2021.
--------------------	--

RECOMMENDATION:	IDS Engineer Project Manager Coy P. Custer, P.E., ENV SP, and Director of Public Works Director Arthur Faiello have reviewed Pay Estimate No. 8 and recommend approval.
------------------------	---

ATTACHMENTS:	• Pay Estimate No. 8 Submitted By Conrad Construction Co., LTD.
---------------------	---

FUNDING ISSUES:	☐ Not applicable – no dollars are being spent or received. ☒ Full amount already budgeted in Acct/Project #25-50-7517 ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$ _____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ _____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$ _____ will be added to Revenue Acct# ____-____ and \$ _____ added to Expenditure Acct/Project# _____
------------------------	---

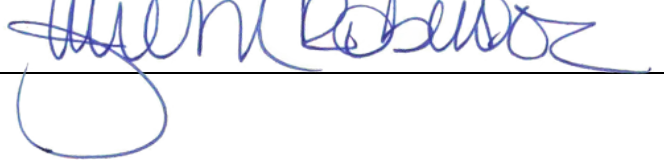
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Arthur Faiello, Public Works Director

CITY ADMINISTRATOR APPROVAL:





January 10, 2021

Spring Valley Village
1025 Campbell Road
Houston, TX 77055

Attention: Mr. Arthur Faiello

Reference: Paving and Utility Improvements to Serve Lone Star Dr, Loeser Dr, Traweek Dr, West
Tex Dr and Lariat Dr
CSB #2021-11-101; IDS Project No. 2316-001-00

Dear Mr. Faiello:

Enclosed is an Application and Certificate for Payment No. 8 for the above referenced project for the period of December 1, 2021 to December 31, 2021. As itemized in this estimate, we recommend payment to Conrad Construction Co., Ltd in the amount of \$307,824.61 at this time.

As of December 31, 2021, the project was approximately 72.7% complete of the contract sum to date. A qualified project representative was assigned to the project to observe the work as it was being performed. To the best of my knowledge, all work has been performed in accordance with the construction plans and contract specifications.

Original Contract Amount	\$ 2,837,491.00
Total Change Orders	\$ 239,107.43
Total Current Contract Amount	\$ 3,076,598.43
Construction Materials Testing to Date	\$ 40,034.00
Payment to Centerpoint	\$ -
Total Value of Work Completed to Date	\$ 2,238,098.53
Total Materials Stored to Date	\$ -
Total Completed & Stored to Date	\$ 2,238,098.53
Retainage (10%)	\$ 223,809.85
Total Completed, Less Retainage	\$ 2,014,288.68
Total Amount of Prior Payments	\$ 1,706,464.07
Current Due Amount	\$ 307,824.61
Total Balance Remaining (Including Retainage)	\$ 838,499.90
Notice to Proceed Date	17-May-21
Project Estimated Completion Date	29-Mar-22
Percentage Complete of the Contract Sum	72.7%

Mr. Arthur Faiello
City of Spring Valley Village
January 10, 2022
Page 2 of 2

Sincerely,



Coy P. Custer, P.E., ENV SP
Project Manager

Attachments

Conrad Construction Co., Ltd.
P.O. Box 841134
Houston, Texas 77284

Project: Lone Star Dr., Loeser Dr., et al , Project No. 2020-11-101

Pay Application No.	8	Work To Date:	\$ 2,238,098.53
Application Period	12-1-21 thru 12-31-21		
Original Contract Amount	\$ 2,837,491.00		
Revised Contract Amount	\$ 3,076,598.43	Remaining Work	\$ 838,499.90
Notice To Proceed	5/17/2021		

Total Work To Date:	\$ 2,238,098.53
Materials Stored to Date	\$ -
Total Work To Date & Stored Materials	\$ 2,238,098.53
Retainage (10%)	\$ 223,809.85
Total Work Complete, Less Retainage	\$ 2,014,288.68
Less Previous Payments	\$ 1,706,464.07
Total Due This Application	\$ 307,824.61


James R. Bolin
Conrad Const. Co., Ltd.

Coy P. Custer, P.E., ENV SP
Engineer - IDS Engineering Group

Arthur W. Faiello
Public Works Director
City of Spring Valley Village

CONTRACTOR'S AFFIDAVIT OF BILLS PAID/LIEN RELEASE

OWNER: City of Spring Valley Village

PROJECT: Lone Star Dr., et al – Paving & Utilities, Bid No. 2020-11-101

CONTRACTOR: Conrad Construction Co., Ltd.

I certify that all just and lawful bills against the below-named Contractor for labor, material and expendable equipment employed in the performance of said Contract for the period covering 12.1.21 through 12.31.21 have been paid in full. This is to certify that I am relieving the City of Spring Valley Village from any claims from debt occurring in connection with this project prior to 1.1.22.

Firm: Conrad Construction Co., Ltd.

By :

Brian Conrad

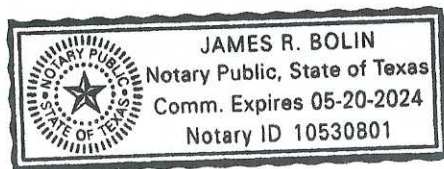
Date : 1.4.22

Title :

Vice President

Signed and sworn to before me a Notary Public in and for Harris County, Texas this 4th day of January, 2022.

James R. Bolin



Lone Star Drive, et al – Project No. 2020-11-101

Conrad Construction Co., Ltd.

Pay Application No.: 8

Reporting Period: 12.1.21 thru 12.31.21

Subcontractor and Work Performed During This Period

South Point Surveying - Construction Staking

Highway 1, LLC - Traffic Control Maintenance

Gessner Engineering - Construction Materials Testing

P.A. Nelson Trucking - Trucking Services

INVOICE

Invoice Date: 12/27/2021

Invoice No: 21-12-000056



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Page 1 of 6

Client Address: Conrad Construction Co., LTD
Brian Conrad, Vice President
PO Box 841134

Houston, TX. 77284 USA

Cust No: 215422

Project No: 21-0576-02

Project Desc.: Spring Valley Village #2
Lone Star Dr, Loeser Dr, Traweek Dr, W Tex Dr
and Lariat Drive

===== Invoice Summary by Billing Code =====

	<u>Unit Rate</u>	<u>Qty</u>	<u>Extension</u>
C-001 - Compressive Strength (ASTM C31, C39, C109, C1019)	\$35.00	20.00	\$700.00
C-005 - Cylinder Pick-Up, Marking and Storage	\$60.00	5.00	\$300.00
C-010 - Round Trip Travel Fee, per hour	\$60.00	8.50	\$510.00
E-001 - In-Place Nuclear Density (ASTM D6938)	\$20.00	40.00	\$800.00
E-002 - Atterberg Limits (ASTM D4318)	\$75.00	4.00	\$300.00
E-006 - Standard Proctor w/classification tests (ASTM D698)	\$250.00	1.00	\$250.00
E-028 - Field Lime Gradation	\$35.00	5.00	\$175.00
E-032 - Round Trip Travel Fee, per hour	\$60.00	25.00	\$1,500.00
L-002 - CMT Project Manager	\$100.00	6.00	\$600.00
L-011 - Technician	\$52.00	43.25	\$2,249.00
Total for this Invoice:			\$7,384.00

===== Invoice Detail by Report =====

<u>Lab No.</u>	<u>Sampled</u>	<u>Qty</u>	<u>Billing Code</u>	<u>Unit Type</u>	<u>Unit Rate</u>	<u>Extension</u>
14911-1	11/30/2021	3.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$60.00
14911-1	11/30/2021	2.50	E-032 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
14911-1	11/30/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
14911-1	11/30/2021	2.50	L-011 - Technician	hr	\$52.00	\$130.00
Lab Number 14911-1 for a Subtotal of:						\$365.00
14936	12/01/2021	2.00	E-028 - Field Lime Gradation	ea	\$35.00	\$70.00
14936	12/01/2021	2.50	E-032 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
14936	12/01/2021	1.50	L-011 - Technician	hr	\$52.00	\$78.00
Lab Number 14936 for a Subtotal of:						\$298.00

REMIT TO: 401 West 26th Street, Suite 3
Bryan, Texas 77803
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INVOICE

Invoice Date: 12/27/2021

Invoice No: 21-12-000056



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===== Invoice Detail by Report =====

Lab No.	Sampled	Qty	Billing Code	Unit Type	Unit Rate	Extension
14936-1	12/01/2021	1.00	E-002 - Atterberg Limits (ASTM D4318)	ea	\$75.00	\$75.00
14936-1	12/01/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
Lab Number 14936-1 for a Subtotal of:						\$100.00
14936-2	12/01/2021	1.00	E-006 - Standard Proctor w/classification tests (ASTM D698)	ea	\$250.00	\$250.00
14936-2	12/01/2021	0.50	L-002 - CMT Project Manager	hr	\$100.00	\$50.00
Lab Number 14936-2 for a Subtotal of:						\$300.00
14936-3	12/01/2021	2.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$40.00
14936-3	12/01/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
14936-3	12/01/2021	2.00	L-011 - Technician	hr	\$52.00	\$104.00
Lab Number 14936-3 for a Subtotal of:						\$169.00
14936-4	12/01/2021	3.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$60.00
14936-4	12/01/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
14936-4	12/01/2021	2.00	L-011 - Technician	hr	\$52.00	\$104.00
Lab Number 14936-4 for a Subtotal of:						\$189.00
14942-1	12/02/2021	3.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$60.00
14942-1	12/02/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
14942-1	12/02/2021	2.75	L-011 - Technician	hr	\$52.00	\$143.00
Lab Number 14942-1 for a Subtotal of:						\$228.00
14943-1	12/02/2021	4.00	C-001 - Compressive Strength (ASTM C31, C39, C109, C1019)	ea	\$35.00	\$140.00
14943-1	12/02/2021	2.50	C-010 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
14943-1	12/02/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
14943-1	12/02/2021	2.00	L-011 - Technician	hr	\$52.00	\$104.00
Lab Number 14943-1 for a Subtotal of:						\$419.00
14972-1	12/03/2021	5.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$100.00
14972-1	12/03/2021	2.50	E-032 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
14972-1	12/03/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00

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INVOICE

Invoice Date: 12/27/2021
Invoice No: 21-12-000056



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===== Invoice Detail by Report =====

<u>Lab No.</u>	<u>Sampled</u>	<u>Qty</u>	<u>Billing Code</u>	<u>Unit Type</u>	<u>Unit Rate</u>	<u>Extension</u>
14972-1	12/03/2021	1.50	L-011 - Technician	hr	\$52.00	\$78.00
Lab Number 14972-1 for a Subtotal of:						\$353.00
14995-3	12/06/2021	2.50	E-032 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
14995-3	12/06/2021	1.75	L-011 - Technician	hr	\$52.00	\$91.00
Lab Number 14995-3 for a Subtotal of:						\$241.00
15004-1	12/07/2021	3.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$60.00
15004-1	12/07/2021	2.50	E-032 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
15004-1	12/07/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15004-1	12/07/2021	1.25	L-011 - Technician	hr	\$52.00	\$65.00
Lab Number 15004-1 for a Subtotal of:						\$300.00
15016	12/08/2021	1.00	E-028 - Field Lime Gradation	ea	\$35.00	\$35.00
15016	12/08/2021	2.50	E-032 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
15016	12/08/2021	1.00	L-011 - Technician	hr	\$52.00	\$52.00
Lab Number 15016 for a Subtotal of:						\$237.00
15016-1	12/08/2021	1.00	E-002 - Atterberg Limits (ASTM D4318)	ea	\$75.00	\$75.00
15016-1	12/08/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
Lab Number 15016-1 for a Subtotal of:						\$100.00
15016-2	12/08/2021	1.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$20.00
15016-2	12/08/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15016-2	12/08/2021	1.00	L-011 - Technician	hr	\$52.00	\$52.00
Lab Number 15016-2 for a Subtotal of:						\$97.00
15016-3	12/08/2021	3.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$60.00
15016-3	12/08/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15016-3	12/08/2021	2.25	L-011 - Technician	hr	\$52.00	\$117.00
Lab Number 15016-3 for a Subtotal of:						\$202.00
15017-1	12/08/2021	4.00	C-001 - Compressive Strength (ASTM C31, C39, C109, C1019)	ea	\$35.00	\$140.00
15017-1	12/08/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00

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Invoice Date: 12/27/2021
Invoice No: 21-12-000056



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===== Invoice Detail by Report =====

<u>Lab No.</u>	<u>Sampled</u>	<u>Qty</u>	<u>Billing Code</u>	<u>Unit Type</u>	<u>Unit Rate</u>	<u>Extension</u>
15017-1	12/08/2021	2.00	L-011 - Technician	hr	\$52.00	\$104.00
Lab Number 15017-1 for a Subtotal of:						\$269.00
15048-1	12/09/2021	3.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$60.00
15048-1	12/09/2021	2.50	E-032 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
15048-1	12/09/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15048-1	12/09/2021	1.50	L-011 - Technician	hr	\$52.00	\$78.00
Lab Number 15048-1 for a Subtotal of:						\$313.00
15076-1	12/10/2021	4.00	C-001 - Compressive Strength (ASTM C31, C39, C109, C1019)	ea	\$35.00	\$140.00
15076-1	12/10/2021	1.00	C-010 - Round Trip Travel Fee, per hour	hr	\$60.00	\$60.00
15076-1	12/10/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15076-1	12/10/2021	1.75	L-011 - Technician	hr	\$52.00	\$91.00
Lab Number 15076-1 for a Subtotal of:						\$316.00
15077-1	12/11/2021	2.50	C-005 - Cylinder Pick-Up, Marking and Storage	hr	\$60.00	\$150.00
Lab Number 15077-1 for a Subtotal of:						\$150.00
15078-1	12/10/2021	3.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$60.00
15078-1	12/10/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15078-1	12/10/2021	2.00	L-011 - Technician	hr	\$52.00	\$104.00
Lab Number 15078-1 for a Subtotal of:						\$189.00
15106-1	12/13/2021	3.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$60.00
15106-1	12/13/2021	2.50	E-032 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
15106-1	12/13/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15106-1	12/13/2021	2.75	L-011 - Technician	hr	\$52.00	\$143.00
Lab Number 15106-1 for a Subtotal of:						\$378.00
15107-1	12/14/2021	4.00	C-001 - Compressive Strength (ASTM C31, C39, C109, C1019)	ea	\$35.00	\$140.00
15107-1	12/14/2021	2.50	C-010 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
15107-1	12/14/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00

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INVOICE

Invoice Date: 12/27/2021
Invoice No: 21-12-000056



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===== Invoice Detail by Report =====

<u>Lab No.</u>	<u>Sampled</u>	<u>Qty</u>	<u>Billing Code</u>	<u>Unit Type</u>	<u>Unit Rate</u>	<u>Extension</u>
15107-1	12/14/2021	3.75	L-011 - Technician	hr	\$52.00	\$195.00
Lab Number 15107-1 for a Subtotal of:						\$510.00
15115-1	12/14/2021	3.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$60.00
15115-1	12/14/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15115-1	12/14/2021	2.25	L-011 - Technician	hr	\$52.00	\$117.00
Lab Number 15115-1 for a Subtotal of:						\$202.00
15132-1	12/15/2021	3.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$60.00
15132-1	12/15/2021	2.50	E-032 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
15132-1	12/15/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15132-1	12/15/2021	1.50	L-011 - Technician	hr	\$52.00	\$78.00
Lab Number 15132-1 for a Subtotal of:						\$313.00
15175-2	12/20/2021	2.00	E-028 - Field Lime Gradation	ea	\$35.00	\$70.00
15175-2	12/20/2021	2.50	E-032 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
15175-2	12/20/2021	1.00	L-011 - Technician	hr	\$52.00	\$52.00
Lab Number 15175-2 for a Subtotal of:						\$272.00
15175-4	12/20/2021	2.00	E-002 - Atterberg Limits (ASTM D4318)	ea	\$75.00	\$150.00
15175-4	12/20/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
Lab Number 15175-4 for a Subtotal of:						\$175.00
15175-5	12/20/2021	2.00	E-001 - In-Place Nuclear Density (ASTM D6938)	ea	\$20.00	\$40.00
15175-5	12/20/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15175-5	12/20/2021	1.75	L-011 - Technician	hr	\$52.00	\$91.00
Lab Number 15175-5 for a Subtotal of:						\$156.00
15178-1	12/21/2021	4.00	C-001 - Compressive Strength (ASTM C31, C39, C109, C1019)	ea	\$35.00	\$140.00
15178-1	12/21/2021	2.50	C-010 - Round Trip Travel Fee, per hour	hr	\$60.00	\$150.00
15178-1	12/21/2021	0.25	L-002 - CMT Project Manager	hr	\$100.00	\$25.00
15178-1	12/21/2021	1.50	L-011 - Technician	hr	\$52.00	\$78.00
Lab Number 15178-1 for a Subtotal of:						\$393.00

REMIT TO: 401 West 26th Street, Suite 3
Bryan, Texas 77803
1-877-GESSNER
ar@gessnereng.com

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invoices will be sent to collection.

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INVOICE

Invoice Date: 12/27/2021

Invoice No: 21-12-000056



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Page 6 of 6

===== Invoice Detail by Report =====

<u>Lab No.</u>	<u>Sampled</u>	<u>Qty</u>	<u>Billing Code</u>	<u>Unit Type</u>	<u>Unit Rate</u>	<u>Extension</u>
15179-1	12/22/2021	2.50	✓ C-005 - Cylinder Pick-Up, Marking and Storage	hr	\$60.00	\$150.00 ✓
Lab Number 15179-1 for a Subtotal of:						\$150.00
Total for this Invoice:						<u>\$7,384.00</u> ✓

✓
B _____ VENDOR _____
PC _____ JOB 200330
DON _____ GL _____
TAKE _____ ENTERED _____

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FROM: CONRAD CONSTRUCTION CO.,LTD.
P.O. BOX 841134
HOUSTON, TEXAS 77284

TO: CITY OF SPRING VALLEY VILLAGE
ACCOUNTS PAYABLE
1025 CAMPBELL ROAD
HOUSTON, TEXAS 77055
ATTN: COY P. CUSTER, P.E. - PROJECT MANAGER
REF: LONE STAR DR., ET AL - PAVING & UTILITIES
PROJ #: BID NO. 2020-11-101 , CC# 20/0330
DATE: 12/31/2021

PAY APPLICATION # : 8

DESCRIPTION	QUANTITY	UNIT	THIS ESTIMATE	PREVIOUS ESTIMATE	WORK TO DATE	%	UNIT PRICE	WORK TO DATE
GENERAL ITEMS								
1. MOBILIZATION, BONDS & INSURANCE	1.00	LS		1.00	1.00	100%	\$ 80,000.00	\$ 80,000.00
2. TRAFFIC CONTROL & REGULATION	1.00	LS	0.09	0.69	0.78	78%	\$ 50,000.00	\$ 39,000.00
3. FLAGMAN	1.00	LS	0.10	0.70	0.80	80%	\$ 7,500.00	\$ 6,000.00
4. ELECTRONIC MESSAGE BOARD [3] [5]	0.00	MO			0.00	####	\$ 1,250.00	\$ -
5. TREE PROTECTION PLAN	1.00	LS	0.09	0.69	0.78	78%	\$ 30,000.00	\$ 23,400.00
6. TREE REMOVAL (0" TO 11.99" DIA.)	4.00	EA		2.00	2.00	50%	\$ 750.00	\$ 1,500.00
7. TREE REMOVAL (12" TO 29.99" DIA.)	2.00	EA			0.00	0%	\$ 1,250.00	\$ -
8. TREE REMOVAL (30" TO 45" DIA.)	1.00	EA			0.00	0%	\$ 2,000.00	\$ -
9. FLEXIBLE BASE COURSE FOR TEMP. DRIVEWAYS	56.00	EA	9.00	31.00	40.00	71%	\$ 500.00	\$ 20,000.00
10. 6" TEMPORARY ASPHALT PAVING TYPE "B" BLACK BASE [4] [5]	1750.00	SY	229.39	1399.22	1628.61	93%	\$ 50.00	\$ 81,430.50
11. REMOVE & DISPOSE PIPE CULVERT, SEWERS AND SEWER LEADS (ALL SIZES) [7]	2236.00	LF	519.00	1486.00	2005.00	90%	\$ 12.00	\$ 24,060.00
12. REMOVE & DISPOSE OF EXISTING CURB INLETS	2.00	EA			0.00	0%	\$ 750.00	\$ -
13. REMOVE & DISPOSE OF EXISTING STORM MANHOLES, ALL DEPTHS	2.00	EA			0.00	0%	\$ 750.00	\$ -
14. REMOVE & DISPOSE OF EXISTING SAFETY END TREATMENTS (SETs)	6.00	EA		3.00	3.00	50%	\$ 400.00	\$ 1,200.00
15. REMOVE & DISPOSE OF WATER LINES AND WATER SERVICE LINES	60.00	LF			0.00	0%	\$ 20.00	\$ -

DESCRIPTION	QUANTITY	UNIT	THIS ESTIMATE	PREVIOUS ESTIMATE	WORK TO DATE	%	UNIT PRICE	WORK TO DATE
16. REMOVE & DISPOSE EXISTING ASPH. SURFACE & BASE MATERIAL INCLUDING OLD ASPHALTIC DRIVEWAYS, (ALL DPTH	10014.00	SY	1027.33	5517.55	6544.88	65%	\$ 5.00	\$ 32,724.40
17. REMOVE & DISPOSE OF CONCRETE PAVEMENT, (ALL THICKNESS)	220.00	SY			0.00	0%	\$ 10.00	\$ -
18. REMOVE & DISPOSE OF CONCRETE DRIVEWAYS & SIDEWALKS (ALL THK.)	1896.00	SY		664.24	664.24	35%	\$ 7.00	\$ 4,649.68
19. ABANDON MANHOLES, ALL SIZES & DEPTHS	7.00	EA		4.00	4.00	57%	\$ 1,250.00	\$ 5,000.00
20. ABANDON & GROUT FILL 10" DIA. SANITARY SEWER	1720.00	LF		753.00	753.00	44%	\$ 7.00	\$ 5,271.00
21. TRENCH SAFETY SYSTEM (5' TO 10')	5822.00	LF	856.00	2718.00	3574.00	61%	\$ 1.00	\$ 3,574.00
PAVING ITEMS								
22. STORAGE & RELOCATION OF PERMANENT SIGNS (SIGNS, POLES, ANCHORS AND HARDWARE PROVIDED BY CONTRACTOR	6.00	EA		4.00	4.00	67%	\$ 400.00	\$ 1,600.00
23. ROADWAY EXCAVATION WITH OR WITHOUT BASE INCLUDING LEGAL DISPOSAL & TRANSPORT OF WASTE MATERIAL [5]	7411.00	CY	846.00	4354.41	5200.41	70%	\$ 15.00	\$ 78,006.15
24. LIME (6% BY DRY WEIGHT)	255.00	TON	30.73	111.57	142.30	56%	\$ 195.00	\$ 27,748.50
25. LIME TREATED SUBGRADE (8")	11770.00	SY	1909.46	6709.56	8619.02	73%	\$ 4.00	\$ 34,476.08
26. REINFORCED CONCRETE PAVEMENT (6")	10961.00	SY	2034.00	4902.06	6936.06	63%	\$ 57.00	\$ 395,355.42
27. HIGH EARLY STRENGTH REINFORCED CONCRETE PAVEMENT (6")	199.00	SY			0.00	0%	\$ 65.00	\$ -
28. FULL DEPTH SAW CUT	140.00	LF			0.00	0%	\$ 14.00	\$ -
29. REINFORCED CONCRETE DRIVEWAY PAVEMENT (6")	14578.00	SF		6369.82	6369.82	44%	\$ 8.00	\$ 50,958.56
30. RAISED REFLECTIVE PAVEMENT MARKERS (DOUBLE-SIDED)(TY II-C-R) (BLUE) AT FIRE HYDRANT LOCATIONS	6.00	EA			0.00	0%	\$ 50.00	\$ -
31. THERMOPLASTIC PAVEMENT MARKINGS (24" WIDE, TYPE I, SOLID, WHITE)	68.00	LF			0.00	0%	\$ 25.00	\$ -

DESCRIPTION	QUANTITY	UNIT	THIS ESTIMATE	PREVIOUS ESTIMATE	WORK TO DATE	%	UNIT PRICE	WORK TO DATE
32. CONCRETE CURB (6")	5818.00	LF	1400.00	2512.00	3912.00	67%	\$ 3.00	\$ 11,736.00
33. CONCRETE PAVING HEADER	140.00	LF		28.50	28.50	20%	\$ 12.00	\$ 342.00
34. REINFORCED CONCRETE SIDEWALK (4-1/2") [5] [7]	175.00	SF	90.00	85.00	175.00	100%	\$ 12.00	\$ 2,100.00
35. PIPE BOLLARD	20.00	EA			0.00	0%	\$ 400.00	\$ -
STORM SEWER ITEMS								
36. TYPE C MANHOLE FOR 42" DIAMETER AND SMALLER SEWERS	23.00	EA		16.00	16.00	70%	\$ 3,550.00	\$ 56,800.00
37. TYPE C CONFLICT MANHOLE FOR 42" DIAMETER AND SMALLER SEWERS	1.00	EA		1.00	1.00	100%	\$ 5,800.00	\$ 5,800.00
38. 24" DIA. RCP STORM SEWER BY OPEN CUT	1796.00	LF	25.00	1459.00	1484.00	83%	\$ 120.00	\$ 178,080.00
39. 30" DIA. RCP STORM SEWER BY OPEN CUT [WCD]	306.00	LF		306.00	306.00	100%	\$ 150.00	\$ 45,900.00
40. 36" DIA. RCP STORM SEWER BY OPEN CUT [4]	184.00	LF		184.00	184.00	100%	\$ 170.00	\$ 31,280.00
41. YARD DRAINAGE REPAIR, INCL. SCH. 40 PVC, CURB DRAINAGE OUTLET AND CURB REPAIR [7]	54.00	EA	26.00	28.00	54.00	100%	\$ 500.00	\$ 27,000.00
42. REPAIR STORM INLET SIDE WALL	6.00	EA		2.00	2.00	33%	\$ 1,200.00	\$ 2,400.00
43. TYPE B-B INLET	27.00	EA	2.00	17.00	19.00	70%	\$ 3,450.00	\$ 65,550.00
WASTEWATER ITEMS								
44. ADJUST MANHOLE TO FINISHED GRADE	4.00	EA		3.00	3.00	75%	\$ 1,000.00	\$ 3,000.00
45. TYPE C MANHOLE FOR 42" DIAMETER AND SMALLER SEWERS	11.00	EA	4.00	6.00	10.00	91%	\$ 3,250.00	\$ 32,500.00
46. TYPE C ECCENTRIC MANHOLE TOP	1.00	EA			0.00	0%	\$ 1,850.00	\$ -
47. 10" DIAMETER SANITARY SEWER BY OPEN CUT (PVC) [3] [7]	1660.00	LF	831.00	809.00	1640.00	99%	\$ 130.00	\$ 213,200.00
48. SANITARY SEWER SERVICE STUB OR RECONNECTION WITHOUT STACK	51.00	EA	6.00	37.00	43.00	84%	\$ 1,000.00	\$ 43,000.00

DESCRIPTION	QUANTITY	UNIT	THIS ESTIMATE	PREVIOUS ESTIMATE	WORK TO DATE	%	UNIT PRICE	WORK TO DATE
49. 6" DIAMETER SANITARY SEWER SERVICE LINES	1049.00	LF	6.00	1043.00	1049.00	100%	\$ 22.50	\$ 23,602.50
WATER ITEMS								
50. 8" DIAMETER WATER LINE BY OPEN-CUT WITH RESTRAINED JOINTS	2099.00	LF		2059.00	2059.00	98%	\$ 88.00	\$ 181,192.00
51. 6" DIAMETER WATER LINE BY OPEN-CUT WITH RESTRAINED JOINTS	153.00	LF		153.00	153.00	100%	\$ 70.00	\$ 10,710.00
52. 8" DIAMETER WATER LINE BY TRENCH-LESS CONSTRUCTION WITH RESTRAINED JOINTS	674.00	LF		659.00	659.00	98%	\$ 88.00	\$ 57,992.00
53. 3/4" TO 1" DIAMETER WATER TAPS AND COPPER SERVICE LINE, SHORT SIDE	49.00	EA		49.00	49.00	100%	\$ 950.00	\$ 46,550.00
54. 1-1/2" TO 2" DIAMETER WATER TAPS AND COPPER SERVICE LINE WITH 1" WYE LONG SIDE	24.00	EA		24.00	24.00	100%	\$ 2,500.00	\$ 60,000.00
55. 1" DOUBLE METER BOX	51.00	EA		51.00	51.00	100%	\$ 300.00	\$ 15,300.00
56. 8" DIAMETER WET CONNECTION [4]	4.00	EA		4.00	4.00	100%	\$ 4,400.00	\$ 17,600.00
57. CUT, PLUG AND ABANDON EXISTING 6" DIAMETER WATER LINE	1.00	EA		1.00	1.00	100%	\$ 1,200.00	\$ 1,200.00
58. CUT, PLIG AND ABANDON EXISTING 8" WATER LINE	3.00	EA		3.00	3.00	100%	\$ 1,250.00	\$ 3,750.00
59. 6" DIAMETER FIRE HYDRANT BRANCH BY OPEN-CUT	35.00	LF		35.00	35.00	100%	\$ 55.00	\$ 1,925.00
60. REMOVE & SALVAGE EXISTING FIRE HYDRANT	3.00	EA		3.00	3.00	100%	\$ 500.00	\$ 1,500.00
61. FIRE HYDRANT ASSEMBLY, ALL DEPTHS, INCLUDING 6" DIA. GATE VALVE AND BOX	5.00	EA		5.00	5.00	100%	\$ 6,250.00	\$ 31,250.00
62. FIRE HYDRANY ASSEMBLY, BACK-TAP WITH 8"X 6" TS&V	1.00	EA		1.00	1.00	100%	\$ 15,500.00	\$ 15,500.00
63. STORZ PUMPER CONNECTION (FURNISH ONLY)	6.00	EA		6.00	6.00	100%	\$ 450.00	\$ 2,700.00
64. 2" DIA. BLOW-OFF VALVE W/ BOX	1.00	EA		1.00	1.00	100%	\$ 2,700.00	\$ 2,700.00

DESCRIPTION	QUANTITY	UNIT	THIS ESTIMATE	PREVIOUS ESTIMATE	WORK TO DATE	%	UNIT PRICE	WORK TO DATE
65. 8"X 8" TS&V [5]	2.00	EA		2.00	2.00	100%	\$ 11,000.00	\$ 22,000.00
SWPPP								
66. IMPLEMENTATION OF SWPPP INCLUDING MAINTENANCE, PERMITTING, INSPECTIONS, AND REPORTING FOR ALL POLLUTION PREVENTION MEASURES AS SHOWN ON THE PLANS, COPY OF NOI, CERTIFICATE OF MAILING AND PROOF OF PAYMENT	1.00	LS		0.87	0.87	87%	\$ 2,500.00	\$ 2,175.00
67. INLET PROTECTION BARRIER (STG.I)	29.00	EA	6.00	14.00	20.00	69%	\$ 75.00	\$ 1,500.00
68. INLET PROTECTION BARRIER (STG.II)	30.00	EA	6.00	13.00	19.00	63%	\$ 75.00	\$ 1,425.00
69. REINFORCED FILTER FABRIC BARRIER [3]	337.00	LF		96.00	96.00	28%	\$ 1.50	\$ 144.00
70. SODDING DISTURBED AREAS BETWEEN BACK OF CURB AND ROW (ST. AUGUSTINE OR ZOYSIA - VARIOUS WIDTHS)	15463.00	SY		3300.00	3300.00	21%	\$ 5.00	\$ 16,500.00
STREET LIGHT ITEM								
71. STREET LIGHT CONDUIT, INCLUDING INSTALLATION OF PULL BOXES AND WARNING TAPE. PULL BOXES AND WARNING TAPE TO BE FURNISHED BY CENTERPOINT ENERGY	2693.00	LF			0.00	0%	\$ 18.00	\$ -
IRRIGATION SYSTEMS								
72. FURNISH & INSTALL AN AUTOMATICALLY CONTROLLED IRRIGATION SYSTEM INCL. PIPING, VALVES, SPRINKLERS, ACCESSORIES CONTROLS, AND WIRING ADJACENT TO TRAWEEK DRIVE AND LARIAT DRIVE PER IRRIGATION PLAN	1.00	LS			0.00	0%	\$ 22,000.00	\$ -
73. RELOCATE, REPLACE AND REPAIR PRIVATE IRRIGATION SYSTEMS LOCATED WITHIN THE ROW FOR EACH PARCEL DISTURBED	53.00	EA		43.00	43.00	81%	\$ 500.00	\$ 21,500.00
CASH ALLOWANCE								
74. FURNISH CONSTRUCTION MATERIALS TESTING IN ACCORD. WITH PLANS AND SPECS. [1] [5]	1.00	CA	0.1319	0.7149	0.8468	85%	\$ 56,002.50	\$ 47,418.00

DESCRIPTION	QUANTITY	UNIT	THIS ESTIMATE	PREVIOUS ESTIMATE	WORK TO DATE	%	UNIT PRICE	WORK TO DATE
75. CENTERPOINT STREET LIGHT ALLOWANCE STREET LIGHT AND POLE ASSEMBLY	1.00	CA			0.00	0%	\$ 50,000.00	\$ -
CHANGE ORDERS AND WCDS								
CO 2 - LOWER FIRE LINE TO HYDRANT ON LARIAT DUE TO STM. SWR. CONFLICT	1.00	LS		1.00	1.00	100%	\$ 8,953.04	\$ 8,953.04
CO 2 - RELOCATE FIRE HYDRANT TO PROPERTY LINE AT 1102 LONE STAR	1.00	LS		1.00	1.00	100%	\$ 2,300.00	\$ 2,300.00
CO 5 - MODIFIED TYPE A INLETS AT WEST END OF WEST TEX DRIVE	2.00	EA		2.00	2.00	100%	\$ 3,034.85	\$ 6,069.70
CO 7 - 16" WATER LINE OFFSET (RFP 5)	1.00	LS			0.00	0%	\$ 25,885.10	\$ -
CO 7 - 8" WATER LINE OFFSET (RFP 6)	1.00	LS			0.00	0%	\$ 15,471.09	\$ -
TOTAL WORK TO DATE								\$ 2,238,098.53

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

MEETING DATE: January 25, 2022

TOPIC: Resolution No. 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A TECHNOLOGY SUPPORT AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE AND BEMA INFORMATION TECHNOLOGIES, LLC; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY OF SPRING VALLEY VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

BACKGROUND: On February 15, 2017, as part of the City Hall/Police Building construction project, the City entered into a Technology Support Agreement with BEMA Information Technologies, LLC ("BEMA") for providing ongoing information technology services to the City. The term of the original Agreement was one year with automatic one year renewals unless either party notified the other of intent to terminate the Agreement.

BEMA has submitted a new Technology Support Agreement that provides for the same system administration and IT infrastructure support services currently being provided to the City with a small cost-of-living increase of \$630.00 per month for the support services (an additional \$7,560 per year). Additionally, there are small increases in the hourly rate for additional work during business hours outside of the regular scope of support and for after-hours work.

Services	Original Fees	New Fees
Main Ongoing System Administration & IT Support Services	\$10,970/month	\$11,600/month
Additional Work During Business Hours and Outside Scope of Ongoing Support	\$135/hour	\$140/hour
After-Hours Work	\$185/hour	\$195/hour

While the costs associated with the new Technology Support Agreement have not been included in the FY 2022 Budget, the minimal increase can easily be covered in the approved FY 2022 Budget. If approved, the new Technology Support Agreement would become effective as of January 1, 2022.

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

Over the last 4½ years, BEMA has provided quality IT support to the City, has worked with City Staff to improve security for the City's IT systems, and also assisted with the development of the Information Systems Acceptable Use Policy approved by the Council in June of 2021. We have had a good working relationship, and I recommend approval of the new Technology Support Agreement.

RECOMMENDATION: Staff recommends approval of the Resolution.

ATTACHMENTS: • Resolution No. 22-XX

FUNDING ISSUES:

- ☐ Not applicable – no dollars are being spent or received.
- ☐ Full amount budgeted in the 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# _____
 - ☒ \$5,670_ from unassigned fund balance will be used and added to Acct/Project# _xx-xx-5600_
 - ☐ \$ _____ will be added to Revenue Acct# ____-____ and \$ _____ added to Expenditure Acct/Project# _____

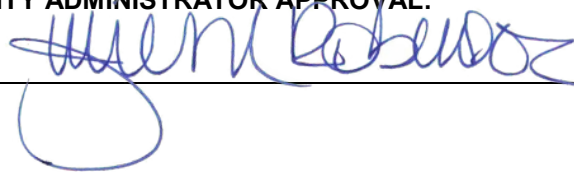
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Julie M. Robinson, City Administrator

CITY ADMINISTRATOR APPROVAL:



RESOLUTION NUMBER 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A TECHNOLOGY SUPPORT AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE AND BEMA INFORMATION TECHNOLOGIES, LLC; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY OF SPRING VALLEY VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Technology Support Agreement by and between the City of Spring Valley Village, Texas, and BEMA Information Technologies, LLC (hereinafter called "Agreement"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

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

NOW, THEREFORE,

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

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

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

Section 3. The Mayor is hereby authorized to execute the Agreement for and on behalf of the City.

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

DULY PASSED AND APPROVED on this the ____ day of _____, 2022.

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 22-XX

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

RE: Technology Support Agreement

Julie,

BEMA strives to continuously improve our service and security for our clients by investing in the best tools and services available. We continue to increase security and to broaden our proactive Remote Monitoring & Management capabilities. We have also increased our Service Desk staff to further improve our responsiveness to quick and critical issues. In order for us to attract and retain top IT talent, **BEMA** must continue to provide competitive compensation packages to our personnel. We believe we have the right amount support time for your IT environment but are requesting a small cost of living increase in our support agreement. I am providing for your review this agreement between **BEMA Information Technologies LLC** ("**BEMA**") and **City of Spring Valley Village** ("**COSVV**") to take effect **January 1, 2022**. Below, I have outlined the benefits, costs and deliverables for the System Administration and IT Infrastructure Support Services.

System Administration and IT Infrastructure Support Services

We are providing pricing for services for 1 dedicated support team member, **3 days per week**, to provide onsite support to **COSVV**. When additional time is needed beyond the regularly scheduled onsite visit and is scheduled ahead of time during normal business hours (8 AM to 5 PM), our hourly bill rate will be discounted to **\$140/hour** since you are an ongoing support client. Emergency work outside of the scope of a server or machine **that is covered under a manufacturer's warranty** being down (which is covered under the support agreement) as well as work performed after 5 PM and before 8 AM will be billed at the discounted rate of **\$195/hour**. Due to fuel costs and travel time, all additionally scheduled hours require a two-hour minimum per trip.

You will be assigned an Account Manager, Primary IT Consultant as well as a Backup IT Consultant. We desire to have several IT consultants who know you and your environment at all times. In addition to the designated support person, **BEMA** has a **Local Service Desk** for remote support to assist in resolving **quick and critical** issues. Our Service Desk technicians will resolve basic needs through tickets entered via our web-based tracking tool. **BEMA's** Network Operations Center (NOC) proactively monitors your network and alerts our team to critical items in your IT environment that need to be addressed. During the week of Thanksgiving and Christmas each year, **BEMA will not have IT personnel onsite** however support will be performed remotely through our service desk.

BEMA's support services are designed to be comprehensive. As priced, our service offering includes system maintenance tasks such as patching, security monitoring, and backup checks. Not included in this agreement are specialized, wholesale redesigns of or major changes to the network and its location or configuring new or existing hardware. These tasks will be treated as separate projects. Under our arrangement, **BEMA** will provide IT support on the following hardware and software platforms as well as perform the listed services as applicable:

HARDWARE SUPPORTED

(under manufacturer's warranty)

- Servers
- Desktops and/or laptops in the business environment
- Firewalls
- Switches
- Backup Devices
- UPS Devices
- Wireless Devices

SOFTWARE SUPPORTED

- Microsoft (during their support lifecycles)
 - Windows Server
 - Microsoft Windows
 - Microsoft Office
 - Exchange, SQL Server, etc.
- Apple (during their support lifecycles)
 - Mac OS X and MacOS
- **BEMA** will help with software vendors that you have under a support contract

SERVICES

- Technology management & planning
- Desktop configuration, monitoring & management
- Firewall & VPN management
- Data protection & backups
- Server configuration, monitoring & management
- Help Desk support
- Email configuration & maintenance

BEMA will provide the following support functions:

- Support for hardware, software, and associated system services defined above.
- A **BEMA** IT consultant will be onsite during regular business hours on a specified, fixed day each period of time. If additional support is required, we can arrange such service separately, as your needs require.
- **BEMA** will institute a process whereby incremental daily backups of the servers and the database contents are performed by **COSVV**.
- **BEMA** will make every attempt to make-up time for holidays but cannot guarantee this will be done or guarantee it will be done in any certain timeframe.

During the term of this agreement and for 12 months after termination of this agreement, **COSVV** agrees to not offer employment opportunities to existing or former **BEMA** personnel. **BEMA** personnel have contractually agreed to not engage in any business activities with **BEMA** clients for their own personal gain which are the same or similar to those being conducted by **BEMA**.

BEMA acts solely as a provider or "reseller" of certain third-party services, products or solutions and the sole remedy for any malfunction, defect or claim is directly with the third-party provider. **BEMA** shall not be liable for any consequential, special or indirect damages or loss sustained by **COSVV** whether as a result of service outages, data corruption, or any other circumstances. **BEMA** will seek to minimize service interruptions by planning in advance when possible so that the technology environment remains operational and reliable.

Summary of Financial Terms

Services	Fees
System Administration and Network Support Services	\$11,600 per month
Additional work performed during business hours	\$140/hour as needed
Emergency work outside the scope of this support agreement	\$195/hour as needed

Payment Terms

Payment for the initial month of services shall be payable on the date of commencement of services. Thereafter, **BEMA** will submit an invoice on the fifteenth of each month setting forth **BEMA's** charges for services to be performed during the following month. Each invoice will include accumulated reimbursable expenses, if any, incurred by **BEMA** during the previous month. **COSVV** shall make payment to **BEMA** within fifteen (15) days after receipt of each invoice.

Term of Agreement

The term of this agreement is for **twelve (12) months** beginning at the commencement of support services. Pricing during this agreement is subject to adjustments regarding the number of users or devices being supported, amount of Service Desk time being utilized, as well as cost of living increases. If fee adjustments are necessary, **BEMA** will provide at least a thirty (30) day written notification. This agreement shall renew automatically for successive twelve (12) month periods subject to the aforementioned adjustments and shall continue in effect unless (1) either party expresses its desire not to renew the contract by providing **sixty (60) days** prior written notice to the other party, or (2) if the parties otherwise agree in writing to amend the length or terms of the agreement. Notwithstanding the foregoing, for material breach of this Agreement, either party may terminate this Agreement without notice.

Conclusion

We appreciate the ongoing opportunity to work with you and look forward to providing **COSVV** with the highest quality technology services on into the future.

Sincerely,

Doug Reed
Vice-President & COO
BEMA INFORMATION TECHNOLOGIES LLC
Celebrating 20 years of service

AGREED and ACCEPTED on this _____ day of _____, 2021

CITY OF SPRING VALLEY VILLAGE

By: _____
Julie Robinson
City Administrator



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

MEETING DATE: January 25, 2022

TOPIC: Resolution No. 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND W.W. PAYTON CORPORATION FOR THE GROUND STORAGE TANK #2 REPLACEMENT 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 (Bid #2021-005-101) with W.W. Payton Corporation for the Ground Storage Tank #2 Replacement Project on July 27, 2021.

The contract provides for the removal and replacement of the existing tank foundation at an original unit cost for replacement of the existing tank foundation of \$50,000.00. However, upon inspection, it was determined that the existing tank foundation is appropriately constructed and in good condition thereby allowing it to be reused as the foundation for the new ground storage tank. Consequently, there would be a \$50,000.00 savings to the contract. However, project engineer Travis Sellers with IDS Engineering Group recommended that the welds on the newly erected tank undergo x-ray inspection at a cost of \$1,600.00 to be funded out the cost savings from the existing tank foundation. This work was authorized to ensure maximum quality construction on the new tank.

This Resolution would approve Change Order Number 1 to reflect the change to the contract scope of work for the x-ray inspection and funding for this work out of the cost savings from the use of the existing tank foundation. Change Order Number 1 intentionally does not reflect a reduction in the total contract price of \$48,400.00 in order to hold this amount in contingency in case there are any other unforeseen costs on the Project. A final true-up Change Order will be presented to the Council at the end of the Project.

RECOMMENDATION: Travis Sellers, P.E. and Jackson Greer, P.E. with IDS Engineering Group and City staff recommend approval of the Resolution.

ATTACHMENTS: • Resolution No. 22-XX

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

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

	☐ 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# _____
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FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Arthur Faiello, Director of Public Works

CITY ADMINISTRATOR APPROVAL:



RESOLUTION NUMBER 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND W.W. PAYTON CORPORATION FOR THE GROUND STORAGE TANK #2 REPLACEMENT 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 1 to the Agreement by and between the City of Spring Valley Village, Texas and W.W Payton Corporation for the Ground Storage Tank #2 Replacement Project ("Change Order Number 1"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

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

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

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

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

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

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

DULY PASSED AND APPROVED on this the ____ day of _____, 2022.

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 22-XX

**CONTRACT CHANGE ORDER**

Project: Replacement of Ground Storage Tank

Date: 12/20/2021

Change Order No.: 1

Project No.: 2316-002-00

Contract No.: 1

Owner: City of Spring Valley Village

Contractor: W.W. Payton Corporation

Notice to Proceed	10/4/2021	REVISED CONTRACT AMOUNT	
Duration	270	Original Contract Amount:	\$675,000.00
Completion Date	7/1/2022	Previous Contract Amount:	\$675,000.00
Time previously added via Pay Estimates	1/0/1900	Amount This Change Order:	\$0.00
Time added by Change Order	0	Revised Contract Amount:	\$675,000.00
Revised Completion Date	7/1/2022		

1. GENERAL STATEMENT OF CHANGE:

This order covers the contract modification as follows:
See attachment.

2. TIME: None

The work covered by this change order shall be performed under the same terms and conditions as included in the original construction contract.

Changes Approved:

Changes Recommended:

City of Spring Valley Village

Owner

By:

(Date)

IDS Engineering Group

Engineer

By:

12/22/2021

(Date)

W.W. Payton Corporation

Contractor

By:

(Date)

CONTRACT CHANGE ORDER

Project: Replacement of Ground Storage Tank

Date: 12/20/2021

Change Order No.: 1

Project No.: 2316-002-00

Contract No.: 1

Owner: City of Spring Valley Village

Contractor: W.W. Payton Corporation

ADDITIONAL ITEMS

3. CONTRACT DRAWING REVISIONS:

None

4. CONTRACT DOCUMENTS REVISIONS:

None

5. CONTRACT PRICE REVISIONS:

Revise the quantity of the following Bid Items, which is part of the Contract:

Bid Item No. 5: Remove and Replace Existing Tank Foundation at direction of the Engineer, as shown in Plans and Specifications, Complete in Place:

<u>Proposed Quantity</u>	<u>Unit</u>	<u>Original Unit Price</u>	<u>Original Total Cost</u>	<u>Revised Quantity</u>	<u>Revised Total Cost</u>	<u>Deduct Cost</u>
1.0	L.S.	\$50,000.00	\$50,000.00	1.0	\$48,400.00	(\$1,600.00)

Add the following items:

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Description</u>	<u>Add Cost</u>
CO1A	1	L.S.	\$1,600.00	Coordination for X-Rays of Newly Erected GST as directed by the Engineer, Complete in Place:	\$1,600.00

TOTAL AMOUNT OF CHANGE ORDER NO. 1**\$0.00**

X:\2300\231600200 Spring Valley - GST Rehab Replace\CPS\100 Chg Ord\Change Order No. 1\Change Order No. 1



CHANGE ORDER REQUEST

TBI JOB #2111
CHANGE ORDER #001
CLIENT SPRING VALLEY VILLAGE
ENGINEER IDS ENGINEERING GROUP
LOCATION HOUSTON, TX

☒ REQUEST GENERATED BY: INSPECTOR, ENGINEER, & OWNER
☐ DESIGN DEVELOPMENT ADDITIONAL WORK DUE TO DESIGN CHANGE
☐ SCOPE CHANGE CHANGES DUE TO CHANGE IN SITE CONDITIONS

DESCRIPTION OF CHANGE:

X-RAYS ARE TO BE PERFORMED BY THIRD PARTY INSPECTION COMPANY, SCHEDULED & PAID FOR BY TBI.

PRICE ADJUSTMENT:

- TBI will hire, schedule, and pay for X-rays to be shot on the newly erected GST as directed by IDS (Nine (9) Shots Total), for an additional \$1,600.00

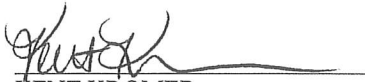
TOTAL CO #1 REQUEST - \$1,600.00

SCHEDULE IMPACT:

NA (X-RAYS WILL BE SHOT THE WEEK OF 12/13/21 – EXACT DATE TO BE CONFIRMED NEXT WEEK)

ADDITIONAL CLARIFICATION:

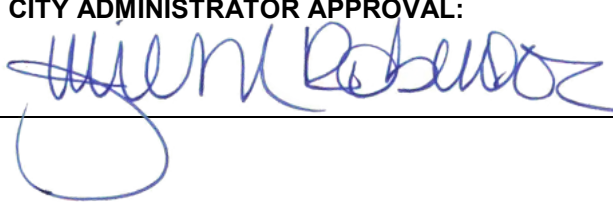
N/A


KENT KROMER
PRESIDENT
TANK BUILDERS, INC.

DATE: 12/10/21

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

MEETING DATE: January 25, 2022

TOPIC:	Resolution Number 22-XX A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 4 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND W.W. PAYTON CORPORATION FOR THE NEW PRODUCTION WELL PROJECT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.
BACKGROUND:	Change Order Number 4 is a time extension request only and is for inclement weather delays experienced by W.W. Payton Corporation while performing work on the New Production Well project during the months of May and June 2021. This Change Order was submitted in August of 2021 around the time that previous Public Works Director Pat Riley was leaving the City, and it was inadvertently not finalized. Consequently, this is an administrative cleanup item. City Administrator Julie Robinson approved Change Order 4 on January 12, 2022, and this Resolution would ratify Ms. Robinson's execution of Change Order 4.
RECOMMENDATION:	Staff and WSP recommend approval of this Resolution.
ATTACHMENTS:	• Resolution Number 22-XX
FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, this will be funded from CO Bond 2019 ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from CO Bond 2019 will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING: 	
SUBMITTING STAFF MEMBER: Arthur Faiello, Director of Public Works	CITY ADMINISTRATOR APPROVAL: 

RESOLUTION NUMBER 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 4 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND W.W. PAYTON CORPORATION, FOR THE NEW PRODUCTION WELL PROJECT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 12, 2022, the City Administrator executed Change Order Number 4 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 4"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, on behalf of the City of Spring Valley Village; and

WHEREAS, upon review and consideration of all matters attendant and related thereto, the City Council hereby finds and determines that: (1) it is in the best interests of the City of Spring Valley Village and its citizens to execute Change Order Number 4; and (2) that the actions of the City Administrator in executing Change Order Number 4 should be ratified in all respects.

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

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

Section 2. The actions of the City Administrator taken for and on behalf of the City in executing Change Order Number 4 on behalf of the City of Spring Valley Village are ratified in all respects.

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

DULY PASSED AND APPROVED on this the ____ day of _____, 2022.

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 22-XX



August 20, 2021

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. 4
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 August 16, 2021.
2. City of Spring Valley Village – Change Order No. 4 – Change in Contractor’s Contract Time Extension – Inclement Weather, May & June 2021.

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) 668-3532.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Peter S. Lyman'.

Peter S. Lyman, P.E.
Environmental Engineer

cc: Pat Riley (City of Spring Valley Village)
Matthew Hitt (City of Spring Valley Village)

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

August 16, 2021

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

Atten: Mr. Peter Lyman P.E.

Ref: City of Spring Valley Village
New Production Well
TWDB SWIFT Project No. 51056
Payton Job No. 684
City Project # 2019-01-01B
Subj: Change Order #4 - Request for Time Extension

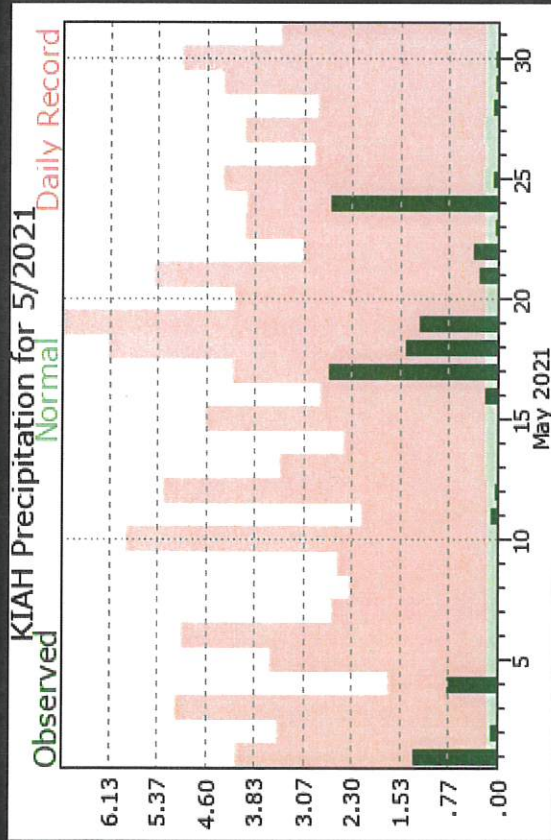
The following is a summary of additional days:

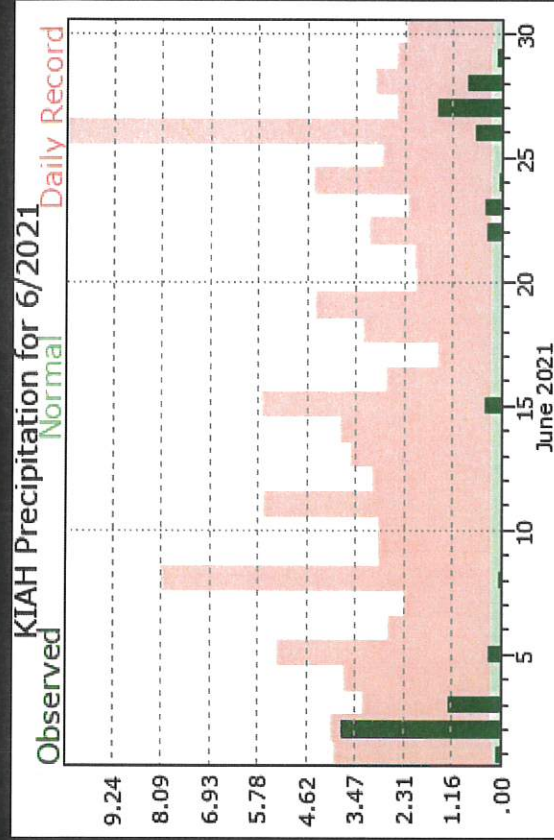
We are requesting 19 Calendar days that were lost during the months of May & June due to rain and the resulting poor site conditions.

This Request does not include an increase in the total price of the contract.

Sincerely,


Kimberly Campbell





CHANGE ORDER / C.O. No. 4PROJECT: Spring Valley Village New Production WellTWDB SWIFT No.: 51056 PROJECT No.: 2019-01-01BTO: W. W. Payton CorporationContractor and P. O. Box 1056 – Katy, TX 77492Address for Written Notice 30655 FM 529 Brookshire, TX 77423

1.01 DESCRIPTION OF CHANGES – CHANGE ORDER NO. 4

CONTRACT CHANGE

ITEM 1 PROJECT Change in Contractor's Contract TimeAMOUNTTIME

\$0.00

19 Days

COSTS & Extension – Inclement Weather, May & June**SCOPE:** 2021

JUSTIFICATION: W.W. Payton is requesting 19 Calendar Days that were lost during the months of May & June 2021 due to rain resulting in poor site conditions.

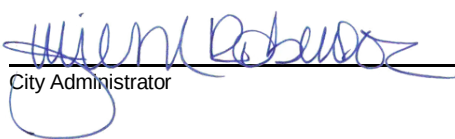
TOTALS:\$0.0019 Days

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

01-12-2022

Date_____
City Secretary_____
Date

END OF DOCUMENT

CHANGE ORDER / C.O. No. 4PROJECT: Spring Valley Village New Production WellTWDB SWIFT No.: 51056 PROJECT No.: 2019-01-01B**SUMMARY**C.O. No. 4 TWDB SWIFT No.: 51056 Proj. No.: 2019-01-01B

1.01	CONTRACT PRICE SUMMARY	DOLLAR AMOUNT	PERCENT
A.	Original Contract Price	\$3,150,000.00	100.00%
B.	Previous Change Orders	\$74,000.00	2.35%
C.	This Change Order	\$0.00	0.00%
D.	Contract Price	\$3,224,000.00	102.35%

Date of Commencement of the Work: Thursday, May 23, 2019

1.02	CONTRACT TIME SUMMARY	DURATION	COMPLETION DATE
A.	Original Contract Time	400 Days	Thursday, June 25, 2020
B.	Previous Change Orders	379 Days	Friday, July 9, 2021
C.	This Change Order	19 Days	
D.	Contract Time	798 Days	Wednesday, July 28, 2021

- 1.03 TOTAL VALUE OF INCREASES OUTSIDE OF GENERAL SCOPE OF WORK
 A. Including this Change Order, the following table is provided to track conditions related to Article 10 of Document 00700 - General Conditions.

CHANGE ORDER No.	AMOUNT ADDED	PERCENT OF ORIGINAL CONTRACT PRICE
1	\$74,000.00	2.35%
TOTALS	\$74,000.00	2.35%

1.04 SCOPE OF WORK

A. W.W. Payton is requesting 19 calendar days that were lost during the months of May and June 2021 due to rain resulting in poor site conditions.

There is no change in construction contract price related to this Change Order.

END OF SUMMARY

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

MEETING DATE: January 25, 2022

TOPIC:	Resolution No. 22-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 W.W. PAYTON CORPORATION FOR THE NEW PRODUCTION WELL 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.
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BACKGROUND:	The City of Spring Valley Village entered into a contract (Bid #2019-01-01B) with W.W. Payton Corporation for the New Production Well Project on March 26, 2019. This is Change Order #5 and is the final change order request to close out this project. Change Order #5 is for two additional areas of the project: An additional 6,150 square feet of asphalt paving was installed due to a discrepancy between the bid form and the plans and extra paving quantities requested by the City to properly complete the project. The bid form called for 7,850 square feet of paving and the actual amount installed was 14,000 square feet. These extra quantities of paving resulted in a net increase of \$55,350.00 to the contract price. Additional disinfection equipment was requested by the City to ensure proper operation of the drinking water disinfection system, which included the installation of recirculation pumps and additional groundwater chlorination equipment. This additional equipment resulted in a net increase of \$5,000.00 to the contract price. The total increase to the contract price with Change Order #5 is \$60,350.00. At this time, City staff proposes to fund this additional cost by adding it to the loan amount from the General Fund to the Utility Fund for this project until the end of Fiscal Year 2022. In the event that there are sufficient reserves in the Utility Fund at the end of the fiscal year, then the entire amount will be repaid to the General Fund in addition to the annual loan
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ACTIONS TAKEN

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

	payment. In the event that there are not sufficient reserves in the Utility Fund, then the full amount would be added to the loan and repaid through the annual loan payments.
RECOMMENDATION:	Project Engineer Peter Lyman, P.E. with WSP USA and City staff recommend approval of the Resolution.
ATTACHMENTS:	Resolution No. 22-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# _____ ☒ \$_60,350_ from General Fund unassigned fund balance will be used and added to Acct/Project# _20-60-7401_ ☐ \$ _____ will be added to Revenue Acct# __-__ and \$ _____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING:	
	
SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Arthur Faiello, Director of Public Works	

ACTIONS TAKEN		
APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER

RESOLUTION NUMBER 22-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 W.W. PAYTON CORPORATION FOR THE NEW PRODUCTION WELL 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 5 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 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 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 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 _____, 2022.

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 22-XX



January 12, 2022

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

**RE: Change Order No. 5
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 Change Order for City Project No. 2019-01-01B (Payton Job No. 684), Date December 20, 2021.
2. City of Spring Valley Village – Change Order No. 5 – Change in Contractor’s Contract Cost – Water Plant Asphalt Installation & Disinfection Equipment.

WSP USA has reviewed this change order and recommends approval for the project contract cost.

We appreciate the opportunity to be of service. If you have any questions or require additional information, please contact us at (281) 668-3532.

Kind regards,

Peter S. Lyman, P.E.
Environmental Engineer

cc: Arthur Faiello (City of Spring Valley Village)
Matthew Hitt (City of Spring Valley Village)

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

Date: December 20, 2021
R.F.C.O

REQUEST FOR CHANGE ORDER

City of Spring Valley Village
New Production Water Well

Asphalt Paving

Due to a discrepancy between the bid form and the plans as well as extra paving approved by Pat Riley we are requesting a change order for an extra 6,150 sf. of asphalt paving. The bid form called for 7,850 sf. of paving and the actual amount installed was 14,000 sq. ft. This extra paving will result in an increase of \$55,350.00 to our contract price.

Additional Disinfection Equipment

As requested by Pat Riley, installation of recirculation pumps and additional groundwater chlorination equipment for proper operation of the chemical system will result in an increase of \$5,000.00 to our contract price.

Thanks!



Chad Payton
W. W. Payton Corporation

CHANGE ORDER / C.O. No. 5PROJECT: Spring Valley Village New Production WellTWDB SWIFT No.: 51056PROJECT No.: 2019-01-01BTO: W. W. Payton CorporationContractor and P. O. Box 1056 – Katy, TX 77492Address for Written Notice 30655 FM 529 Brookshire, TX 77423

1.01 DESCRIPTION OF CHANGES – CHANGE ORDER NO. 5

CONTRACT CHANGE

AMOUNT

TIME

ITEM 1 PROJECT Change in Contractor's Contract Cost – Water

\$60,350.00

0 Days

COSTS & Plant Asphalt Installation & Disinfection**SCOPE:** Equipment

JUSTIFICATION: The City requested the Contractor install additional asphalt paving at the water plant. The original bid form quantity was 7,850 sq. ft. The request required an additional 6,150 sq. ft. The additional paving results in a cost increase of \$55,350.00 using the original bid unit price.

The City also requested installation of new recirculation pumps and additional groundwater chlorination equipment for desired operating conditions. The cost increase for installation of disinfection equipment is \$5,000.00.

This change order serves to acknowledge that the City requested to rename Bid Item No. 5 from "Turn discharge head of existing pump at Well 1, demolish existing pump foundation and construct new concrete pump foundation" to "Turn Well 2 pump 90 degrees and installed additional yard piping in lieu of the original item." There was no additional cost to the City for this change in scope of work.

This change order serves to acknowledge that the City requested original three Bid Item Nos. 14 – 16 to be combined into one Bid Item No. 14 – 16 pertaining to "add gate operator including electrical to existing front sliding gate in lieu of original bid items 14, 15 & 16". There was no additional cost to the City for this change in scope of work.

TOTALS: \$60,350.000 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.

 - Bid Coordinator
Contractor Signature and Title

1-13-2022
Date

1.03 ACCEPTANCE BY THE CITY

 1-13-2022
Public Works Director Date

Mayor Date

City Administrator Date

City Secretary Date

END OF DOCUMENT

PROJECT: Spring Valley Village New Production WellTWDB SWIFT No.: 51056 PROJECT No.: 2019-01-01B**SUMMARY**C.O. No. 5 TWDB SWIFT No.: 51056 Proj. No.: 2019-01-01B

1.01	CONTRACT PRICE SUMMARY	DOLLAR AMOUNT	PERCENT
A.	Original Contract Price	\$3,150,000.00	100.00%
B.	Previous Change Orders	\$74,000.00	2.35%
C.	This Change Order	\$60,350.00	1.92%
D.	Contract Price	\$3,284,350.00	104.27%

Date of Commencement of the Work: Thursday, May 23, 2019

1.02	CONTRACT TIME SUMMARY	DURATION	COMPLETION DATE
A.	Original Contract Time	400 Days	Thursday, June 25, 2020
B.	Previous Change Orders	398 Days	Wednesday, July 28, 2021
C.	This Change Order	0 Days	
D.	Contract Time	798 Days	Wednesday, July 28, 2021

- 1.03 TOTAL VALUE OF INCREASES OUTSIDE OF GENERAL SCOPE OF WORK
 A. Including this Change Order, the following table is provided to track conditions related to Article 10 of Document 00700 - General Conditions.

CHANGE ORDER No.	AMOUNT ADDED	PERCENT OF ORIGINAL CONTRACT PRICE
1	\$74,000.00	2.35%
5	\$60,350.00	1.92%
TOTALS	\$134,350.00	4.27%

1.04 SCOPE OF WORK

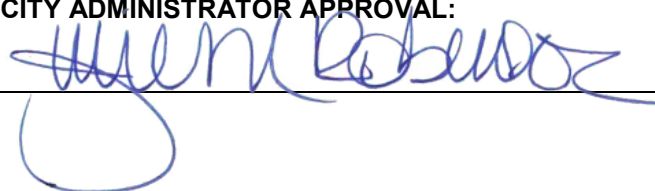
A. W.W. Payton is requesting 0 calendar days under this Change Order.

Change in construction contract price is related to water plant asphalt installation and additional disinfection equipment at the request of the City under this Change Order.

END OF SUMMARY

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

MEETING DATE: January 25, 2022

TOPIC:	Resolution Number 22-XX A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING AND ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SPRING VALLEY VILLAGE AND A LIST OF QUALIFIED BROKERS/DEALERS THAT ARE AUTHORIZED TO ENGAGE IN INVESTMENT TRANSACTIONS WITH THE CITY; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.
BACKGROUND:	The City's investments are governed by the Public Funds Investments Act (PFIA) under Chapter 2256 of the Local Government Code. The PFIA requires the City Council to review and approve the City's Investment Policy annually. The Texas Legislature did not have amendments to Chapter 2256 of the Government Code during the year 2021. Therefore, this Resolution readopts the City's current Investment Policy.
RECOMMENDATION:	Staff recommends approval of the Resolution.
ATTACHMENTS:	• Resolution Number 22-XX
FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING:	
	
SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Michelle Yi, City Treasurer	

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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RESOLUTION NUMBER 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING AND ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SPRING VALLEY VILLAGE AND A LIST OF QUALIFIED BROKERS/DEALERS THAT ARE AUTHORIZED TO ENGAGE IN INVESTMENT TRANSACTIONS WITH THE CITY; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 2256 of the Texas Government Code, commonly known as the “Public Funds Investment Act,” requires the City Council to review and re-adopt an Investment Policy and Qualified Broker/Dealer List by rule, order, ordinance or resolution; and

WHEREAS, the City Council must approve any amendments to such Investment Policy; and

WHEREAS, the proposed Investment Policy, a copy of which is attached hereto as Exhibit “A,” complies with the Public Funds Investment Act, as amended, and authorizes the investment of City funds in safe and prudent investments; and

WHEREAS, the City Council hereby finds that the proposed Investment Policy should be approved.

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

Section 1. The facts and statements contained in the preamble are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The Investment Policy attached hereto as Exhibit “A” is hereby adopted as the Investment Policy of the City of Spring Valley Village.

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

DULY PASSED AND APPROVED on this the ____ day of January, 2022.

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 22-XX



CITY OF SPRING VALLEY VILLAGE INVESTMENT POLICY

I. POLICY STATEMENTS AND INVESTMENT AUTHORITY

General Statement

The Texas Public Funds Investment Act, Texas Government Code Ch. 2256 as amended (the “Act”) prescribes that each city shall adopt rules to govern its investment practices and to define the authority of the Investment Officer(s). This policy shall serve to satisfy the requirements of the Act by establishing and defining methods, procedures, and practices to ensure effective and prudent fiscal management of public funds.

Policy Statement and Scope

It is the policy of the City of Spring Valley Village, Texas ("the City") that the administration and investment of public funds shall be handled with the highest regard for the public trust. Investments shall be made in a manner that will ensure the preservation of capital, meet the daily cash flow needs of the City, conform to all applicable state statutes and city ordinances governing the investment of public funds, and provide reasonable investment returns. The receipt of a market rate of return will be secondary to the requirement for safety and liquidity. The earnings from investments will be used in a manner that best serves the public trust and interests of the City. This Investment Policy shall apply to all financial assets and funds under control of the City, other than those expressly excluded herein or by applicable law or valid agreement, and including any new funds created by the City unless specifically exempted by the City Council and this policy.

Delegation of Investment Authority

By authority of Section 2256.005(f) of the Act, the City delegates investment authority for the City to the City Treasurer, under the direction of the Mayor, City Council and City Administrator as the Investment Officer for the City. The City Treasurer shall serve as the Investment Officer of the City and shall invest city funds in legally authorized and adequately secured investments in accordance with this policy and the Act. In the event the position of City Treasurer becomes vacant, the City Administrator shall serve as an Investment Officer during such vacancy. The City Investment Officer shall be bonded. Two authorized signatures shall be required to initiate any deposits, withdrawals, investments or transfers of City funds.

City funds not immediately required to pay obligations of the City shall be eligible for investment and shall be invested in accordance with established procedures and controls. The Investment Officer shall establish written procedures for the operation of the investment program consistent with this Investment Policy. The City Treasurer shall adopt procedures that address safekeeping, repurchase agreements, wire transfer agreements, collateral/depository agreements, banking services contracts, and explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this Policy and the procedures established by the Investment Officer. The City Treasurer shall be responsible for all transactions undertaken, and shall establish a system of controls to regulate the activities of subordinate Investment Officials. The system of controls shall be designed to provide reasonable assurance that ensures the assets of the City are protected from loss, theft or misuse.

In addition to any other requirements of law, the Investment Officer shall refrain from personal business activity that could conflict with the proper execution of the investment program, or that could impair their ability to make impartial investment decisions. An Investment Officer who has a personal business relationship with a business organization offering to engage in an investment transaction with the City or who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship with the City and the Texas Ethics Commission. An Investment Officer has a personal business relationship with a business organization if the Investment Officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization, the Investment Officer receives funds from the business organization exceeding 10 percent of the Investment Officer's gross income for the previous year, or the Investment Officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the Investment Officer.

II. INVESTMENT OBJECTIVES AND STRATEGY

Funds of the City shall be invested in accordance with all applicable federal and Texas statutes, and this Investment Policy. The City shall invest monies according to investment strategies for each fund as adopted by City Council resolution in accordance with Section 2256.005(d) of the Act. The City shall strive to invest funds in a manner where the rate of return is secondary to safety and liquidity. To accomplish this, the City's principal investment objectives in order of priority shall be as follows: suitability, preservation and safety of principal, liquidity, marketability, diversification, and yield.

Suitability. Each investment must be in conformance with all federal regulations, state statutes, and other legal requirements including applicable City ordinances or resolutions, and this Investment Policy.

Preservation and safety of principal. Investments shall be handled in a manner that seeks to ensure the preservation of capital and the protection of investment principal in the overall portfolio. All participants in the investment process shall act responsibly as custodians of the public trust.

Liquidity. The City's investment portfolio will remain sufficiently liquid to enable the City to meet operating requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets.

Marketability. The City's policy is to buy and hold investments until maturity; however, marketability is of great importance should the need arise to liquidate an investment before maturity.

Diversification. It shall be the policy of the City to diversify its portfolio to eliminate the risk of loss resulting from over-concentration of assets in a specific maturity, a specific issuer or a specific class of investments. Investments of the City shall be selected that provide for stability of income and reasonable liquidity but shall be structured to meet the obligations of the City first and then to achieve the highest return of interest. The stated maturity of any investment in the City's portfolio shall not exceed 60 months and the weighted average maturity of the City's portfolio shall not exceed 365 days.

Yield. The City's investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City's risk constraints and the cash flow characteristics of the portfolio. Given this strategy, the basis used to determine whether reasonable yields are being achieved shall be the average yield of the current three-month U.S. Treasury Bill or such other index that most closely matches the average maturity of the portfolio.

III. INVESTMENT TYPES

In accordance with Section 2256.005(b) of the Act, authorized investments shall include any of the following:

- (1) Obligations of the United States or its agencies and instrumentalities;
- (2) Direct obligations of the State of Texas or its agencies or instrumentalities;
- (3) Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;
- (4) Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities; and
- (5) Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent.

- (6) Certificates of deposit issued by a depository institution that has its main office or a branch office in this state and guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or secured by an FHLB letter of credit in accordance with Section 2256.010 of the Act and Section 2257 of the Public Funds Collateral Act.
- (7) Commercial paper, authorized by Section 2256.013 of the Act, that has a stated maturity of 270 days or fewer from the date of its issuance and is rated not less than A-1 or P-1 or an equivalent rating by at least two nationally recognized credit rating agencies or one nationally recognized credit rating agency if it is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state.
- (8) Eligible Investment pools (as discussed in Sections 2256.016 and 2256.019 of the Act) if the City Council by resolution authorizes investment in the particular pool. An investment pool shall invest the funds it receives from entities in authorized investments permitted by the Act.
- (9) Interest-bearing bank deposits insured by the Federal Deposit Insurance Corporation or National Credit Union Share Insurance Fund as permitted by Section 2256.009(a) of the Act.

The following investments are strictly prohibited in accordance with Section 2256.009(b) of the Act:

- (1) obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;
- (2) obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
- (3) collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and
- (4) collateralized mortgage obligations the interest of which is determined by an index that adjusts opposite to the changes in a market index.

IV. INVESTMENT RESPONSIBILITY AND CONTROL

The Investment Officer may invest City funds with any or all of the following institutions or groups consistent with this Investment Policy, the Act, and any other applicable federal and state law: the City's depository bank, other state or national banks domiciled in Texas, public funds investment pools, and authorized broker/dealers. Nothing in this section relieves the City of the responsibility for monitoring investments to determine that the investments are in compliance with this Investment Policy.

Authorized Broker/Dealers

The Investment Officer shall maintain a list of security broker/dealers authorized by the Investment Policy. All broker/dealers shall maintain complete records of all transactions conducted on behalf of the City and shall make those records available for inspection at the City's request. A written copy of the Investment Policy shall be provided to any business organization offering to engage in an investment transaction with or on behalf of the City. Every authorized broker/dealer for the City must execute a Certification Form, a copy of which is provided at the end of this Investment Policy. The Investment Officer may not acquire or otherwise obtain any authorized investment from any seller until a signed form has been delivered to the City. Currently, the following broker/dealers are authorized to engage in investment transactions with the City: FTN Financial (formerly Coastal Securities, Inc.), Hilltop Securities, First Southwest Company, Multi-Bank Securities, and Wells Fargo Securities, LLC.

At least annually, the Investment Officer shall review the list of broker/dealers authorized to engage in investment transactions with the City and shall make a recommendation as part of the annual review of the Investment Policy. As part of this process, the Investment Officer shall review the quality of service and financial stability of each broker/dealer. The Investment Officer may remove an authorized broker/dealer from the list, if in the opinion of the Investment Officer, the firm has not performed adequately or its financial condition has become unacceptable.

Delivery vs. Payment

All investment transactions will be completed on a delivery versus payment ("DVP") basis. The Investment Officer is authorized to solicit bids for investments orally, in writing, electronically, or in any combination of these methods. No investment of City funds shall be authorized unless it conforms to this Investment Policy and the seller of the investment has executed a Certification Form as set forth in this Policy.

An investment that requires a minimum rating does not qualify as an authorized investment during the period the investment does not have the minimum rating. The Investment Officer shall take all prudent measures consistent with this policy to liquidate any investment that does not have the minimum rating.

Investment Management

The Investment Officer shall exhibit prudence and discretion in the selection and management of securities in order that no individual or group of transactions undertaken shall jeopardize the total capital of the portfolio. The City will not allow speculation (e.g., anticipating an appreciation of capital through changes in market interest rates) in the selection of any investments. The Investment Officer shall monitor financial market indicators, study financial trends, and utilize available educational tools in order to maintain appropriate managerial expertise.

A competitive environment shall be established for all investment activities including, but not limited to, any or all of the following: analysis of implemented strategies, review of investment alternatives, monitoring of market conditions, solicitation from multiple investment providers, and

overall performance evaluation. Comparison and evaluation of comparable may be used to invest in financial institution deposits, money market accounts, local government investment pools, or government securities.

While the City utilizes a buy and hold strategy, active portfolio management may from time to time dictate the sale of securities to better position the overall portfolio. The Investment Officer may recommend the sale of any security prior to maturity if it is deemed in the best interest of the City. Any sale of a security prior to maturity must be approved by the City Administrator.

The City is not required to liquidate an investment that was an authorized investment at the time of purchase.

Investment Limits

The portfolio maturities should be laddered in a way that protects interest income from the volatility of the market and avoids the concentration of funds on a specific maturity date. The asset allocation in the portfolio should be flexible and responsive to the needs of the City given the outlook for the economy and securities markets. The following investment limits shall apply: the City shall maintain at least 10 percent of the total portfolio in investments maturing in 90-days or less; the City shall invest no more than 50 percent of the portfolio in federal agencies or instrumentalities or in certificates of deposit; and the City may invest any amount in U.S. Treasury securities.

Investment Training

The City shall provide periodic training in investments for the Investment Officers under the Act from an independent source including training sponsored by the Government Finance Officers Association of Texas, the Government Treasurer's Organization of Texas, the Texas Municipal League, or the University of North Texas. Training must include education in investment controls, security risks, strategy risks, market risks, diversification of the investment portfolio, and compliance with the Act. The Investment Officers shall attend at least one training session of no less than 10 hours relating to their responsibilities under the Public Funds Investment Act within 12 months after assuming duties and, thereafter, receive no less than 8 hours of instruction related to investment functions every two years based on the City's fiscal year.

Standard of Care

In accordance with Section 2256.006 of the Act, investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the investment of all funds that the Investment Officer had responsibility rather than the consideration as to the prudence of a single investment and whether the investment decision was consistent with the City's Investment Policy.

Limitation of Personal Liability

The Investment Officer and any other employee(s) delegated investment authority under this policy, when acting in accordance with this policy, the associated procedures and controls, and with a measure of care that any prudent person would exercise in the management of that person's own affairs, shall be relieved of personal responsibility and liability in the management of the City's portfolio provided that deviations from the expectations for a specific security's credit rise or market price change or portfolio shifts are reported in a timely manner to the City Council and that appropriate action is taken to control adverse market effects.

Internal Control

A system of internal controls shall be documented in writing and shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and management of the City. Controls deemed most important shall include, to the extent possible, control of collusion, separation of duties, separation of transaction authority from accounting and recordkeeping, custodial safekeeping, avoidance of bearer-form securities, clear delegation of authority, specific limitations regarding securities losses, written confirmation of telephone transactions, and limiting the number of authorized investment officials.

These controls shall be reviewed periodically by the City's independent audit firm.

Annual Audit

In accordance with Section 2256.023(d) of the Act, if the City invests in other than money market mutual funds, investment pools or accounts offered by its depository bank in the form of certificates of deposit, money market accounts or similar accounts, the investment reports prepared by the Investment Officer shall be formally reviewed at least annually by an independent auditor who shall report the result of that review to the City Council. As part of the annual financial audit, the independent auditor shall perform a compliance audit of management controls on investments and adherence to the City's Investment Policy in accordance with Section 2256.005(m) of the Act.

Annual Review

The City Council shall review this Investment Policy and investment strategies not less than annually. The City Council shall adopt a written instrument by ordinance or resolution stating that it has reviewed the Investment Policy and investment strategies and the written instrument so adopted shall record any changes made to either the Investment Policy or investment strategies.

V. INVESTMENT REPORTING AND NOTIFICATION

Reporting

In accordance with the Section 2256.023 of the Act, within a reasonable time after the end of the period, but not less than quarterly, the Investment Officer shall submit to the City Council a report of investment transactions for all funds. The report shall describe in detail the investment position of the City on the date of the report including a description of the investment, the maturity date, the beginning and ending book and market values, the accrued interest, and the changes during the period. The report shall include a statement of compliance with the City's Investment Policy and the Act and shall be signed by the Investment Officer. The delivery of copies of this Report as executed by Adobe Acrobat PDF or similar electronic form of execution, or by electronic reproduction of a manual signature transmitted via electronic mail or facsimile, shall constitute effective execution and delivery and may be used in lieu of originals for all purposes.

In determining market value, the Investment Officer may use any generally accepted method to monitor the market price of investments, including, but not limited to, periodic reports from any of the approved broker/dealers or nationally recognized business publications that provide daily market valuations on individual securities.

Notification of Investment Changes

The Investment Officer shall notify the City Council of any significant changes in current investment methods and procedures prior to their implementation, regardless of whether they are authorized by this policy or not.

VI. INVESTMENT COLLATERAL AND SAFEKEEPING

Collateral

Consistent with the requirements of the Texas Public Funds Collateral Act, Texas Government Code Ch. 2257 as amended, the City shall require all depository institution deposits to be federally insured or collateralized with eligible securities. Any financial institution serving the City as a depository institution shall be required to sign a depository agreement and a tri-party safekeeping agreement. The safekeeping agreement shall define the City's rights to collateral in case of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with federal and state regulations.

The market value of the principal portion of collateral pledged for deposits must at all times be equal to or greater than 110 percent of the total amount of deposits plus any accrued interest, less the insurance amount provided by the Federal Deposit Insurance Corporation ("FDIC") or its successor or National Credit Union Share Insurance Fund or its successor

Depository institutions with which the City maintains collateralized deposits shall provide a monthly report of market values for the pledged securities. The Investment Officer shall monitor

collateralization levels to verify market values and total collateral positions. If the value of the securities pledged falls below the required collateral level, the depository institution holding the deposit must pledge additional securities no later than the end of the next succeeding business day.

Collateralized deposits may require substitution of securities. Any depository institution requesting substitution of collateral must contact the Investment Officer for approval. Written approval is required before any pledged security is released. The value of the substituted security will be calculated and substitution approved if the substitution maintains the required collateral level.

Safekeeping

All investment transactions shall be completed on a delivery versus payment basis and securities shall be held in safekeeping by the City, the City's designated depository institution, a City account in an independent third party financial institution or a Federal Reserve Bank.

A written safekeeping agreement shall be executed with each safekeeping bank, such bank being a permitted institution under the Public Funds Collateral Act. Upon receipt of purchased or pledged securities, the safekeeping bank shall promptly issue and deliver to the City a safekeeping receipt identifying and evidencing receipt of the security. The Investment Officer shall confirm the securities are held in an account naming the City as the customer and shall maintain the original safekeeping receipts. The market value of purchased or pledged securities shall be independently monitored by the safekeeping bank on a monthly basis and reported directly to the City. At least quarterly, the Investment Officer shall verify that all securities owned by or pledged to the City are documented and held in safekeeping in the City's account. These records shall be subject to the annual compliance audit of management controls on investments and adherence to the City's Investment Policy.

CERTIFICATION FORM

[as required by Texas Government Code § 2256.005(k)]

CITY OF SPRING VALLEY VILLAGE, TEXAS (the "City")

The undersigned hereby acknowledges and certifies as follows:

1. The undersigned is a qualified representative of _____, a business organization (the "Organization"), offering to engage in an investment transaction with the City.
2. The Organization has received and reviewed the Investment Policy of the City.
3. The Organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the Organization that are not authorized by the City's Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

Signature

Name: _____

Title: _____

Date: _____

Police Department Staff Report

SPRING VALLEY POLICE DEPARTMENT

Calls - By Type

12\01\2021
thru 12\31\2021

Type	Description	# Of Calls
21	911 HANG UP	3
6	ACCIDENT	26
22	ALARM	41
23	AMBULANCE CALL	23
24	ANIMAL CALL	2
144	ARREST	3
43	ASSIST OUTSIDE AGENCY	9
135	BUSINESS CHECK	607
48	CITY CREW REPAIRS	1
53	DEBRIS IN ROADWAY	5
60	FIRE CALL	5
68	HOUSE CHECK	2
70	INFORMATION	55
71	INVESTIGATION	1
76	LOUD NOISE	6
81	OPEN DOOR	19
137	PRISONER CHECK	2
86	PUBLIC RELATIONS	740
88	RECOVERY STOLEN VEHICLE	1
96	SOLICITOR	4
97	SPECIAL ASSIGNMENT	4
99	STALLED VEHICLE	41
103	SUSPICIOUS ACTIVITY	7
104	SUSPICIOUS PERSON	10
105	SUSPICIOUS VEHICLE	32
11	TRAFFIC STOP	758
111	VEHICLE BLOCKING ROADWAY	18
112	VEHICLE CHECK	8
42	WARRANT SERVICE	4
117	WELFARE CONCERN	2
Total		2,439

Spring Valley Village, TX PD

Dec 1, 2021 - Dec 31, 2021

Citation Violation Audit By Offense

Total Charges: **1264**

Description	Counts
CHANGED LANE WHEN UNSAFE	2
CHILD (4-17) NOT SECURED BY SAFETY BELT	1
CITY ORDINANCE - SOLICITING WITHOUT A PERMIT - PEDDLER	1
CRIMINAL TRESPASSING	1
DEFECTIVE BRAKES	3
DEFECTIVE EQUIPMENT - WHITE LIGHT TO THE REAR	3
DEFECTIVE EQUIPMENT / NO LICENSE PLATE LIGHT	58
DEFECTIVE HEAD LAMPS	71
DEFECTIVE HEAD LIGHTS	25
DEFECTIVE STOP LAMP(S)	69
DEFECTIVE STOP LIGHTS-TRAILER	1
DEFECTIVE TAIL LAMP(S)	30
DISPLAY FICTITIOUS/WRONG/UNCLEAN LICENSE PLATES	26
DISPLAY/ EXPIRED REGISTRATION	210
DRIVING WHILE LICENSE INVALID UNDER PROVISIONS OF DL LAWS	12
DRIVING WITHOUT ANY LICENSE	4
DROVE WITHOUT LIGHTS (WHEN REQUIRED)	25
EXPIRED DRIVERS LICENSE	25
FAIL TO CONTROL SPEED	1
FAIL TO DISPLAY DRIVERS LICENSE	5
FAIL TO GET A TEXAS DRIVERS LICENSE AFTER 90 DAYS OF RESIDENCE IN THIS STATE	1
FAIL TO MAINTAIN FINANCIAL RESPONSIBILITY	52
FAIL TO MAINTAIN FINANCIAL RESPONSIBILITY	101
FAIL TO REPORT CHANGE OF ADDRESS	24
FAILED TO DIM HEADLIGHTS - FOLLOWING	15
FAILED TO DIM HEADLIGHTS - MEETING	35
FAILED TO SIGNAL INTENT TO TURN	1
FAILED TO SIGNAL TURN / LANE CHANGE	4

CONFIDENTIAL

Spring Valley Village, TX PD

Dec 1, 2021 - Dec 31, 2021

Citation Violation Audit By Offense

Total Charges: **1264**

Description	Counts
FAILED TO STOP AT DESIGNATED POINT (STOP SIGN)	3
FAILED TO STOP FOR SCHOOL BUS (OR REMAIN STOPPED)	4
ILLEGAL PASSING - LEFT TURN ONLY LANE	2
ILLEGAL WINDOW TINT	1
LICENSE PLATE - NO TRAILER PLATE	2
LICENSE PLATE OBSCURED	9
NO DRIVERS LICENSE	158
NO FRONT LICENSE PLATE	4
OPERATE MOTOR VEHICLE WITH FICTITIOUS LICENSE PLATES	4
OPERATE MOTOR VEHICLE WITHOUT LICENSE PLATES OR WITH ONE LICENSE PLATE	6
OPERATE UNREGISTERED MOTOR VEHICLE	2
PASSING/DISREGARD NO PASSING ZONE	1
POSSESSION OF DRUG PARAPHERNALIA	1
PUBLIC INTOXICATION	1
RAN RED LIGHT	32
RAN STOP SIGN	6
SPEEDING >10% ABOVE POSTED LIMIT	183
SPEEDING IN SCHOOL ZONE	11
TURNED RIGHT TOO WIDE	1
UNREGISTERED MOTOR VEHICLE TRAILER	1
UNRESTRAINED CHILD 5 YEARS OF AGE TO 17	5
UNRESTRAINED CHILD YOUNGER THAN 5 OR UNDER 36 INCHES	5
USE EQUIPMENT NOT APPROVED	1
VIOLATE DL RESTRICTION B	6
WRONG/ALTERED/OBSCURED LICENSE PLATE	9

CONFIDENTIAL

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

MEETING DATE: January 25, 2022

TOPIC:	Possible Revisions to the City of Spring Valley Village's Animal Control Regulations Contained in Chapter 2, Animal Control, of the Code of Ordinances.
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BACKGROUND:	During the December 10, 2021 Council meeting, resident Peggy Schwabenland addressed the Council during Public Comments concerning the enforcement of the leash law (the City's current animal control regulations) after she had been bitten by a dog that was not restrained. Since the issue was not a posted agenda item, the Council could not discuss the issue with Ms. Schwabenland. However, there was indication that the Council wanted to discuss the animal control regulations and enforcement process. Therefore, this item has been placed on the agenda to allow the Council to discuss this issue.
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RECOMMENDATION:	Staff requests direction from the Council concerning possible revisions to the current regulations.
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ATTACHMENTS:	• Copy of Chapter 2, Animal Control, of Code of Ordinances
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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# _____
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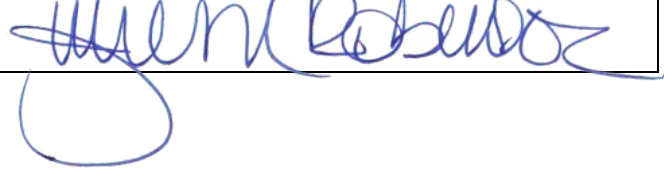
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Julie M. Robinson, City Administrator

CITY ADMINISTRATOR APPROVAL:



CHAPTER 2

ANIMAL CONTROL¹

ARTICLE 2.100 ANIMAL CONTROL REGULATIONS

§ 2.101 Definitions

As used in this chapter, the following words and phrases shall have the meanings respectively ascribed to them.

Animal. Any living vertebrate creature or invertebrate creature, domesticated or wild, including, but not limited to, mammals, reptiles, fish, and fowl, but specifically excluding human beings.

Animal Control. The animal control section or animal control officer of the City of Spring Valley, Texas.

Animal Control Officer. Any person or persons designated by city council to enforce the provisions of this article.

Livestock. Any member of the domesticated equine family, including horses, ponies, mules, donkeys and burros, any type of domesticated sheep and goats, and members of the domesticated bovine family, including cows, bulls, and steers.

Owner. Any person having title to or custody of any animal, or any person who has, harbors, keeps, or causes or permits to be harbored or kept an animal in his or her care or custody, or any person who feeds an animal or allows an animal to remain on or about his or her premises.

Restraint. An animal shall be deemed restrained when it is:

- (a) Confined on the premises of the owner within a building, walled, or fenced enclosure;
- (b) Fastened or picketed by a lead or chain, not more than twenty feet (20;ft;) in length, so as to keep the animal on the owners? premises;
- (c) Under the control of a person by a leash;
- (d) On or within a vehicle being driven or parked;
- (e) At heel beside a competent person and obedient to that person?s command. Minors shall not be considered competent persons for this purpose.

Running at Large. An animal shall be deemed to be running at large when it is:

- (a) Allowed to exit or leave the property of the owner and it is not restrained;
- (b) Allowed to roam upon the streets, alleys, or public grounds of the City of Spring Valley, Texas;
- (c) Not restrained, as that term is defined in this section.

Vicious Animal. Any individual animal of any species that has on two (2) previous occasions, without provocation, attacked or bitten any person or other animal; or any individual animal which the animal control

¹State law reference(s)—Authority of governing body to regulate animals, V.T.C.A., Local Government Code, § 215.

officer has reason to believe has a dangerous disposition, or any species of animal which the animal control officer has reason to believe has a dangerous disposition and is likely to be harmful to humans or other animals.

Wild Animal. Any animal not among the common domestic species, including, but not limited to, skunks, foxes, raccoons, leopards, panthers, cougars, tigers, lions, lynx, ferrets, opossums, and any poisonous or dangerous reptile. (Ordinance 144, Book I, Section 1, adopted 2-28-84)

§ 2.102 Enforcement of Chapter; Authority to Issue Citation; Interference with Animal Control Officer

- (a) Enforcement of this chapter shall be the responsibility of the animal control officer or officers, or other persons designated by the city council.
- (b) Any animal control officer shall have the authority to issue citations for any violation of this article.
- (c) It shall be unlawful for any person to interfere with any animal control officer in the performance of his or her duties. (Ordinance 144, Book I, Section 2, adopted 2-28-84)

ARTICLE 2.200 RUNNING AT LARGE PROHIBITED; AUTHORITY TO IMPOUND²

- (a) It shall be unlawful for any dog, cat, or other animal possessed, kept, or harbored to run at large.
- (b) The animal control officer is authorized to impound animals running at large. (Ordinance 144, Book I, Section 3, adopted 2-28-84)

ARTICLE 2.300 NUMBER OF ANIMALS PERMITTED

- (a) No owner shall possess, harbor, or keep:
 - (1) More than a total of four (4) animals over the age of six (6) months; and/or
 - (2) The offspring of such animals [as are permitted in (b)(1)] under the age of six (6) months; provided, the combined total of such animals and their offspring does not exceed twelve (12).
 - (3) Animals for breeding for the generation of profit.
- (b) Livestock are excepted from the provisions of this section and shall be subject to the limitations of Article 2.1100 of this chapter. (Ordinance 144, Book I, Section 3, adopted 2-28-84)

ARTICLE 2.400 REGISTRATION AND VACCINATION OF DOGS AND CATS REQUIRED³

²State law reference(s)—Animals at large, V.T.C.A., Local Government Code, § 215.026; Authority of city to regulate the capture and impounding of animals, V.T.C.A., Local Government Code, § 215.026(c).

³State law reference(s)—Authority of municipalities to establish rabies control program, V.T.C.A., Health & Safety Code, § 826.015.

§ 2.401 Vaccination of Dogs and Cats Required

All dogs and cats four (4) months of age and older must be vaccinated annually for rabies with an anti-rabies vaccine approved by the Texas Department of Health and administered by a veterinarian licensed by the State of Texas and:

- (a) A metal certificate of vaccination with the year of vaccination, a certificate number, and the name, address, and phone number of the vaccinating veterinarian must be securely attached to a collar or harness that must be worn by the dog or cat at all times;
- (b) In addition to the metal certificate (rabies tag) the official rabies vaccination certificate issued by the vaccinating veterinarian shall be maintained by the owner of the dog or cat, containing the information designated by the Texas Department of Health, including, but not limited to, the owner's name, address, and telephone number, identification of the animal species, sex, age (three (3) months to twelve (12) months, twelve (12) months or older), size (pounds), predominant breed and colors, vaccine used (producer, expiration date, and serial number), date vaccinated, rabies tag number, and the veterinarian's signature and license number.

§ 2.402 City Registration Procedures and Requirements

- (a) No person shall have within the city any dog or cat over four (4) months of age unless such dog or cat is currently registered with the City of Spring Valley. A current metal registration certificate, issued by animal control, must be affixed to the collar or harness and must be worn by the dog or cat at all times. No dog or cat shall be registered until it has a current rabies vaccination.
- (b) Application for initial issuance or renewal of each registration must be made by the owner, in writing or in person, at the city hall of the City of Spring Valley, and must be accompanied by the official rabies vaccination certificate, and a fee as provided for in the fee schedule found in the appendix of this code. If the original current registration certificate is lost or destroyed, the owner may obtain a duplicate for a fee as provided for in the fee schedule found in the appendix of this code.
- (c) Registration certificates shall be issued annually and shall run concurrently with vaccination certificates. Registration certificates must be obtained within thirty (30) days of vaccination. The registration certificate shall be valid only for the animal for which it was originally issued.
- (d) If there is a change of ownership in a dog or cat currently registered with animal control, transfer of registration shall be made upon request of the owner, and there shall be no charge for such transfer.
- (e) Fee-exempt registration certificates may be issued for the following:
 - (1) Police department dogs (not privately owned); and
 - (2) Dogs trained to assist those with impaired hearing or vision.Eligibility for fee-exempt registration does not otherwise relieve the owner of responsibility under the provisions of this section.

§ 2.403 Denial of Registration

- (a) The animal control officer may refuse to register a dog or cat or may revoke a registration issued to any person who has been convicted in a court of the State of Texas of any of the following:
 - (1) Cruelty to animals as defined in the Texas Penal Code, inhumane treatment, or negligence to an animal;

-
- (2) Four (4) or more separate violations of this article within a twelve (12) month period.
- (b) If requested to do so in writing, the city council shall uphold or overturn the animal control officer's refusal of registration.

§ 2.404 Special Provisions Regarding Guard Dogs

Every person having care or custody of a dog which has received guard training, must register such dog with the city. It shall be unlawful for any person having ownership, occupancy, or control of any property in the city to permit or hire a guard dog to guard such property without such dog having first been registered with animal control pursuant to this paragraph. Registration tags identifying the dog as a guard dog must be worn by such animal at all times, and the dog must be securely muzzled and restrained by a leash when not confined or fenced while in actual performance of duties. Any dog which has received guard dog training may be destroyed, if necessary, when such dog is running at large. The owner, keeper, or person in charge of a guard dog shall be subject to the other provisions of this article. (Ordinance 144, Book I, Section 4, adopted 2-28-84)

ARTICLE 2.500 IMPOUNDMENT⁴

§ 2.501 Animals Subject to Impoundment

The following animals are subject to impoundment:

- (a) Cats or dogs not exhibiting evidence of being vaccinated or registered, as described in Article 2.400 hereof;
- (b) Any animal running at large;
- (c) Any animal treated in a manner determined by an animal control officer to be cruel or inhumane;
- (d) Any animal that has bitten, scratched, or viciously attacked a person, or needs to be placed under observation for rabies, as determined by an animal control officer;
- (e) Any animal in violation of any provision of this article.

§ 2.502 Right of Property Owner to Confine; Notification of Animal Control

If any animal described in Section 2.501 is found on the premises of any person, the owner or occupant of the premises shall have the right to confine such animal in a humane manner until he or she can notify animal control to impound the animal. When so notified, it shall be the duty of an animal control officer to have such animal impounded as herein provided.

§ 2.503 Notification of Animal Owner by Animal Control

Reasonable effort shall be made by animal control to contact the owner of any animal impounded which is wearing current registration and/or vaccination certificates; however, final responsibility for location of an impounded animal is that of the animal owner.

⁴State law reference(s)—Authority of city to regulate the capture and impounding of animals, V.T.C.A., Local Government Code, § 215.026(c).

§ 2.504 Reclaiming of Impounded Animals

The owner may reclaim possession of any animal impounded upon payment of impoundment fees, handling fees, and any veterinary expenses incurred by animal control for the welfare of the animal, and upon compliance with the vaccination and registration provisions of this chapter, except where prohibited in Sections 2.505 and 2.506.

§ 2.505 Reclaiming Animals Impounded on the Grounds of Suspicion of Cruel or Inhumane Treatment

Animals impounded on the grounds of suspicion of cruel or inhumane treatment by the owner shall be disposed of in accordance with the judgment of a court of competent jurisdiction.

§ 2.506 Reclaiming Animals Under Rabies Quarantine⁵

If any animal is being held under quarantine or observation for rabies, the owner shall not be entitled to possession until it has been released from such quarantine.

§ 2.507 Designation of Place of Impoundment

The city administrator shall select and establish a place for impounding all animals impounded under any provision of this article.

§ 2.508 Disposition of Unreclaimed Animals

Any impounded animal not reclaimed by the owner may be humanely destroyed by animal control after being held seventy-two (72) hours, except that any animal wearing current registration or vaccination metal certificates shall be held six (6) days prior to disposition.

§ 2.509 Disposition of Impounded Vicious or Wild Animals

Any vicious animal impounded, unless there is reason to believe such animal has an owner, may be immediately disposed of as deemed appropriate by animal control. Any impounded wild animal, unless such animal is an endangered species, may be immediately disposed of in a manner deemed appropriate by animal control. Wild animals that are considered endangered species will be reported to and turned over to the Texas Department of Parks and Wildlife for disposition.

§ 2.510 Disposition of Nursing or Dependent Baby Animals

Any nursing or dependent baby animal impounded without the mother, or where the mother cannot or will not provide for such baby animal, may be immediately euthanized by animal control to prevent further suffering of such baby animal.

⁵State law reference(s)—Rabies reports and quarantine, V.T.C.A., Health & Safety Code, ch. 826, subchapter E; Quarantine and impoundment facilities, generally, V.T.C.A., Health & Safety Code, ch. 826, subchapter F.

§ 2.511 Adoption of Impounded Dogs and Cats Authorized

Any impounded dog or cat not wearing current registration nor vaccination certificates may be given up for adoption after seventy-two (72) hours, except those under quarantine. Any impounded dog or cat wearing current registration or vaccination certificate may be given up for adoption after being held six (6) days. If the rightful owner of the animal appears within thirty (30) days of adoption, he or she may redeem the animal by paying the adoptee all documented expenses incurred and reasonable board for the animal.

§ 2.512 Disposition of Injured or Ill Animals

Any impounded animal that appears to be suffering from extreme injury or illness may be euthanized or given to a nonprofit humane organization for the purpose of veterinary medical care, as determined by animal control. (Ordinance 144, Book I, Section 5, adopted 2-28-84)

ARTICLE 2.600. IMPOUNDMENT AND QUARANTINE FEES; ADOPTION PROCEDURES⁶

- (a) Impoundment Fees Generally. Daily impoundment fees for each impoundment within a twelve (12) month period shall be as provided for in the fee schedule found in the appendix of this code.

Animals not listed hereinabove shall be disposed of at the discretion of animal control. The impoundment fee for any animal impounded more than four (4) times in a twelve (12) month period will be double the listed fee.

- (b) Quarantine Fee. The owner of any animal held in quarantine for observation purposes, as hereinafter provided, shall be charged as provided for in the fee schedule found in the appendix of this code. This fee is in addition to any impoundment fee.

- (c) Adoption Procedures. An individual may adoption an animal (dogs and cats only) from the city animal shelter under the following conditions:

- (1) The animal has been classified as adoptable by animal control;
- (2) The prospective adopter has proper facilities to care for the animal;
- (3) The prospective adopter obtains all necessary vaccinations and registrations; and
- (4) The adopter shall pay an adoption fee as provided for in the fee schedule found in the appendix of this code.

The adopter of any dog or cat must have it vaccinated and register it with the city within five (5) days after adoption.

- (d) Authority to Refuse Permission to Adopt. The animal control officer may refuse to allow a person to adopt an animal if he or she has reason to believe the person:

- (1) Would not be able to obtain a registration certificate under the provisions of this article.
- (2) Would not have proper facilities to contain or care for the animal as required by this chapter.
- (3) Wants the animal for resale or purpose other than pet ownership.

⁶State law reference(s)—Quarantine and impoundment facilities, generally, V.T.C.A., Health & Safety Code, ch. 826, subchapter F.

(Ordinance 144, Book I, Section 6, adopted 2-28-84)

ARTICLE 2.700 ANIMAL QUARANTINE⁷

§ 2.701 Authority to Quarantine

The animal control officer shall have the authority to order quarantine of animals responsible for biting incidents or suspected of having rabies or any zoonotic disease that is considered to be a hazard to the human or animal population.

§ 2.702 Animals Subject to Quarantine; Conduct of Quarantine

- (a) Every animal that bites a human or attacks another animal, or has rabies or any other zoonotic disease, or is under suspicion of having rabies or any other zoonotic disease, shall be immediately confined by the owner, who shall promptly notify animal control or an animal control officer of the place where such animal is confined so that the animal may be placed in quarantine. The owner shall not permit such animal to come in contact with any other person or animal. The owner shall surrender possession of such animal to animal control on demand for supervised quarantine; however, the owner may request permission from the animal officer for home quarantine as hereinafter provided.
- (b) Supervised quarantine shall be at the designated animal shelter, or a veterinary hospital, or by any other method of adequate confinement approved by animal control. The quarantine shall be for a ten (10) day observation period beginning on the date of the bite incident, under the supervision of a licensed veterinarian who shall submit to animal control reports on the quarantined animal's physical condition on the first and last days of the quarantine period. A release from quarantine may be issued if no signs of rabies or other diseases have been observed during the quarantine period.
- (c) The owner of an animal subject to quarantine may request permission from the animal control officer for home quarantine if the following criteria can be met:
 - (1) Secure facilities must be available at the home of the animal's owner, and said facilities must be acceptable to the animal control officer;
 - (2) The animal is currently vaccinated against rabies; and
 - (3) A licensed veterinarian must observe the animal and submit reports in the same manner as provided above for supervised quarantine.

§ 2.703 Violation of Quarantine, Cause for Seizure and Impoundment

The violation of quarantine by any person shall be just cause for seizure and impoundment of the quarantined animal by animal control. It shall be unlawful for any person to interrupt the quarantine observation period of any animal for any reason.

⁷State law reference(s)—Rabies reports and quarantine, V.T.C.A., Health & Safety Code, ch. 826, subchapter E; Quarantine and impoundment facilities, generally, V.T.C.A., Health & Safety Code, ch. 826, subchapter F.

§ 2.704 Investigation of Animal Bite Reports; Killing of Biting Animal Prohibited

All animal bite reports shall be investigated by animal control. Without the permission of animal control it shall be unlawful for any person to kill or remove from the city limits any animal that has bitten any person or other animal, or that has been placed under quarantine.

§ 2.705 Authority to Direct Disposition of Suspected Rabid Animals

Animal control shall direct the disposition of any animal suspected of being rabid or of having any zoonotic disease considered to be a hazard to any other animal or human being.

§ 2.706 Surrender of Carcasses of Dead Animals Suspected of Having Rabies

The carcass of any dead animal exposed to rabies or suspected of having been rabid shall, upon demand, be surrendered to animal control.

§ 2.707 Manner of Disposing of Animals Exposed to Rabies

Every animal exposed to rabies shall be immediately confined by the owner, who shall promptly notify animal control of the place where such animal is confined and the reason therefor. The owner shall not permit such animal to come in contact with any person or animal. Any animal exposed to rabies shall be handled in one of the following manners:

- (a) Humane destruction with notification to, or under the supervision of, animal control.
- (b) If not currently vaccinated and sufficient justification for preserving the animal exists, the exposed animal should be immediately vaccinated against rabies, placed in strict isolation under veterinary supervision for six (6) months, and given a booster vaccination one (1) month prior to release from isolation.
- (c) If currently vaccinated and sufficient justification exists for preserving the animal, the exposed vaccinated animal should be given a booster rabies vaccination and be placed in strict isolation under veterinary supervision for three (3) months.

These provisions apply only to domestic animals for which an approved rabies vaccine is available.

§ 2.708 Refusal to Surrender Animal for Rabies Control Purposes

No person shall fail or refuse to surrender an animal for supervised quarantine or humane destruction, as required herein for rabies control, when the demand therefor is made by animal control.

§ 2.709 Notification to Animal Control Upon Escape, Sickness, or Death of Quarantined Animals

Any person having possession of, or responsibility for, any quarantined animal shall immediately notify animal control if such animal escapes, becomes or appears sick, or dies, and in the case of death of the animal while under quarantine, shall immediately surrender the dead animal to animal control for diagnostic purposes.

§ 2.710 No Wild Animal Will Be Placed in Quarantine

All wild animals involved in biting incidents will be humanely destroyed in such a manner that the brain is not damaged. The brain shall be submitted to the Texas Department of Health for rabies diagnosis. (Ordinance 144, Book I, Section 7, adopted 2-28-84)

ARTICLE 2.800 WILD ANIMALS

It shall be unlawful to keep or possess any wild animal within the city limits of the City of Spring Valley, Texas, except wild animals kept or possessed in accordance with a wildlife rehabilitation permit, as further provided in this section.

- (a) State and Federal Permits Required. A person who holds a valid Texas Parks and Wildlife Scientific/Rehabilitation Permit ("state permit") may receive and temporarily possess birds, small mammals, reptiles, and amphibians (the "wild animals") for rehabilitation (animals found sick, injured, or abandoned) and subsequent release into the wild, all in accordance with the state permit. If a federal permit ("federal permit") is required for such rehabilitation activities, the federal permit and compliance therewith shall also be a requirement of this section to lawfully receive and temporarily possess the above described wild animals in the city.
- (b) Registration with the City. A person who holds valid state and federal permits shall file a complete copy of the state permit and the federal permit with the city. If the state permit has been issued and the federal permit is pending, a complete copy of all documentation comprising the federal permit application shall be filed with the city. Upon issuance, a complete copy of the federal permit shall be filed with the city secretary. Possession of the above-referenced wild animals in accordance with a valid state permit and pending federal permit is lawful; however, if the federal permit is not issued, then the holder of the state permit shall provide written confirmation from the Texas Parks and Wildlife Department to the city which establishes what, if any, rehabilitation activities are permitted in accordance with the state permit only.
- (c) City Inspection. The city administrator, or his or her designated representatives, may inspect upon request and without advance notice all facilities/cages used in connection with a state or federal permit, whether in response to a complaint(s) or for any health, safety, or welfare reason.
- (d) Cage Setbacks. Except where a greater setback is required by the city's zoning ordinance, no wild animal's cage/enclosure/tank/or pen shall be located, either temporarily or permanently, closer than ten feet (10;ft;) to any side or rear property line. No such cage/enclosure/tank/or pen shall be located, either temporarily or permanently, in front of or beyond any front building line setback, as set forth in the city's zoning ordinance, or in front of or beyond the principal residential structure on the lot. (Ordinance 231, Book I, Section 1, adopted 10-23-90)

ARTICLE 2.900 VICIOUS ANIMALS

- (a) Authority to Destroy if Found at Large. Any vicious animal found running at large may be destroyed by any peace officer or animal control officer in the interest of public safety and health.
- (b) Search and Seizure Warrants Authorized. The animal control officer shall be authorized to obtain a search and seizure warrant if the owner of a vicious animal that has been involved in a bite incident or is suspected of having rabies or any other zoonotic disease fails to surrender such animal for quarantine purposes or for humane destruction. (Ordinance 144, Book I, Section 9, adopted 2-28-84)

ARTICLE 2.1000 REGULATION OF DANGEROUS DOGS⁸

§ 2.1001 Dangerous Dog Defined

As used in this article, "dangerous dog" means a dog that:

- (a) makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
- (b) commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause bodily injury to that person.

§ 2.1002 Chief of Police To Investigate Incidents; To Rule On Dangerous Dogs; Appeals

- (a) If a person reports an unprovoked attack as described in Section 2.1001, the chief of police or his or her designee may investigate the incident. If, after receiving the sworn statements of any witnesses, the chief of police or his or her designee determines that the dog is a dangerous dog, he/she shall notify the owner of that fact.
- (b) An owner, not later than the 30th day after the date the owner is notified that his/her dog is a dangerous dog, may appeal the determination of the chief of police or his or her designee to municipal court of competent jurisdiction. An owner may appeal the decision of the municipal court in the same manner as appeal for other civil cases.

§ 2.1003 Requirements for Owners of Dangerous Dogs

- (a) Not later than the 30th day after a person learns that he/she is the owner of a dangerous dog, he/she shall:
 - (1) register the dangerous dog with the chief of police or his or her designee;
 - (2) restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure; and
 - (3) obtain liability insurance coverage or show financial responsibility in an amount of at least one hundred thousand dollars (\$100,000) to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person.
- (b) For purposes of this section, a person learns that he/she is the owner of a dangerous dog when:
 - (1) the owner knows of an attack described in Section 2.1001; or
 - (2) the owner is informed by the chief of police or his or her designee that the dog is a dangerous dog.

⁸State law reference(s)—Authority of city to regulate the keeping of dangerous dogs, V.T.C.A., Health & Safety Code, ch. 822, subchapter D.

§ 2.1004 Registration of Dangerous Dogs

- (a) The chief of police or his or her designee shall formally register a dangerous dog if the owner:
 - (1) presents proof of:
 - (A) liability insurance or financial responsibility as required by Section 2.1003(a)(3);
 - (B) current rabies vaccination of the dangerous dog; and
 - (C) the secure enclosure in which the dangerous dog will be kept; and
 - (2) pays an annual registration fee as provided for in the fee schedule found in the appendix of this code.
- (b) The chief of police or his or her designee shall provide to the owner registering a dangerous dog a registration tag. The owner must place the tag on the dog's collar.
- (c) If an owner of a registered dangerous dog sells or moves the dog to a new address within the city, he/she, not later than the 14th day after the date of sale or move, shall notify the chief of police or his or her designee. On presentation by the current owner of the dangerous dog's prior registration tag and payment of a fee as provided for in the fee schedule found in the appendix of this code, the chief of police or his or her designee shall issue a new registration tag to be placed on the dog's collar.
- (d) Every owner of a registered dangerous dog shall notify the chief of police or his or her designee by whom the dog was registered of any attacks the dangerous dog makes on people.

§ 2.1005 Attacks by Dangerous Dog

- (a) A person commits an offense if his/her dangerous dog makes an unprovoked attack on another person outside the dog's enclosure and causes bodily injury to the other person. Should the attack cause serious bodily injury or death, the person may be subject to other criminal prosecution under the laws of the State of Texas in a court of competent jurisdiction.
- (b) If a person is found guilty of an offense under this article, the court may order that the dangerous dog be destroyed.
- (c) In addition to criminal prosecution, a person who commits an offense under this section is liable for a civil penalty not to exceed ten thousand dollars (\$10,000.00). The city attorney may file suit in a court of competent jurisdiction to collect the penalty. Penalties collected under this subsection shall be retained by the City of Spring Valley.

§ 2.1006 Defenses

- (a) It is a defense to prosecution under this article that the person is a veterinarian, a peace officer, a person employed by a recognized animal shelter, or a person employed by the state or a political subdivision of the state to deal with stray animals and has temporary ownership, custody, or control of the dog in connection with and while performing the duties of that position.
- (b) It is a defense to prosecution under this article that the person is an employee of the institutional division of the Texas Department of Criminal Justice or a law enforcement agency and trains or uses dogs for law enforcement or corrections purposes and such person has temporary ownership, custody, or control of the dog in connection with and while performing the duties of that position.
- (c) It is a defense to prosecution under this article that the person is a dog trainer or an employee of a guard dog company under the Private Investigators and Private Security Agencies Act found at Article 4413 (29bb), Vernon's Texas Civil Statutes and while performing the duties of that position. (Ordinance adopting Code)

ARTICLE 2.1100 LIVESTOCK REGULATIONS⁹

- (a) It shall be unlawful for a person to keep swine within the City of Spring Valley, Texas.
- (b) The possession, harboring, or keeping of livestock in the City of Spring Valley, Texas, is permitted only on tracts or parcels of land of three (3) acres or more in size, provided that no owner shall possess, harbor, or keep more than a total of four (4) livestock animals.
- (c) In cases involving a scientific or educational program, a nonprofit organization show, exhibition, or humane activity, or animals owned or controlled by the city, the animal control officer may waive certain requirements of this section.
- (d) Any enclosure, pasture, pen, corral, or other restrictive area for livestock shall be of sufficient strength and construction so as to keep such livestock confined. All gates must be of sufficient strength and construction so as to keep livestock confined. (Ordinance 144, Book I, Section 10, adopted 2-28-84)

ARTICLE 2.1200 SANITARY CONDITIONS REQUIRED

The owner or person in possession of animals shall keep yards, pens and enclosures in which such animals are confined in such a manner so as not to give off odors offensive to persons of ordinary sensibilities residing in the vicinity, or to breed or attract flies, mosquitoes or other noxious insects, or in any manner to endanger the public health or safety, or create a public nuisance. (Ordinance 144, Book I, Section 11, adopted 2-28-84)

ARTICLE 2.1300 ANIMAL CARE GUIDELINES

The following are established as guidelines for animal care and are not intended to contravene the provisions for animal cruelty contained in the Texas Penal Code.

- (a) Provision for Food, Shelter, and Care, Generally. No owner shall fail to provide any animal with sufficient good and wholesome food and water, proper shelter, and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.
- (b) Abuse of Animals; Animal Fighting. ;sd; No person shall beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse an animal, or cause, instigate or permit any dogfighting, cockfight, bullfight, or other combat between animals or between animals and humans.¹⁰
- (c) Abandonment. No owner shall abandon any animal. Any animal left without proper food, water, or shelter for more than seven (7) days shall be considered abandoned. Animal control shall impound any abandoned animal. (Ordinance 144, Book I, Section 12, adopted 2-28-84)

⁹State law reference(s)—Authority of city to prohibit or otherwise regulate the keeping of livestock and swine, V.T.C.A., Local Government Code, § 215.026(b).

¹⁰State law reference(s)—Cruelty and inhumane treatment to animals prohibited, V.t.C.A., Penal Code, § 42.11; Causing animals to fight is unlawful, V.t.C.A., Penal Code, § 42.11(6).

ARTICLE 2.1400 PENALTY FOR VIOLATIONS OF CHAPTER

- (a) Any person who intentionally, knowingly, recklessly, or with crimina negligence violates any provisions of this chapter shall be deemed guilty of a Class C misdemeanor and, upon conviction thereof, shall be fined in accordance with the general penalty provision found in Section 1.106 of this code.
- (b) Each day in which any violation shall occur, or each occurrence of any violation, shall constitute a separate offense. (Ordinance 97-17 adopted 6-24-97)

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

MEETING DATE: January 25, 2022

TOPIC:	Ordinance Number 2022-XX AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 7, 2022 FOR THE PURPOSE OF ELECTING THE MAYOR AND TWO (2) CITY COUNCIL MEMBERS; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.
BACKGROUND:	This year's General Election will be for the positions currently held by Mayor Vajdos, Council Member Carpenter, and Council Member McCormack. January 19, 2022 was the first day to file an application for a place on the ballot, and February 18, 2022 is the last day to file. The candidate packet was posted on the City website on December 22, 2021. If a paper packet is preferred, a candidate may obtain one in person at City Hall. The Early Voting period will run from April 25 – May 3, 2022, and the Early Voting Polling Place is City Hall. On December 2, 2021, a legislative change went into effect which no longer requires early voting to be held on two separate days for twelve (12) hours. Therefore, early voting will be held for at least nine (9) hours on each of the seven (7) days of Early Voting. Voting on Election Day, Saturday, May 7, 2022, will be from 7:00 a.m. to 7:00 p.m. at City Hall.
RECOMMENDATION:	Staff recommends approval of the Ordinance.
ATTACHMENTS:	• Ordinance Number 2022-XX
FUNDING ISSUES:	☒ ☐ ☐ Not applicable – no dollars are being spent or received. Full amount already budgeted in Acct/Project# _____ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING:	
	
SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Roxanne Benitez, City Secretary	

ORDINANCE NUMBER 2022-XX

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 7, 2022 FOR THE PURPOSE OF ELECTING THE MAYOR AND TWO (2) CITY COUNCIL MEMBERS; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

* * * * *

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

Section 1. In accordance with the Constitution and general laws of the State of Texas, a General Municipal Election is hereby called and ordered for the first Saturday in May, 2022, the same being the 7th day of said month, at which election all qualified voters of the City may vote for the purpose of electing the Mayor and two (2) City Council members for full terms.

The City Council hereby approves and the City Secretary shall also complete a form order of municipal election on a form or in the form prescribed by the Secretary of State, and such order shall comply with the terms of this Ordinance.

Section 2. No person's name shall be placed upon the official ballot as a candidate for any of the above mentioned positions unless such person has filed his or her sworn application, as provided by Section 141.031 and Sections 143.004 and 143.007 of the Texas Election Code, with the City Secretary at the City Hall, located at 1025 Campbell Road, Spring Valley Village, (mailing address Houston), Texas, 77055, not later than five o'clock (5:00) p.m. on Friday, February 18, 2022. The City Secretary shall note on the face of each such application the date and time of its filing.

Section 3. The polls shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling place, and the following are hereby appointed officers to conduct the elections at said polling place.

POLLING PLACE

City Hall
City of Spring Valley Village, Texas
1025 Campbell Road
Spring Valley Village, Texas 77055
(Mailing address Houston, Texas)

ELECTION OFFICERS

Presiding Judge – To Be Determined
Alternate Presiding Judge – To Be Determined

The Presiding Judge shall have the authority to appoint clerks to assist in the holding of said elections, but in no event shall the Presiding Judge appoint less than two (2) clerks. Said election officers shall also serve as the early voting ballot board for such election; the Presiding Judge of such elections shall also serve as the presiding officer of the early voting ballot board.

Section 4. Roxanne Benitez, City Secretary, is hereby appointed the Early Voting Clerk and may appoint Deputy Early Voting Clerks for the purpose of conducting early voting. The Spring Valley Village City Hall located at:

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

is hereby designated as the place for early voting for said elections. Appointed clerks shall keep said early voting place open for at least nine (9) hours, that is, from seven thirty (7:30) o'clock a.m. until four thirty (4:30) o'clock p.m. for seven days of early voting on Monday, April 25, 2022, Tuesday, April 26, 2022, Wednesday, April 27, 2022, Thursday, April 28, 2022, Friday, April 29, 2022, Monday, May 2, 2022, and Tuesday, May 3, 2022. On each day for early voting, which is not a Saturday, a Sunday, or an official state holiday, beginning on the twelfth (12th) day and continuing through the fourth (4th) day preceding the date of said elections. Said clerks shall not permit anyone to vote early by personal appearance on any day which is not a regular working day for the clerk's office, and under no circumstances shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public. The early voting clerk's mailing address to which ballot applications and ballots voted by mail may be sent is:

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

The early voting clerk, in accordance with the provisions of the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom an early voting ballot to be voted by mail is sent. The roster shall be maintained in form approved by the Secretary of State.

Section 5. An Electronic Voting System and a Voter Assistance Terminal for Disabled Voters shall be used for said elections, both in the early voting and for voting on Election Day, in accordance with the Texas Election Code. All expenditures necessary for the conduct of the elections, purchase of materials, and the employment of all election officials is hereby authorized in accordance with the Texas Election Code.

Section 6. The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such elections, and to post notice of the election,

as provided by Chapter 4 and Chapter 51 of the Texas Election Code.

Section 7. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary, as provided by Section 52.094 of the Texas Election Code. The City Secretary shall post a notice, at least seventy-two (72) hours prior to the date on which the drawing is to be held, of the time and place of the drawing, and shall also give personal notice to any candidate who makes written request for such notice and furnished to the City Secretary a self-addressed, stamped envelope. Each candidate involved in the drawing, or a representative designated by candidate, shall have a right to be present and observe the drawing.

Section 8. The candidates for the positions of Mayor and two (2) Council Members receiving the highest number of votes shall be declared elected to such position.

Section 9. Notice of these elections shall be given in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such elections, and returns of such elections shall be made to the City Secretary immediately after the closing of the polls.

Section 10. Said elections shall be held in accordance with the Texas Election Code, as amended, except as modified by the Federal Voting Rights Act of 1965, as amended.

DULY PASSED, APPROVED, AND ADOPTED this the ____ day of _____, 2022.

Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

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

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

MEETING DATE: January 25, 2022

TOPIC: **Consideration And Possible Action Concerning Changing The Dates Of The City Council Meetings For May, November, And December.**

BACKGROUND: City Council meetings are normally held on the 4th Tuesday of every month. Based on the regular meeting schedule, the dates for the May, November, and December meetings are May 24, 2022, November 22, 2022 and December 27, 2022. Please note the following concerning these dates:

- The current date for the May City Council meeting would not interfere with Memorial Day this year, but historically, we have changed the May meeting date.
- The current date for the November City Council meeting is during the week of Thanksgiving.
- The current date for the December City Council meeting is after Christmas, but would change the agenda posting date as the City Hall will be closed from December 23-26, 2022.

Based on changes in previous years, proposed alternate dates for these Council meetings would be the 3rd Tuesday of May, November and December and would not require moving the regular meeting dates for the Planning & Zoning Commission:

- Tuesday, May 17, 2022
- Tuesday, November 15, 2022
- Tuesday, December 20, 2022

Listed below are the 2nd Tuesdays for May, November and December, which are the regular dates for the Planning & Zoning Commission meetings:

- Tuesday, May 10, 2022
- Tuesday, November 8, 2022
- Tuesday, December 13, 2022

RECOMMENDATION: Staff requests Council's feedback on the proposed alternate dates.

ATTACHMENTS: • None

FUNDING ISSUES: ☒ Not applicable – no dollars are being spent or received.
☐ Full amount already budgeted in Acct/Project# _____
☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:

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

	☐ \$_____ 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# _____

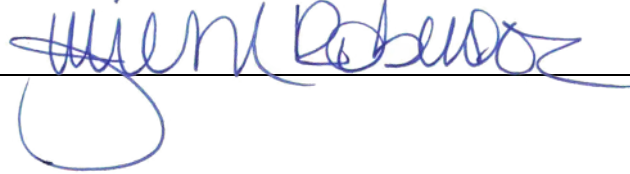
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

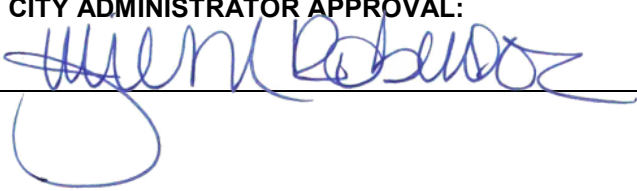
Roxanne Benitez, City Secretary

CITY ADMINISTRATOR APPROVAL:



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

MEETING DATE: January 25, 2022

TOPIC:	Ordinance Number 2022-XX AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS ADOPTING AMENDMENT NO. 2 TO THE ORIGINAL BUDGET OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, FOR THE FISCAL YEAR 2020-2021; FUNDING CERTAIN OBLIGATIONS OF THE CITY DURING THE BUDGET PERIOD NECESSARY FOR THE PROVISION OF CITY SERVICES; CONTAINING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER DETAILS RELATING TO THE SUBJECT.
BACKGROUND:	The FY 2021 Budget transfers and amendments as outlined in the attached schedules are recommended to true-up fluctuations in the FY 2021 budget based on actuals. Based on Budget Amendment No. 2 adjustments, the unaudited revenues over expenditures for FY 2021 are \$664,136 for General Fund and \$101,737 for Utility Fund.
RECOMMENDATION:	Staff recommends approval of the Ordinance.
ATTACHMENTS:	• Ordinance Number 2022-XX
FUNDING ISSUES:	☐ ☐ ☒ Not applicable – no dollars are being spent or received. Full amount already budgeted in Acct/Project# _____ Not budgeted, if approved, the recommended Budget Amendment No. 2 will be included as part of the FY 2021 Budget.
FINANCE VERIFICATION OF FUNDING: 	
SUBMITTING STAFF MEMBER: Michelle Yi, City Treasurer	CITY ADMINISTRATOR APPROVAL: 

ORDINANCE NUMBER 2022-XX

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING AMENDMENT NO. 2 TO THE ORIGINAL BUDGET OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, FOR THE FISCAL YEAR 2020-2021; FUNDING CERTAIN OBLIGATIONS OF THE CITY DURING THE BUDGET PERIOD NECESSARY FOR THE PROVISION OF CITY SERVICES; CONTAINING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER DETAILS RELATING TO THE SUBJECT.

WHEREAS, the Original Budget of the City of Spring Valley Village, Texas, for the fiscal year beginning October 1, 2020, and ending September 30, 2021 ("Original Budget"), was adopted within the time and in the manner required by State law; and

WHEREAS, the City Council hereby finds and determines that it is necessary to fund the attached amendment to such Original Budget which reflect expenditures necessary for the provision of City services; and

WHEREAS, the City Council further finds that these changes are warranted and necessary for the municipal purposes stated, and that the amendment of such Original Budget is an emergency and a matter of public necessity warranting action at this time.

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

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

Section 2. The Original Budget of the City of Spring Valley Village, Texas, for the fiscal year beginning October 1, 2020, and ending September 30, 2021 is hereby amended to fund the changes reflected on the attached Amendment No. 2 to the Original Budget of The City of Spring Valley Village, Texas, for the Fiscal Year 2020-2021, which shall be attached to and made a part of such Original Budget by the City Secretary and filed as required by State law, and a true and correct copy of which is attached hereto as Exhibit "A" and is made a part of this Ordinance for all purposes.

Section 3. 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 of provision hereof other than the part declared to be invalid or

unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2022.

Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

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

EXHIBIT "A"

TO

ORDINANCE NUMBER 2021-XX

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

DEPARTMENT	2021 ORIGINAL BUDGET	2021 AMEND NO.1	2021 AMEND NO.2	2021 FINAL BUDGET
GENERAL FUND				
SALES TAXES AND FRANCHISE FEES	(1,675,600)	(228,000)	(6,615)	(1,910,215)
PROPERTY TAXES	(4,649,388)	(14,394)	-	(4,663,782)
FEES AND CHARGE	(613,150)	(280,520)	(10,000)	(903,670)
MUNICIPAL COURT	(254,200)	(347,465)	(20,000)	(621,665)
MISC REVENUE	(95,000)	(55,896)	(13,000)	(163,896)
UNEXPENDED FUND BALANCE		(175,443)	-	(175,443)
MUNICIPAL CHILD SAFETY FUND		(68,750)	-	(68,750)
LOAN INTEREST PAYMENT FROM UF	(18,896)		-	(18,896)
OTHER AGENCIES	(1,197,030)	(168,554)	-	(1,365,584)
TOTAL GENERAL FUND REVENUE	(8,503,264)	(1,339,022)	(49,615)	(9,891,901)
COUNCIL	6,900	-	(2,000)	4,900
ADMINISTRATION	962,728	35,171	35,256	1,033,155
CONTRACTUAL SERVICES	847,766	167,407	21,800	1,036,973
FIRE DEPARTMENT	1,116,459	-	-	1,116,459
MUNICIPAL COURT	272,080	1,593	13,551	287,224
PARK	89,728	(12,500)	1,350	78,578
POLICE DEPARTMENT	3,423,615	426,267	34,165	3,884,047
STREET	527,391	2,616	10,800	540,807
TOTAL DEPT EXPENDITURES	7,246,667	620,554	114,922	7,982,143
REVENUE OVER/(UNDER) EXPENDITURES BEFORE INTER-FUND TRANSFERS	1,256,597.15	718,468.00	(65,307.00)	1,909,758.15
Transfer Out				
Transfer to CIP	583,920	-		583,920
Transfer to Debt Services	661,702	-		661,702
Transfer to Utility Fund				
TOTAL TRANSFER OUT	1,245,622			1,245,622
REVENUE OVER/(UNDER) EXPENDITURES AFTER INTERFUND TRANSFER	10,975	718,468		664,136

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

DEPARTMENT	2021 ORIGINAL BUDGET	2021 AMEND NO.1	2021 AMEND NO.2	2021 FINAL BUDGET
UTILITY FUND				
FEES AND CHARGE	(2,820,000)	25,000	-	(2,795,000)
MISC REVENUE	(57,300)	(22,000)	-	(79,300)
TOTAL UTILITY FUND REVENUE	(2,877,300)	3,000	-	(2,874,300)
UTILITY ADMINISTRATION	789,238	(50,637)	(37,244)	701,357
DEBT SERVICES	509,925	-	-	509,925
WATER WORKS	602,157	27,765	270	630,192
SEWER DEPARTMENT	946,432	(15,343)	-	931,089
TOTAL UTILITY FUND OPERATION EXPENSES	2,847,752	(38,215)	(36,974)	2,772,563
REVENUE OVER/(UNDER) OPERATION EXPENSES	29,548	35,215	36,974	101,737
SOURCE OF FUNDING FOR UF CIP				
BOND PROCEEDS (TWDB 2018)	111,413			111,413
UNEXPENDED FUND BALANCE		183,600		183,600
TRANSFER OUT FOR CIP		183,600		183,600
CIP	111,413			111,413
TOTAL CIP	111,413	183,600		295,013
CIP ENDING FUND BALANCE	-			-

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

		GENERAL FUND			
		2021 ORIGINAL BUDGET	2021 AMEND NO.1	2021 AMEND NO.2	2021 FINAL BUDGET
REVENUE					
10 01-5010	SALES TAX	(1,350,000)	(228,000)	(14,000)	(1,592,000)
10 01-5012	FRANCHISE FEES-ELECTRIC	(200,000)			(200,000)
10 01-5013	FRANCHISE FEES-GAS	(25,000)		(3,500)	(28,500)
10 01-5014	FRANCHISE FEES-TELEPHONE	(41,000)		19,785	(21,215)
10 01-5015	FRANCHISE FEES-CABLE TV	(40,000)		(6,900)	(46,900)
10 01-5016	FRANCHISE TAX-MIXED BEVERAGES	(4,000)		(2,000)	(6,000)
10 01-5017	FRANCHISE TAX- SOLID WASTE	(15,600)			(15,600)
	TOTAL OTHER TAXES & FRANCHISE FEES	(1,675,600)	(228,000)	(6,615)	(1,910,215)
10 01-5100	AD VALOREM-CURRENT YEAR	(4,634,388)	6,688		(4,627,700)
10 01-5102	AD VALOREM-PRIOR YEARS	-	(22,632)		(22,632)
10 01-5103	AD VALOREM-PENALTY & INTEREST	(15,000)	1,550		(13,450)
	TOTAL PROPERTY TAXES	(4,649,388)	(14,394)	-	(4,663,782)
10 01-5201	OTHER INCOME-BLDG PERMITS/INSP	(303,000)	(280,520)		(583,520)
10 01-5202	OTHER INCOME-PERMITS	(150)			(150)
10 01-5203	GARBAGE SERVICE FEES	(310,000)		(10,000)	(320,000)
	TOTAL FEES & CHARGES	(613,150)	(280,520)	(10,000)	(903,670)
10 01-5310	MUNICIPAL COURT-COURT FINES	(215,000)	(284,000)		(499,000)
10 01-5311	MUNICIPAL COURT-WARRANT FEES	(26,000)			(26,000)
10 01-5312	MUNICIPAL COURT-ARREST FEES	(5,500)		(20,000)	(25,500)
10 01-5313	MUNICIPAL COURT-ADMINISTRATIVE	(2,500)	(31,500)		(34,000)
10 01-5314	MUNICIPAL COURT-OFFICER FEES	(600)			(600)
10 01-5317	MUNICIPAL COURT-TRAFFIC FEES	(2,500)	(8,500)		(11,000)
10 01-5320	MUNICIPAL COURT-TIME PAYMENT(T	(1,000)			(1,000)
10 01-5324	MUNICIPAL COURT-OMNI FEE	(1,100)			(1,100)
10 01-5328	LTPDF - PREVENTION AND DIVERSI	-	(23,000)		(23,000)
10 01-5329	LMJF - LOCAL MUNICIPAL JURY FD	-	(465)		(465)
	TOTAL MUNICIPAL COURT	(254,200)	(347,465)	(20,000)	(621,665)
10 01-5406	INTEREST INCOME	(18,000)	8,000		(10,000)
10 01-5408	OTHER INCOME-MISCELLANEOUS	(60,000)	(24,000)	(13,000)	(97,000)
10 01-5413	CREDIT CARD FEES	(10,000)	(28,000)		(38,000)
10 01-5414	SALE OF CAPITAL ASSETS	(7,000)	7,000		-
10 01-5415	OTHER INCOME- INTEREST FROM UF	-	(18,896)		(18,896)
	TOTAL MISC REVENUE	(95,000)	(55,896)	(13,000)	(163,896)
10 01-5900	METRO-REVENUE ALLOCATION	(675,000)	(112,000)		(787,000)
10 01-5901	HILSHIRE VILLAGE POLICE CONTRA	(522,030)			(522,030)
10 01-5902	GRANTS	-	(56,554)		(56,554)
	TOTAL OTHER AGENCIES	(1,197,030)	(168,554)	-	(1,365,584)
	TOTAL GENERAL FUND REVENUE	(8,484,368)	(1,094,829)	(49,615)	(9,628,812)

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

		2021 ORIGINAL BUDGET	2021 AMEND NO.1	2021 AMEND NO.2	2021 FINAL BUDGET
COUNCIL DEPARTMENT					-
10 05-4526	MAYOR & COUNCIL - GENERAL EXPE	1,500		(1,000)	500
10 05-5027	MAYOR & COUNCIL - CONF & TRAIN	1,500		(1,000)	500
10 05-5610	MAYOR & COUNCIL - ALLOWANCE	3,900			3,900
	TOTAL COUNCIL	6,900	-	(2,000)	4,900
ADMINISTRATION DEPARTMENT					-
10 10-4010	SALARIES EXEMPT REGULAR	372,750		19,500	392,250
10 10-4011	SALARIES NON EXEMPT REGULAR	137,950	24,000	2,300	164,250
10 10-4014	LONGEVITY	1,697	270		1,967
10 10-4015	CERTIFICATION PAY	10,740	2,700		13,440
10 10-4016	457-PLAN	11,109	2,900		14,009
10 10-4020	MGR CAR ALLOWANCE	3,000		6	3,006
10 10-4030	SALARIES OVERTIME	4,500	400	700	5,600
10 10-4100	EMPLOYEE BEN-HEALTH INSURANCE	75,582	(581)		75,001
10 10-4110	EMPLOYEE BEN-T.M.R.S.	44,200	7,800		52,000
10 10-4120	EMPLOYEE BEN-FICA/MEDICAIDE TAX	7,827	490		8,317
10 10-4130	EMPLOYEE BEN-WORKERS COMP	1,566	(331)		1,235
10 10-4140	EMPLOYEE BEN-UNEMPLOYMENT INS	1,626	403	400	2,429
10 10-4505	AUTO EXPENSES-GASOLINE	500	(400)		100
10 10-4520	DUES & SUBSCRIPTIONS	9,200	2,400	1,050	12,650
10 10-4521	PRINTING COSTS	8,000	(10,200)	5,000	2,800
10 10-4525	OFFICE SUPPLIES	6,000	(1,000)	900	5,900
10 10-4526	GENERAL EXPENSES	11,000	(1,800)	700	9,900
10 10-4528	TOOLS, EQUIPMENT	500	550		1,050
10 10-4600	AUTO EXPENSES-MAINTENCE & REPA	1,500	(550)		950
10 10-4601	MACHINERY & EQUIP - MAINTENANC	5,000	4,100	1,500	10,600
10 10-4604	COMPUTER COST-HARDWARE	2,500	(1,000)	1,900	3,400
10 10-4606	OFFICE EQUIP	3,000	4,800		7,800
10 10-5027	TRAVEL & TUITION	20,000	(9,000)	1,300	12,300
10 10-5031	EMPLOYEE MEDICAL TESTING & TRE	1,000	(900)		100
10 10-5500	BUILDING INSPECTION	54,600	12,600		67,200
10 10-5506	PROFESSIONAL FEES - DRIANGE RE	93,000	11,970		104,970
10 10-5507	PROFESS. FEES - MISC	20,000	(5,000)		15,000
10 10-5509	PROFESSIONAL FEES-CONSULTANT S	35,800			35,800
10 10-6018	ELECTION EXPENSE	10,000	(9,450)		550
10 10-9100	G&A-RESERVE FOR CAPITAL	8,581			8,581
	TOTAL ADMINISTRATION	962,728	35,171	35,256	1,033,155

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

		2021 ORIGINAL BUDGET	2021 AMEND NO.1	2021 AMEND NO.2	2021 FINAL BUDGET
CONTRACTUAL AND GOVERNMENT-WIDE SERVICES					-
10 11-4524	EMERGENCY MANAGEMENT EXP	4,000	(2,700)		1,300
10 11-4526	PUBLIC RELATION	1,000	(960)		40
10 11-4527	POSTAGE	7,000	(4,200)		2,800
10 11-4602	CITY HALL BUILDING MAINTENANCE	22,000	15,000	8,300	45,300
10 11-4603	CITY HALL JANITORIAL & CLEANIN	25,000			25,000
10 11-4605	COMPUTER COST-SOFTWARE	41,305	10,095	12,000	63,400
10 11-5501	RECORDS STORAGE	2,000	(1,000)		1,000
10 11-5502	PROFESSIONAL FEES - AUDIT	14,110	120		14,230
10 11-5503	PROFESSIONAL FEES - LEGAL	70,000	(24,000)		46,000
10 11-5504	TAX ASSESSING & COLLECTING	7,700			7,700
10 11-5505	HARRIS CTY APPRAISAL DIST	42,406	(2,000)		40,406
10 11-5511	BANK SERVICE	10,800	(4,100)		6,700
10 11-5600	COMPUTER SERVICE & MAINTENANCE	50,685	(11,000)		39,685
10 11-5621	GARBAGE CONTRACT	322,000			322,000
10 11-5627	UTILITIES CITY HALL-ELECTRIC/GA	22,000	15,000		37,000
10 11-5630	UTILITIES-COMMUNICATIONS	29,000			29,000
10 11-6000	INSURANCE - LIABILITY	19,000	3,000		22,000
10 11-6001	INSRUANCE - PROPERTY	40,000	(1,000)		39,000
10 11-6002	INSURANCE - SURETY BONDS	1,165	(600)		565
10 11-6003	INSRANCE - VEHICLE	33,595	2,905		36,500
10 11-6011	LEGAL NOTICES	18,000	(6,500)	1,500	13,000
10 11-6228	ECONOMIC INCENTIVE PAYMENTS	65,000	(50,000)		15,000
10 11-7002	CAPITAL EQUIPMENT	-	175,500		175,500
10 11-7003	BUILDING IMPROVEMENT	-	53,847		53,847
10 11-9000	TRANSFER TO CIP	583,920			583,920
10 11-9001	TRANSFER TO DEBT SERVICES	661,702			661,702
TOTAL CONTRACTUAL AND GOVERNMENT		2,093,388	167,407	21,800	2,282,595
FIRE DEPARTMENT					-
10 20-5628	FIRE DEPARTMENT CONTRIBUTION	1,116,459			1,116,459
TOTAL FIRE DEPARTMENT		1,116,459	-		1,116,459
					-

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

		2021 ORIGINAL BUDGET	2021 AMEND NO.1	2021 AMEND NO.2	2021 FINAL BUDGET
MUNICIPAL COURT DEPARTMENT					
10 30-4010	SALARIES EXEMPT REGULAR	65,376	(10,000)		55,376
10 30-4011	SALARIES NON EXEMPT REGULAR	37,877	(5,877)		32,000
10 30-4014	LONGEVITY	432	(235)	235	432
10 30-4015	CERTIFICATION PAY	1,890	200	61	2,151
10 30-4016	457-PLAN	2,066	(1,526)		540
10 30-4030	SALARIES OVERTIME	1,700	(1,700)	55	55
10 30-4100	EMPLOYEE BEN-HEALTH INSURANCE	36,064	(16,000)		20,064
10 30-4110	EMPLOYEE BEN-T.M.R.S.	7,594	(1,500)		6,094
10 30-4120	EMPLOYEE BEN-FICA/MEDICARE TAX	1,918	(718)		1,200
10 30-4130	EMPLOYEE BEN-WORKERS COMP	373			373
10 30-4140	EMPLOYEE BEN-UNEMPLOYMENT INS	540	210	80	830
10 30-4506	GENERAL EXPENSE ALLOWANCE	1,800	(150)		1,650
10 30-4520	DUES & SUBSCRIPTIONS	800	(380)		420
10 30-4521	PRINTING COSTS	500	700		1,200
10 30-4525	OFFICE SUPPLIES	1,500	(950)	350	900
10 30-4526	GENERAL EXPENSE	500	2,100	500	3,100
10 30-4606	OFFICE EQUIP. MAINT. & REPAIRS	900	406	4,000	5,306
10 30-5027	MUNICIPAL COURT-TRAINING	3,000	(2,750)	70	320
10 30-5031	EMPLOYEE MEDICAL TESTING & TRE	200	200		400
10 30-5509	PROFESSIONAL FEE	-	18,500	5,600	24,100
10 30-5600	COMPUTER SERVICE & REPAIRS	21,200			21,200
10 30-5610	MUNICIPAL COURT FEES-JUDGE	23,200	(1,425)		21,775
10 30-5611	MUNICIPAL COURT FEES-PROSECUTO	27,300	(1,950)		25,350
10 30-5614	MUNICIPAL COURT FEES-WARRANT E	1,350	1,050		2,400
10 30-5617	MUNICIPAL COURT- SOFTWARE	15,000	3,888	2,600	21,488
10 30-5618	MUNICIPAL COURT INTERPRETER	5,000			5,000
10 30-6012	CREDIT CARD FEES	14,000	19,500		33,500
	TOTAL MUNICIPAL COURT	272,080	1,593	13,551	287,224
PARK & RECREATION DEPARTMENT					
10 35-4510	PARK-COMMUNITY EVENTS	5,600	(5,600)		-
10 35-4511	EVENT - MOVIE NIGHTS	2,200			2,200
10 35-4514	EVENT - SNOW DAYS	6,600	(6,600)		-
10 35-4515	EVENT - WINTER LIGHTS	500			500
10 35-4516	EVENT - VIF	8,000	(8,000)		-
10 35-4526	GENERAL EXPENSES	1,200			1,200
10 35-4611	PARK MAINTENANCE-MATERIALS	6,000		850	6,850
10 35-4612	GS/COMMUNITY ENHANCEMENT	7,000	5,000		12,000
10 35-4614	HOLIDAY DECORATION	5,600			5,600
10 35-4615	PARK MAINTENANCE- SUPPLIES	500			500
10 35-5511	MOWING & LANDSCAPING	46,528	2,700	500	49,728
	TOTAL PARK	89,728	(12,500)	1,350	78,578

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

		2021 ORIGINAL BUDGET	2021 AMEND NO.1	2021 AMEND NO.2	2021 FINAL BUDGET
POLICE DEPARTMENT					
10 40-4010	SALARIES EXEMPT REGULAR	155,647	14,000	13,000	182,647
10 40-4011	SALARIES NON EXEMPT REGULAR	1,749,075	(25,000)	(3,000)	1,721,075
10 40-4014	LONGEVITY	8,232	(1,700)		6,532
10 40-4015	CERTIFICATION PAY	32,580	1,420	50	34,050
10 40-4016	457-PLAN	37,675	(8,675)		29,000
10 40-4017	COVID-19 PAY	38,000			38,000
10 40-4022	UNIFORM ALLOWANCE	1,600	(800)	5	805
10 40-4023	ON-CALL	10,400	(5,200)	10	5,210
10 40-4024	FTO ALLOWANCE	13,360	(11,800)		1,560
10 40-4030	SALARIES OVERTIME	140,000	260,000	10,000	410,000
10 40-4100	EMPLOYEE BEN-HEALTH INSURANCE	370,613	(30,000)	(1,000)	339,613
10 40-4110	EMPLOYEE BEN-T.M.R.S.	148,663	17,000		165,663
10 40-4120	EMPLOYEE BEN-FICA/MEDICARE TAX	32,245	3,755		36,000
10 40-4130	EMPLOYEE BEN-WORKERS COMP	48,161			48,161
10 40-4140	EMPLOYEE BEN-UNEMPLOYMENT INS	7,290		350	7,640
10 40-4505	AUTO EXPENSES-GASOLINE	50,000	19,000		69,000
10 40-4508	PD-CRIME CONTROL SUPPLIES	11,000		1,200	12,200
10 40-4511	PD-UNIFORMS	20,000	2,000		22,000
10 40-4520	DUES & SUBSCRIPTIONS	2,000	1,200		3,200
10 40-4521	PRINTING COSTS	2,000	(1,225)		775
10 40-4524	DISASTER EXPENSES	5,000	(1,700)		3,300
10 40-4525	OFFICE SUPPLIES	6,000	(800)		5,200
10 40-4526	GENERAL EXPENSES	8,000			8,000
10 40-4600	AUTO EXPENSES-MAINTENCE & REPA	40,000	23,000	1,500	64,500
10 40-4601	AUTO EXPENSE - AUTO COLLISION	3,000	(2,125)		875
10 40-4602	MACH & EQUIP-MAINT & REPAIRS	2,000		1,400	3,400
10 40-4603	JANITORIAL & CLEANING	22,790	(3,290)		19,500
10 40-4604	COMPUTER COST-HARDWARE	7,000	(1,800)	1,800	7,000
10 40-4605	COMPUTER COST-SOFTWARE	47,000		6,000	53,000
10 40-4606	OFFICE EQUIP. & REPAIRS	9,000	(4,700)		4,300
10 40-4607	BUILDING MAINTENANCE	20,000	7,000	2,000	29,000
10 40-4620	PD-RADIO & RADAR REPAIRS	40,000	(1,000)		39,000
10 40-4621	LEASING EQUIPMENT - TASER	8,928	(8,928)		-
10 40-5027	PD-TRAINING	25,000	(2,000)	850	23,850
10 40-5029	PD-ANIMAL CONTROL	500	(500)		-
10 40-5031	EMPLOYEE MEDICAL TESTING & TRE	3,000			3,000
10 40-5032	RECRUITING BONUS	5,000	(1,000)		4,000
10 40-5033	POLICE CANINE EXPENSES	9,000	(4,700)		4,300
10 40-5600	COMPUTER SERVICE & MAINTENANCE	67,665	(7,665)		60,000
10 40-5630	UTILITIES-COMMUNICATIONS	35,000	11,000		46,000
10 40-7001	PD - PP&E	3,500	(1,250)		2,250
10 40-7002	CAPITAL - MATERIALS & EQUIP.	140,000	192,750		332,750
10 40-9100	POLICE DEPT-RESERVE CAPTIAL	37,691			37,691
	TOTAL POLICE DEPARTMENT	3,423,615	426,267	34,165	3,884,047

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

		2021	2021	2021	2021
		ORIGINAL	AMEND	AMEND	FINAL
		BUDGET	NO.1	NO.2	BUDGET
STREET DEPARTMENT					
10 50-4010	SALARIES EXEMPT REGULAR	60,008	(2,008)	4,100	62,100
10 50-4011	SALARIES NON EXEMPT REGULAR	65,843	7,157	1,700	74,700
10 50-4014	LONGEVITY	1,656			1,656
10 50-4015	CERTIFICATION PAY	2,328			2,328
10 50-4016	457-PLAN	2,518	(1,000)		1,518
10 50-4018	DIASASTER ALLOWANCES	-	3,000		3,000
10 50-4030	SALARIES OVERTIME	7,000	4,800	450	12,250
10 50-4100	EMPLOYEE BEN. HEALTH INSURANCE	33,137	6,700		39,837
10 50-4110	EMPLOYEE BEN. T.M.R.S.	9,488	1,012		10,500
10 50-4120	EMPLOYEE BEN. FICA EMP. TAX	1,956			1,956
10 50-4130	EMPLOYEE BEN-WORKERS COMP	3,561	(861)		2,700
10 50-4140	EMPLOYEE BEN-UNEMPLOYMENT INS	540	216		756
10 50-4505	AUTO EXPENSES-GASOLINE	7,000	50		7,050
10 50-4511	UNIFORMS	2,700	(700)	150	2,150
10 50-4520	DUES & SUBSCRIPTIONS	500	(250)		250
10 50-4526	GENERAL EXPENSES	3,000	(2,200)		800
10 50-4528	TOOLS, EQUIPMENT	3,000	(2,100)		900
10 50-4529	STREET - MATERIAL & SUPPLIES	10,000	2,500		12,500
10 50-4600	AUTO EXPENSES-MAINTENCE & REPA	3,000	(2,700)		300
10 50-4608	EQUIPMENT RENTAL	1,500	5,000		6,500
10 50-4609	STREET SYSTEM	12,000	24,500		36,500
10 50-4630	TRAFFIC CONTROL	12,000	8,500		20,500
10 50-4631	TRAFFIC CONTROL-STREET STRIPIN	70,000			70,000
10 50-5027	TRAVEL & TUITION	3,000	(1,900)		1,100
10 50-5031	EMPLOYEE MEDICAL TESTING & TRE	1,000	(1,000)		-
10 50-5500	CONTRACT LABOR	15,000	(17,200)	2,200	-
10 50-5501	STREET SWEEPING	6,000	(2,000)		4,000
10 50-5506	PROFESS. FEES - ENGINEERING	15,000	(12,000)		3,000
10 50-5511	ROW - MOWING	40,000	4,500	2,200	46,700
10 50-5620	NUISANCE CONTROL	6,000	1,600		7,600
10 50-5621	DISASTER CLEAN-UP	-			-
10 50-5625	UTILITIES-STREET & TRAFFIC LIG	110,000	(21,000)		89,000
10 50-9100	STREETS - RESERVE FOR CAPITAL	18,656			18,656
TOTAL STREET		527,391	2,616	10,800	540,807

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

		2021	2021	2021	2021
		ORIGINAL	AMEND	AMEND	FINAL
		BUDGET	NO.1	NO.2	BUDGET
CAPITAL REPLACEMENT FUND					
REVENUE					-
15 01-5406	INTEREST INCOME	-	(829)		(829)
15 01-5700	TRANSFER IN	-	(183,600)		(183,600)
15 01-5710	CITY HALL USER FEES	(8,581)			(8,581)
15 01-5740	POLICE DEPARTMENT USER FEES	(37,691)			(37,691)
15 01-5750	STREET DEPARTMENT USER FEES	(18,656)			(18,656)
15 01-5760	WATER DEPARTMENT USER FEES	(94,835)			(94,835)
15 01-5761	UTILITIE ADMIN USER FEES	(7,751)			(7,751)
15 01-5770	WASTEWATER DEPARTMENT USER FEE	(5,432)			(5,432)
TOTAL INTER-FUND TRANSFER		(172,946.00)	(184,429.00)		(357,375.00)
EXPENDITURE					
15 10-5506	ENG FEE FOR GST REHAB	-	63,000		63,000
15 10-7000	VEHICLES	32,500			32,500
15 10-7001	EQUIPMENT	-	87,300		87,300
15 10-7002	GST #2		675,000		675,000
TOTAL EXPENDITURES		32,500.00	825,300.00		857,800.00

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

		2021 ORIGINAL BUDGET	2021 AMEND NO.1	2021 AMEND NO.2	2021 FINAL BUDGET
UTILITY FUND					
REVENUE					
20 01-5201	OTHER INCOME-UT. PERMIT & INSP	-			-
20 01-5260	BILLING FOR SERVICE - WATER	(1,550,000)	80,000		(1,470,000)
20 01-5270	BILLING FOR SERVICE - SEWER	(1,270,000)	(55,000)		(1,325,000)
	TOTAL FEES & CHARGES	(2,820,000.00)	25,000.00		(2,795,000.00)
20 01-5400	OTHER INCOME	(22,000)			(22,000)
20 01-5406	INTEREST INCOME	(5,000)	4,000		(1,000)
20 01-5413	CREDIT CARD FEES	(5,500)	(6,000)		(11,500)
20 01-5460	OTHER INCOME - WATER TAPS	(24,000)	(20,000)		(44,000)
20 01-5470	OTHER INCOME - SEWER TAPS	(800)			(800)
	TOTAL MISC REVENUE	(57,300.00)	(22,000.00)		(79,300.00)
ADMINISTRATIVE DEPARTMENT					
20 10-4010	SALARIES EXEMPT REGULAR	151,955		(5,000)	146,955
20 10-4011	SALARIES NON EXEMPT REGULAR	288,200	(20,200)	(30,000)	238,000
20 10-4014	LONGEVITY	3,867			3,867
20 10-4015	CERTIFICATION PAY	5,388	(1,000)		4,388
20 10-4016	457-PLAN	9,645	(6,045)	180	3,780
20 10-4018	DIASASTER ALLOWANCES	-	9,000		9,000
20 10-4020	MGR CAR ALLOWANCE	3,000		6	3,006
20 10-4023	ON-CALL ALLOWANCE	10,400	1,300	160	11,860
20 10-4030	SALARIES OVERTIME	40,000	(3,200)	1,000	37,800
20 10-4100	EMPLOYEE BEN. HEALTH INSURANCE	104,341	(17,000)	(10,000)	77,341
20 10-4110	EMPLOYEE BEN. T.M.R.S.	41,972	(8,246)	(5,000)	28,726
20 10-4120	EMPLOYEE BEN. FICA EMP. TAX	7,335			7,335
20 10-4130	EMPLOYEE BEN-WORKERS COMP	11,085	(2,785)		8,300
20 10-4140	EMPLOYEE BEN-UNEMPLOYMENT INS	1,714			1,714
20 10-4505	AUTO EXPENSES-GASOLINE	4,500	8,000		12,500
20 10-4506	MACH & EQUIP - GASOLINE	500	(500)		-
20 10-4511	UNIFORMS	5,500	(1,500)	1,500	5,500
20 10-4520	DUES & SUBSCRIPTIONS	875	(375)	300	800
20 10-4521	PRINTING COSTS	2,000	1,000		3,000
20 10-4526	GENERAL EXPENSES	4,500	1,000		5,500
20 10-4527	POSTAGE	6,600			6,600
20 10-4600	AUTO EXPENSES-MAINTENCE & REPA	4,000			4,000
20 10-4601	MACH & EQUIP - MAINT & REPAIRS	5,000	12,500	4,500	22,000
20 10-4605	COMPUTER COST-SOFTWARE & MAINT	25,000	(10,300)		14,700
20 10-5027	TRAVEL & TUITION	4,000	(700)		3,300
20 10-5031	EMPLOYEE MEDICAL TESTING & TRE	200	(200)		-
20 10-5502	PROFESS. FEES - AUDIT	14,110	114		14,224
20 10-5506	PROFESS. SERVICE FEES	10,000	(8,200)	2,000	3,800
20 10-5630	UTILITIES-COMMUNICATIONS	15,800	(3,300)		12,500
20 10-7002	CAPITAL - MATERIALS & EQUIP.	-		2,610	2,610
20 10-9100	UTILITIES- RESERVE FOR CAPITAL	7,751		500	8,251
20 10-9000	TRANSFER OUT		183,600		183,600
	TOTAL UTILITY ADMINISTRATION	789,237.85	132,963.00	(37,244.00)	884,956.85

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

		2021 ORIGINAL BUDGET	2021 AMEND NO.1	2021 AMEND NO.2	2021 FINAL BUDGET
DEBT SERVICE DEPARTMENT					
20 15-6520	PRINCIPAL/DEBT SERVICE	305,000			305,000
20 15-6521	INTEREST/DEBT SERVICE	97,913			97,913
20 15-6522	PRINCIPAL PAYMENT TO GF	86,516			86,516
20 15-6523	INTEREST PAYMENT TO GF	18,896			18,896
20 15-6700	MAINTENANCE FEE/DEBT SERVICE	1,600			1,600
	TOTAL DEBT SERVICES	509,925.00	-		509,925.00
WATER WORK DEPARTMENT					
20 60-4525	WATER SUPPLIES	-			-
20 60-4526	GENERAL EXPENSES	3,500	(1,500)	270	2,270
20 60-4607	WELL REPAIRS	7,000	14,500		21,500
20 60-5500	CONTRACT LABOR	15,000	(13,600)		1,400
20 60-5536	PROFESSIONAL FEES - ENGINEERIN	38,587			38,587
20 60-5628	ELECTRICAL POWER - WATER PLANT	54,000			54,000
20 60-6020	COH EMERGENCY INTERCONNECT	2,000	(500)		1,500
20 60-6021	COH - GROUND WATER CHARGE	295,000	13,000		308,000
20 60-6022	WATER SAMPLES	3,000	2,600		5,600
20 60-6023	WATER TREATMENT	42,000	9,000		51,000
20 60-7002	CAPITAL - MATERIALS & EQUIP.	9,235	(2,835)		6,400
20 60-7004	WATER METERS	6,000	5,200		11,200
20 60-7101	WATER SYSTEM	27,000	(3,600)		23,400
20 60-7102	NEW WATER SERVICE LINES MATERI	5,000	5,500		10,500
20 60-7401	CAPITAL-GROUND WTR WELL 2	111,413			111,413
20 60-9100	WATER DEPARTMENT-G&A RESERVE F	94,835			94,835
	TOTAL WATER SERVICES	713,570.00	27,765.00	270.00	741,605.00
SEWER DEPARTMENT					
20 70-4601	SEWER SYSTEM MAINTENANCE	6,000	6,557		12,557
20 70-4608	SEWER DEPT. - MATERIAL & LABOR	5,000	2,000		7,000
20 70-5500	CONTRACT LABOR	20,000	(15,500)		4,500
20 70-5627	ELECTRICAL POWER - SEWER PLANT	2,000	(400)		1,600
20 70-6020	CITY OF HOUSTON - SEWER	900,000			900,000
20 70-7002	CAPITAL - MATERIALS & EQUIP.	8,000	(8,000)		-
20 70-9100	SEWER DEPARTMENT G&A RESERVE F	5,432			5,432
	TOTAL SEWER DEPARTMENT	946,432.00	(15,343.00)	-	931,089.00

SPRING VALLEY VILLAGE

BUDGET AMENDMENT NO.2

		2021	2021	2021	2021
		ORIGINAL	AMEND	AMEND	FINAL
		BUDGET	NO.1	NO.2	BUDGET
CIP FUND					
REVENUE					
25 01-5406	INTEREST INCOME	(4,000)			(4,000)
25 01-5710	TRANSFERS IN	(583,920)			(583,920)
EXPENDITURES					
25 50-4631	TAMY AND RANDY LIGHTING	-	1,800		1,800
25 50-4632	PAVING AT CHURCH PARKING LOT	-	14,768		14,768
25 50-5535	PROFEES.FEES - HILLDALE/BADE	-			-
25 50-5544	PROFESS. FEES - CONNECTIVITY	-			-
25 50-5545	PROFESS. FEES - ENG LOESER, TR	30,182	43,131		73,313
25 50-5546	PROFESS. FEES - GREEN VALLEY &	27,008	19,992		47,000
25 50-5547	PROFESS. FEES - WINNINGHAM, CEDARSPUR	166,801	81,919		248,720
25 50-5548	PROFESS. FEES - SAFETY	62,663			62,663
25 50-5549	PROFESS. FEES - CEDARSPUR, BURKHART	-		122,827	122,827
25 50-6946	KATY FREEWAY NOISE REDUCTION	46,800			46,800
25 50-6947	FIRE DEPARTMENT RENOVATION	60,938			60,938
25 50-7503	PW - PRE-ENGINEER BUILDING	250,000			250,000
25 50-7517	CONSTRUCTION - LOESER, TRAWEEK, LONE ST	3,183,396			3,183,396
25 50-7518	CONSTRUCTION - GREEN VALLEY & WINNINGI	1,095,284			1,095,284
25 50-7519	CONSTRUCTION -WINNINGHAM, CED	56,250			56,250
25 50-7520	CONSTRUCTION - WINNINGHAM	605,424			605,424
DEBT SERVICE FUND					
REVENUE					
30 01-5100	AD VALOREM - CURRENT YEAR	(915,000)			(915,000)
30 01-5102	AD VALOREM - PRIOR YEARS	-			-
30 01-5103	AD VALOREM - PENALTY & INTERES	-			-
30 01-5700	TRANSFER IN FROM GF	(661,702)			(661,702)
DEBT SERVICE					
30 15-6520	BOND - PRINCIPAL	825,000			825,000
30 15-6521	BOND - INTEREST	732,196			732,196
30 15-6700	MAINTENANCE FEE/DEBT SERVICE	5,000			5,000
SPECIAL REVENUE RESTRICTED FUND					
REVENUE					
35 01-5316	JUDICIAL FEES	(500)			(500)
35 01-5318	MUNICIPAL COURT - CHILD SAFETY	(250)			(250)
35 01-5320	TIME PAYMENT (TPLC)	(450)			(450)
35 01-5322	MUNICIPAL COURT - SECURITY FEE	(6,000)	(18,000)		(24,000)
35 01-5323	MUNICIPAL COURT-TECHNOLOGY FEE	(6,000)	(14,000)		(20,000)
EXPENDITURES					
35 30-5005	MUNICIPAL COURT BAILIFF	25,000			25,000
35 30-5615	COURT SECURITY EXPENSE	1,000			1,000
35 30-9000	TRANSFER OUT		68,750		68,750

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

MEETING DATE: January 25, 2022

TOPIC: Resolution No. 22-XX

A RESOLUTION OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING THE CITY'S FINANCIAL AND ACCOUNTING POLICIES & PROCEDURES MANUAL, AS ADOPTED BY ACTION ONLY ON JULY 26, 2005, TO DELETE THE SECTION "GRANTS" AND ADOPT A NEW GRANT ACCOUNTING POLICY; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

BACKGROUND: On July 26, 2005, by action only, the City Council of the City of Spring Valley Village, Texas, adopted a Financial and Accounting Policies & Procedures Manual for the City ("Financial Manual"), and the Financial Manual has not been updated since its original adoption to reflect changes to various requirements of different grants, as well as procedural and systemic changes implemented by the City since 2005. Additionally, the Financial Manual contains provisions addressing topics that are covered in the City's Personnel Manual and should not be included in the Financial Manual. Completely reviewing and revising the Financial Manual has been a future project for City staff for the last few years; however, due to the complexity and time required, it has been put on hold. It is now a priority as a result of an inquiry from the Governor's Office related to one of the City's grants.

Since the inquiry was specifically related to the City's Grant Accounting Policy, we are starting with the revision of this section of the current Financial Manual. However, a thorough review of the entire Financial Manual is already underway, and additional amendments/revisions will be brought forward to the Council in the next few months.

This Resolution would amend the City's Financial Manual, as adopted by action only on July 26, 2005, to delete the section "Grants" and adopt a new Grant Accounting Policy as reflected in Exhibit "A" to the Resolution. City staff has already implemented the proposed Grant Accounting Policy in order to address the inquiry from the Governor's Office, and it incorporates changes to various requirements of different grants as well as procedural and systemic changes implemented by the City since 2005.

RECOMMENDATION: Staff recommends approval of the Resolution.

ATTACHMENTS:

- Resolution Number 22-XX
- Copy of Current "Grants" Section of the City's Financial and Accounting Policies & Procedures Manual

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

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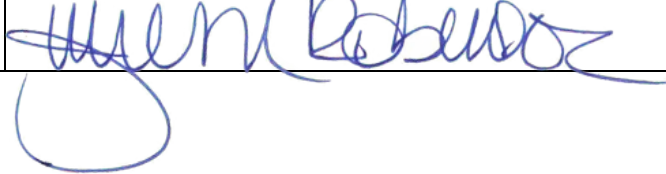
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Julie M. Robinson, City Administrator

CITY ADMINISTRATOR APPROVAL:



RESOLUTION NUMBER 22-XX

A RESOLUTION OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING THE CITY'S FINANCIAL AND ACCOUNTING POLICIES & PROCEDURES MANUAL, AS ADOPTED BY ACTION ONLY ON JULY 26, 2005, TO DELETE THE SECTION "GRANTS" AND ADOPT A NEW GRANT ACCOUNTING POLICY; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on July 26, 2005, by action only, the City Council of the City of Spring Valley Village, Texas, adopted a Financial and Accounting Policies & Procedures Manual for the City ("Financial Manual"), and the Financial Manual has not been updated since its original adoption to reflect changes to various requirements of different grants as well as procedural and systemic changes implemented by the City since 2005; and

WHEREAS, the City Council hereby finds that the Financial Manual should be amended to delete the section "Grants" and adopt a new Grant Accounting Policy as attached hereto.

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 to this Resolution are hereby found to be true and correct.

Section 2. The City's Financial Manual, as adopted by action only on July 26, 2005, is hereby amended to delete the section "Grants" and adopt a new Grant Accounting Policy to read in its entirety as reflected in Exhibit "A" attached hereto and incorporated herein.

Section 3. All provisions of the Resolutions of the City of Spring Valley Village, Texas, codified or uncoded, in conflict with the provisions of this Resolution are hereby repealed, and all other provisions of the Resolutions of the City of Spring Valley Village, Texas, codified or uncoded, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 4. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Resolution 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 Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. This RESOLUTION shall become effective immediately upon its passage.

DULY PASSED AND APPROVED on this the ____ day of _____, 2022.

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 22-XX

CITY OF SPRING VALLEY VILLAGE

Grant Accounting Policy

Purpose

To ensure that transactions related to grants are properly recorded in the appropriate fiscal year in the financial statements and that this policy is consistently applied in accordance with accounting standards.

Basis of Accounting

The accrual basis of accounting should be utilized in measuring financial position and operating results. The accrual basis recognizes revenues and expenditures in the accounting period in which those transactions, events, or circumstances occur (goods or services are received) and become measurable.

Fiscal Year

The City of Spring Valley Village's fiscal year is October 1st to September 30th.

Grant Accounting

1. All grant-related financial activity must be accounted for in the City's primary accounting system of record (Incode). This may be done through the City's Project Accounting Module.
2. Direct and indirect costs must be clearly identified and separated based on the specific grant.
3. City contributions (matching) and grantor funds must be clearly identified and separated based on the specific grant.
4. The Administering Department and Finance Department is responsible to submit all financial reports required by grantor agencies.
5. The Administering Department and Finance Department must be aware of the particular requirements of reimbursement, advance payment, or fee-for-service grants as they apply for each award.
6. The Administering Department, with support from the Finance Department, must be familiar with, comply with, and document compliance with all contractual requirements for applicable grants.
7. The Finance Department must review financials for each grant each month and communicate any issues encountered to appropriate staff.
8. Expenditures/Expenses:
 - a. The Purchasing Manager and City Administration shall ensure that all grant-related procurement is handled in accordance with City Purchasing Policies and all applicable state and/or federal grant regulations and contractual requirements.
 - b. The Administering Department is responsible for ensuring that grant-related funds are only obligated/expended when there is budgetary authority to do so.

- c. The Administering Department and the Finance Department are responsible for ensuring that all expenditures are necessary, reasonable, allowable, and appropriately allocated.
 - d. The Administering Department and the Finance Department are responsible for ensuring all disbursements are correct, and that any required retainage is accounted for properly.
9. Revenues:
- a. The Administering Department must provide the Finance Department with copies of a request for reimbursement or drawdown request each time they are submitted to the grantor agency.
 - b. The Finance Department is responsible for making the journal entry to recognize the revenue and create a receivable.
 - c. The Finance Department is responsible for monitoring bank account activity, and, when deposits hit the appropriate bank account, making entries to reflect the sums received.
 - d. The Finance Department is responsible for reconciling receivables and payments.
10. Journal Entries:
- a. The Administering Department is responsible for providing information for all grant-related journal entries corresponding to a particular accounting period (month) no later than the 15th of each month. Nothing herein shall prohibit the Finance Department from identifying entries that need to be made and making them on behalf of departments.
 - b. The Finance Department is responsible for entering, reviewing, and posting such journal entries.
 - c. The Finance Department is responsible for fiscal year-end entries such as accruals, adjusting entries, etc.
 - d. At the close of each grant, the Administering Department, with support and assistance from the Finance Department, is responsible for ensuring all applicable revenues, expenditures, and transfers are reflected in Incode.
11. The Finance Department will serve as the point of contact for the annual Single Audit and coordinate and provide responses to the City's external auditors.
12. The Finance Department will prepare the annual Schedule of Expenditures of Federal Awards (SEFA) and Schedule of Expenditures of State Awards (SESA), and will coordinate with the City's external auditors to file the results with the Federal Audit Clearinghouse (FAC).

DIVIDER PAGE

CITY OF SPRING VALLEY, TEXAS

POLICIES AND PROCEDURES

GRANTS

Funds received from grant programs are cash receipts. Grant revenue is recognized in the period expended, otherwise, it appears as a liability.

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

MEETING DATE: January 25, 2022

TOPIC: Ordinance No. 2022-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. 16 TO THE PERSONNEL MANUAL, TO DELETE CHAPTER 9, WAGES AND SALARY; HOURS OF WORK; JOB PERFORMANCE; AND TO ADOPT A NEW CHAPTER 9, ATTENDANCE, ABSENCES AND COMPENSATION; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

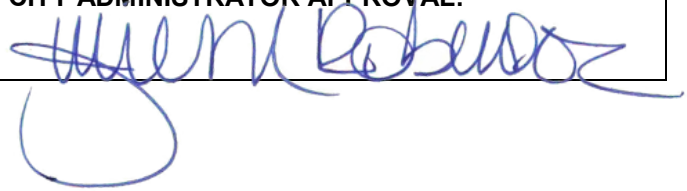
BACKGROUND: As with the City's Financial and Accounting Policies and Procedures Manual, the City's Personnel Manual was adopted in 1995 and has been amended only a few times since its adoption. It has not been updated to stay current with changes to Federal and State law or the City's actual practices in a variety of areas including changes to time keeping and workweek.

Completely reviewing and revising the Personnel Manual has been a future project for City staff for the last few years; however, due to the complexity and time required, it had been put on hold. It is now a priority as a result of an inquiry from the Governor's Office related to one of the City's grants.

Since the inquiry was specifically related to the City's time keeping and workweek, we are starting with the revision of these provisions which are found in Chapter 9 of the current Personnel Manual. However, a thorough review of the entire Personnel Manual is already underway, and additional amendments/revisions will be brought forward to the Council in the next few months.

A new Chapter 9, Attendance, Absences & Compensation Policy has been developed with City Attorney Loren Smith that addresses the issues previously included in Chapter 9, the inquiry from the Governor's Office, and incorporates changes to State and Federal employment laws as well as procedural and systemic changes implemented by the City since 1995. Please note that Section 9.4, Bad Weather Policy, was deleted in 2018 and replaced with a new Chapter 18, Emergency Operations Procedures. Additionally, provisions for Performance Evaluations that were previously included in Section 9.13 will be addressed in a separate Chapter.

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

	This Ordinance would adopt Amendment No. 16 to the City's Personnel Manual to delete Chapter 9, Wages and Salary; Hours of Work; Job Performance, and adopt a new Chapter 9, Attendance, Absences and Compensation, as reflected in Exhibit "A" to the Ordinance. City staff has already implemented the proposed new Chapter 9, Attendance, Absences and Compensation, in order to address the inquiry from the Governor's Office, and it incorporates changes to State and Federal employment laws as well as procedural and systemic changes implemented by the City since 1995.
RECOMMENDATION:	City Attorney Loren Smith and City Administrator Julie Robinson recommend approval of the Ordinance.
ATTACHMENTS:	- Ordinance No. 2022-XX - Copy of Current Version of Section 9, Wages and Salary; Hours of Work; Job Performance
FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING:	
	
SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Julie M. Robinson, City Administrator	

ORDINANCE NUMBER 2022-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. 16 TO THE PERSONNEL MANUAL, TO DELETE CHAPTER 9, WAGES AND SALARY; HOURS OF WORK; JOB PERFORMANCE; AND TO ADOPT A NEW CHAPTER 9, ATTENDANCE, ABSENCES AND COMPENSATION; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on March 29, 1995, by Ordinance Number 95-05, the City Council of the City of Spring Valley Village, Texas, adopted a Personnel Manual for all City employees ("Personnel Manual"), and the Personnel Manual has been amended several times since its original adoption with changes to various provisions; and

WHEREAS, Chapter 9, Wages and Salary; Hours of Work; Job Performance, of the Personnel Manual has not been updated since its original adoption to reflect changes to State and Federal employment laws as well as procedural and systemic changes implemented by the City since 1995; and

WHEREAS, the City Council hereby finds that the City's Personnel Manual should be amended to delete Chapter 9, Wages and Salary; Hours of Work; Job Performance, and adopt a new Chapter 9, Attendance, Absences and Compensation, as attached hereto as Exhibit "A."

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

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

Section 2. The City's Personnel Manual, as adopted by Ordinance Number 95-05, duly passed and approved on March 29, 1995, as amended, is hereby amended by the deletion of Chapter 9, Wages and Salary; Hours of Work; Job Performance, and adoption of a new Chapter 9, Attendance, Absences and Compensation, to read in its entirety as reflected in Exhibit "A" attached hereto and incorporated herein. This amendment shall be referenced and referred to as **AMENDMENT NO. 16 TO THE PERSONNEL MANUAL.**

Section 3. All provisions of the ordinances of the City of Spring Valley Village, Texas, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Spring Valley Village, Texas, codified or uncoded, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

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

Section 5. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED on this the ____ day of _____, 2022.

Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

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

EXHIBIT “A”

TO

ORDINANCE NUMBER 2022-XX

IX. ATTENDANCE, ABSENCES & COMPENSATION

9.01 Accounting and Timekeeping;

(a) **Responsibility.** Directors are responsible for maintaining records relative to all forms of leave, attendance and absence of their employees due to any cause and whether with or without pay. Proper indications by the use of appropriate symbols, such as the cause of absence, will be made on department payroll and/or any other required records set up from time to time under special operating rules. Each department will be responsible for the designation of one or more capable employees who, as part of their regular duties, will keep and certify as to the accuracy of daily records covering all forms of attendance and absence of each of their employees. Such records constitute the basis for preparation of departmental payrolls (when the payroll form itself is not actually used as the basic record), and will be preserved by departments in accordance with the City's record retention policy.

Certification of records and submission of employee time sheets will be processed electronically by recording hours worked in the City's Time Entry Module of Incode. Directors must check attendance records and payrolls in order to insure that salary and wage expenditures stay within budgetary limits.

All time sheets are processed electronically in the City's accounting system (Incode). Each employee (Exempt and Non-exempt) is responsible for logging onto a computer with their username and password and entering their time into Time Entry in the Incode System. Supervisors and then Directors are responsible to approving each of their Department's employees' time sheets in Time Entry and then sending the data to payroll in the system by 10:00 a.m. on the Monday of a payroll week. In some circumstances, the deadline for approval may change due to a City holiday.

The Director of Human Resources is responsible for certifying as to the compliance of departments with the requirements and policies established by the officials as to the conformity with the established policies governing personal leave, sick leave, retirement, etc.

(b) **Attendance Records.** Employees are expected to be at their workstations and ready to work at their scheduled start time. Nonexempt employees are required to record the number of hours worked each day. Exempt employees are required to document hours worked each day as well as any time off. This documentation is for reporting purposes only and not for compensation.

(c) **Attendance and Punctuality.** To maintain a safe and productive work environment, the City expects employees to be reliable and punctual in reporting to work. Absenteeism and tardiness are disruptive and place a burden on the City and on co-workers. Either may lead to disciplinary action, up to and including termination of employment. In the instance when an employee cannot avoid being late to work or is unable to work as scheduled, the employee must personally notify their supervisor as soon as possible in advance of the anticipated tardiness or absence in accordance with departmental procedures. The employee must disclose to the supervisor the date and time of anticipated return. The employee must personally notify the

supervisor on each day of absence for absences of a day or more unless the supervisor expressly waives this requirement.

In most instances, an employee who fails to properly notify the supervisor in advance of an absence or tardiness will be subject to disciplinary action, up to and including termination. An employee who fails to notify the City of an absence of three days or more may be presumed to have voluntarily resigned employment.

9.02 Wages and Hours

(a) Pay Plan. Wages, salaries and working schedules for various positions shall be in general accordance with the provisions of the official pay plan currently in effect including amendments thereto and within the limitations of the financial provisions of each department as approved by the City Council in the adopted budget for each fiscal year. Salary is based on a total number of regular hours worked per year.

The city's pay period is bi-weekly. Timesheets indicating hours worked or leave taken over the past two weeks are due no later than Monday. Payroll is issued on the Friday after the two week pay period. In the event that a payday falls on a city or bank holiday or a weekend, payroll will be distributed on the previous workday.

(b) Direct Deposit. The City Administrator will determine an appropriate date after this personnel policy has been adopted when all payments to employees, including, but not limited to payroll and expense reimbursement payments, will be made by electronic (ACH) direct deposit. Employees will be required to furnish account information to the City so that these electronic payments can be processed. After the use of direct deposit for payments has begun, no payments by paper check to employees will be produced unless approved by the City Administrator.

(c) Regular Work Hours. Nonexempt employees of the City normally work 40 hours in a seven-day workweek. Exempt employees may be required to work in excess of 40 hours in certain weeks as necessary to properly perform the duties assigned. The salaries for exempt employees are determined and established in accordance with this assumption. Exempt employees are not eligible for overtime compensation except in compliance with Chapter 18, Emergency Operations Procedures. The work week begins at 12:01 a.m. on Saturday, and ends at 12:00 a.m. (Midnight) on Friday. The regular workday normally begins at 7:30 a.m. and ends at 5:00 p.m. Monday through Thursday, and begins at 7:30 am and ends at 2:30 pm on Fridays. Employees in some departments may have different work hours, if approved by the City Administrator. In times of disaster or emergency, working hours shall be determined by the City Administrator.

- (1) Non-exempt employees of the Police Department normally work 84 hours in a 14-day workweek pursuant to Section 207(k) of the Fair Labor Standards Act. The regular workday for the Police Department begins at 6:00 a.m. and ends at 6:00 p.m., Monday through Sunday. The work week established for the City above remains the same for the Police Department.

(d) **Adjustment to Work Hours.** In order to assure the continuity of City services, it may be necessary for Department Directors to establish other operating hours for their departments. Work hours and work shifts must be arranged to provide continuous service to the public. Employees are expected to cooperate when asked to work overtime or a different schedule. Acceptance of work with the City includes the employee's acknowledgement that changing shifts or work schedules may be required, and indicates that the employee will be available to do such work.

(e) **Overtime.** Overtime compensation is paid to non-exempt employees in accordance with federal and state wage and hour requirements. Exempt employees are not paid overtime compensation except in compliance with Chapter 18, Emergency Operations Procedures. For Police Department employees working a non-standard work week, including Police Officers and Telecommunications Officers, overtime compensation will be paid for hours worked in excess of 84 hours during a two-week pay period.

(f) **Non-Exempt Employees.** When the City's operating requirements or other needs cannot be met during regular working hours, non-exempt employees may be scheduled to work overtime, at the request of their supervisor. When possible, advance notification of mandatory overtime assignments will be provided. Overtime assignments will be distributed as equitably as practical to all non-exempt employees qualified to perform the required work. Refusal or other failure to work mandatory overtime may result in disciplinary action, up to and including termination of employment. Overtime work is otherwise subject to the same attendance policies as straight time work.

All non-exempt employees must receive their supervisor's and Department Director's prior authorization before performing any overtime work. This means employees may not begin work prior to their scheduled work day, and may not continue working beyond the end of their scheduled workday, without prior authorization from the appropriate supervisor. Similarly, employees may not work through their lunch break without prior authorization from the appropriate supervisor. On the employee's electronic time sheet, the appropriate supervisor must also approve any overtime before the electronic time sheet is submitted for processing and payment. Non-exempt employees shall not remain on the work premises without authorization unless they are on duty or are scheduled to begin work within a short period of time. Non-exempt employees who work overtime without receiving proper authorization will likely be subject to disciplinary action, up to and including possible termination of employment.

Generally, overtime pay for non-exempt employees is at the rate of 1-1/2 times the employee's regular hourly rate of pay for hours actually worked in excess of 40 in the City's workweek as established above. An employee's regular hourly rate includes all pay incentives, such as longevity, assignment pay, certification pay, etc.

Time off on account of personal leave, paid holiday leave, sick leave, jury duty leave, witness duty leave, bereavement leave, or any other leave of absence is not considered time worked for purposes of performing overtime calculations.

Employees are required to report to the City Administrator, or his/her designee, any time they are improperly required to work “off the clock” without pay.

(g) Flex-time Work Schedule. In situations where overtime payment is not feasible due to budgetary constraints, the Department Director or supervisor must consider flexing the employee’s work schedule in an effort to minimize the need for overtime compensation. Flexing must be completed within the same workweek or work cycle (if under the 207(k) exemption of FLSA) that the overtime was worked and must be accurately reflected on the affected employee's time record.

(h) Exempt Employees. Exempt employees are those who are not covered by the overtime requirements of the FLSA. Accordingly, exempt employees are not entitled to overtime compensation for work performed beyond 40 hours in a workweek. Exempt employees are expected to put in the hours necessary to complete their assignments with an acceptable level of quality in a timely manner.

“Docking” an exempt employee’s pay for a partial day’s absence will be permitted only as authorized by law and approved by the Director of Human Resources.

Absent accrued paid leave time, an exempt employee need not be paid for any workweek in which no work was performed.

It is the policy of the City not to make improper deductions from an exempt employee’s pay. Any exempt employee who believes an improper pay deduction has been made, must immediately notify the Director of Human Resources. The City will promptly reimburse an exempt employee for any improper deduction(s) and will make a good faith commitment to comply in the future.

9.03 Longevity Compensation

Full-time employees shall receive as additional monthly compensation longevity pay computed by multiplying that employee’s years of uninterrupted service to the City times Four Dollars (\$4.00) for each year of service to the City of Spring Valley Village, Texas.

DIVIDER PAGE

- (1) The employee will not be deemed to have earned any fringe benefits during the period of his or her separation; and
- (2) Nothing herein shall be deemed to supersede the requirements for vesting and eligibility for benefits under the Texas Municipal Retirement System.

8.8 SENIORITY

In making promotions, transfers, reductions in force, and recalls of employees, seniority may be considered, but it is subordinate to considerations of merit, job performance, experience, training, and demonstrated ability. It is the City's intention to hire and retain qualified individuals. The City does not have a hiring or promotion from within policy and all candidates are treated uniformly.

9. WAGES AND SALARY; HOURS OF WORK; JOB PERFORMANCE

9.1 WAGES

Wages, salaries, and working schedules for various employees should be in accordance with the provisions of the budget currently in effect, including amendments, and within the limitations of the financial provisions as approved by the City Council for each fiscal year.

Salary increases are dependent upon availability of funds. Employees in the Introductory Period or on Disciplinary Review Status are not eligible for salary increases.

9.2 REPORT ABSENCES FROM WORK

It is an employee's responsibility to notify the City if it is necessary for him/her to be absent from work. Notification must be made either prior to the day of the absence or not later than one-half (1/2) hour before you are scheduled to begin work on the day of the absence.

If employed in the Police Department, notification must be made eight (8) hours prior to the beginning of his/her shift. If, because of some personal or family emergency or illness, you are unable to give advance notice prior to the day of your absence, you must notify your supervisor as soon as possible on the day of absence. In no event shall you notify your supervisor later than one half-hour before your shift.

The call must be made to the employee's direct supervisor or designated alternate and must explain both the reason for the absence and the expected duration. If the absence is to be longer than a single day, a call must be made each day of the absence to the supervisor, unless the supervisor waives this requirement in light of the particular illness, injury, or condition.

If you are unable to reach your immediate supervisor, notify the responsible person next in your chain of command of your absence or tardiness. Except for absences specifically covered by a provision of the employee benefits program, all absences will be without pay.

If the employee fails to call on the day of absence, disciplinary action may be taken. Except as provided otherwise in this paragraph, if an employee fails to call for two (2) consecutive days, it will be considered that the employee has voluntarily quit his/her employment with the City and/or will be construed as job abandonment, and the position will be a vacant position. A determination will be made on a case-by-case basis whether an employee who is late for work will forfeit pay for the actual time they are late.

9.3 ATTENDANCE

Punctuality in reporting for work and regular attendance are absolutely essential to the City's fulfillment of its mission to the citizens of our community. We are all members of a team, and no team does its best unless everyone is on hand, prepared for a working day, and

ready to start at the same time. Attendance also directly affects the morale of the other employees.

When an employee knows in advance of an impending absence, they must request permission to be absent from their supervisor at least twenty-four (24) hours in advance of the scheduled work shift. The supervisor will evaluate the reason for the absence and decide whether the employee may be excused. An unexcused absence may subject the employee to discipline.

Remember that excessive absenteeism and tardiness and failure to report an absence reflect on your work record. It is your responsibility as an employee to contact your supervisor regarding your absence. An employee with an absenteeism and/or tardiness record will be subject to disciplinary action, including dismissal. An employee having one unexcused absence in any twelve (12) month period will be warned in writing by the immediate supervisor that any further unexcused absence may result in their dismissal from City employment. The second unexcused absence in a twelve (12) month period may result in the employee's dismissal.

If you are absent for medical reasons for three (3) or more consecutive work days, you may not return to work without a report from a doctor giving the date of your illness or injury, explaining the nature of your illness or injury, and releasing you for return to work without limitation.

Naturally, the City will promote and reward only those employees on whom it can depend. Regular and timely attendance is a sign of a responsible, dependable employee.

9.4 BAD WEATHER POLICY

All employees are expected to make an effort to arrive at work each day prior to commencement of the work day, regardless of weather conditions. However, if you feel that the driving conditions are so bad that they would constitute a danger to your life and property, you may elect to come in later than usual when conditions may be somewhat improved. You may also request to use a day of vacation so that you may take the entire day off with pay. On such bad weather days, you are required to contact your supervisor immediately to advise him or her of your decision to arrive at a later time or to request vacation time or personal leave.

When weather conditions are such that the City Administrator declares the administrative offices officially closed, full-time employees, other than those in the emergency services, will be excused for the day without penalty or loss of pay. The City Administrator will make such a decision.

The responsibility for designating those emergency service personnel who are required to be on the job regardless of weather conditions will rest with the supervisor and will include all police officers, firefighters, communication officers, certain public works and inspection personnel.

Police Department employees must make arrangements with their supervisor regarding an appropriate response to bad weather conditions and their attendance. All emergency service employees will abide by the bad weather provisions prescribed by their respective supervisor. The Chief of Police, in consultation with the City Administrator, will make a determination regarding Police Department employee pay or compensation for work performed on such days.

9.5 WORKWEEK AND HOURS OF WORK

The workweek for the City of Spring Valley starts at 12:00.01 A.M. Sunday and ends at 12:00 midnight on Saturday.

All City employees, including law enforcement employees, follow a work period consisting of a forty (40) hour work week. The usual work schedule is from 8:00 A.M. to 5:00 P.M., Monday through Friday, with one (1) hour for lunch. The Police Department will maintain its own shift schedule: Police Department personnel should check with their supervisors regarding their shift responsibility. Work schedules are set to assure proper coverage.

9.6 NON-EXEMPT PERSONNEL - OVERTIME

City employees entitled to overtime pay (called "non-exempt" employees) will be paid one and one-half (1-1/2) times their regular hourly rate for all hours worked in excess of 40 hours during a 7-day work period.

9.7 OVERTIME -- GENERAL PROVISIONS

The City of Spring Valley does not give compensatory time off in lieu of overtime pay.

Employees covered by the overtime pay requirements of the FLSA may not start work earlier than their regularly scheduled hours or work later than their regularly scheduled hours unless they have obtained prior permission from their supervisor. The City reserves the right to require employees to work "emergency" overtime on any given day or week. Violation of these requirements subjects the employee to discipline, up to and including dismissal.

"Emergency" overtime is non-scheduled work time of an emergency nature that falls outside an employee's routine work schedule. An emergency is defined as an unanticipated combination of circumstances that call for immediate action. Regular non-exempt employees

who work "emergency" overtime will be paid one and one-half (1-1/2) times their regular hourly rate for such "emergency" overtime if not otherwise required by the FLSA.

In determining whether overtime pay rates apply to an employee's work, periods of absence such as holidays, vacation, leaves of absence, medical leave, etc., shall not be counted as "hours worked", in accordance with the FLSA.

If an employee works more than 8 hours on a workday, the work schedule may be adjusted so that the employee does not work over 40 hours in the same workweek. This is generally accomplished by granting straight, hour for hour, time off. The City Administrator and supervisors are responsible for reviewing staffing levels, vacations, and work loads on a regular basis in order to manage the need for overtime work.

The Fair Labor Standards Act will be followed and referred to in applying the City's overtime policy. FLSA materials will be maintained by the City Administrator as reference materials. Contact the City Administrator if you have any questions.

9.8 EXEMPT EMPLOYEES

The minimum wage and overtime pay requirements of the Fair Labor Standards Act (FLSA) do not apply to certain categories of executives, managers, supervisors, administrative personnel, and professional employees. These categories are defined in detail by the U.S. Department of Labor, and materials can be reviewed in the City Administrator's office.

9.9 TIME OFF FOR EXEMPT PERSONNEL

Exempt personnel are not eligible to receive overtime pay and are expected to put in the hours necessary to complete their job assignments. However, the City Administrator or supervisor may allow time off in return for extra hours worked. Time off is not provided on

an hour-for-hour basis and there is no entitlement to this time off. Time off is ideally suited for those times when several hours are needed during the working day for personal business. Time off must be authorized by the City Administrator or supervisor. A supervisor wishing to take time off is expected to obtain advance approval from the City Administrator. Time off can not be accumulated. There will be no monetary reimbursement made for time off for exempt personnel at termination or at any other time regardless of the circumstances.

9.10 TIME SHEETS

Non-exempt employees are required to submit to their supervisors time sheets which accurately show and record time worked, vacation, sick leave, holidays taken and any other absences which may have occurred during the period covered. Time sheets must be signed by the employee and supervisor. Time sheets are to be submitted on the dates required and as posted in advance by the City Treasurer. Failure to comply will result in a delay in issuing the employee's paycheck. Falsification of a time sheet or record may result in immediate dismissal.

Exempt employees may be requested to submit time sheets as a work record for City use.

9.11 PAY PERIODS

All employees are paid semi-monthly. Two pay periods each month cover the period from the 1st to the 15th and from the 16th through the end of the month. Supervisors must turn in employee time sheets to the City Treasurer by the established dates in order to meet payroll schedules.

9.12 PAYROLL DEDUCTIONS

The City of Spring Valley is required by law to make certain deductions from wages, such as federal income taxes. Deductions other than those mandated by law require written authorization of the employee.

9.13 PERFORMANCE EVALUATION

Your job performance may be formally evaluated at regular intervals throughout your employment with the City. These evaluations are designed to provide you with feedback about your performance and to allow you an opportunity to communicate directly with your supervisor. This also provides an opportunity to ask questions and clear up any problems or misunderstandings. Performance evaluations will be in a written format on performance evaluation forms approved by the City Administrator.

In cases where an employee believes that the overall performance rating or a particular rating received under a performance review is in error or unfair, the employee may discuss their concerns with their immediate supervisor in an attempt to reach a satisfactory resolution and enter any remarks deemed appropriate in the section provided on the performance review form. If a satisfactory resolution is not reached, the employee may discuss the rating with the City Administrator. The decision of the City Administrator will be final.

There will usually be a written evaluation by the employee's immediate supervisor at the end of the six (6) month introductory period and customarily an evaluation is done annually thereafter. In addition, performance evaluations may be conducted at the discretion of the supervisor or upon written request of the employee. Evaluations will be considered when making promotions and making reductions in force. An unsatisfactory evaluation may result in

disciplinary review. A copy of the evaluation is to be read and signed by the employee and placed in the personnel file. The employee may request a copy of his/her evaluation. The employee's signature does not necessarily indicate the employee's agreement with all the contents of the evaluation. The employee may, if desired, add comments as a response to any aspect of the evaluation. It is the supervisor's responsibility to make evaluations in accordance with City policy. At the supervisor's discretion, a disciplinary review period of ninety (90) days may be used to re-assess an employee receiving an unsatisfactory performance evaluation. A thirty (30) day extension may be granted before restoring to prior status or taking other disciplinary action.

9.14 COUNSELING

Following evaluations, the evaluator(s) should individually discuss the reports with the employees and counsel them regarding their careers, any improvements which appear desirable or necessary, and goals for improvement or maintenance of their job performance.

9.15 RECONSIDERATION

Employees dissatisfied with their performance evaluations may seek reconsideration by using the grievance procedures established in this Manual.

9:16 - LONGEVITY PAY - AMENDMENT 5

10. LEAVE

10.1 SICK LEAVE OR PERSONAL BUSINESS LEAVE

The City recognizes that upon occasion employees may be unable to perform their duties due to personal illness, and/or the need to take care of personal business. Accordingly, leave with pay is granted to employees to be used in compliance with City policy. Sick leave/personal business leave is available for each full-time employee at the rate of ^{3.08}~~3.34~~ hours each pay period

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

MEETING DATE: January 25, 2022

TOPIC: Resolution No. 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE FIRST AMENDMENT TO THE 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.

BACKGROUND: The City entered into a Streetlight Network Node Deployment Agreement with Verizon on December 15, 2020, whereby the City consented to and pre-approved Verizon's deployment of Network Nodes at locations throughout the City.

The City and Verizon now desire to amend the Agreement to (1) change the location of one of the Approved Nodes and (2) replaced the designated contact at the City to be notified prior to construction of any of the Approved Nodes. One of the agreed upon Verizon streetlight small cell node locations will be installed in place of an existing CenterPoint decorative street lamp rather than as a stand-alone installation. This relocation would prevent an additional post from being installed only two houses down the block on the same side of the street as the existing CenterPoint decorative street lamp.

RECOMMENDATION: Staff recommends approval of the Resolution.

ATTACHMENTS: • Resolution No. 22-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# _____

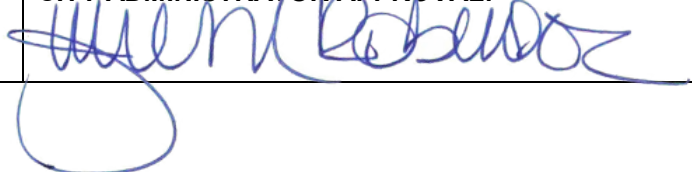
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Arthur Faiello, Director of Public Works

CITY ADMINISTRATOR APPROVAL:



RESOLUTION NUMBER 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE FIRST AMENDMENT TO THE 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 AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented the First Amendment to the 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 for the deployment of Network Nodes, as defined by Chapter 284 of the Texas Local Government Code, and related equipment in the City's rights-of-way (hereinafter called "First Amendment"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

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

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

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

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

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

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

DULY PASSED AND APPROVED on this the ____ day of _____, 2022.

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 22-XX

FIRST AMENDMENT TO STREETLIGHT NETWORK NODE DEPLOYMENT AGREEMENT

THIS FIRST AMENDMENT TO STREETLIGHT NETWORK NODE DEPLOYMENT AGREEMENT (“First Amendment”) is made and entered into as of the _____ day of _____, 2022, between the City of Spring Valley Village, (the “City”), with its principal offices located at 1025 Campbell Road, Houston, TX 77055, and GTE MOBILNET OF SOUTH TEXAS, LP d/b/a Verizon Wireless, (“Verizon”), with its principal offices at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920. The City and Verizon are referred to individually as a “Party” and collectively as the “Parties.”

WHEREAS the City and Verizon are parties to that certain Streetlight Network Node Deployment Agreement dated December 15, 2020 (the “Agreement”), whereby the City has consented to, and pre-approved, Verizon’s deployment of Network Nodes (“Approved Nodes”) at locations throughout the City; and

WHEREAS The City and Verizon now desire to amend the Agreement to: (i) change the location of one of the Approved Nodes; and (ii) replace the designated contact at the City to be notified prior to construction of any of the said Approved Nodes.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. Section 5 of the Agreement titled “Requirements Prior to Constructions” is hereby deleted in its entirety and replaced with the following:

5. Requirements Prior to Construction. At least ten (10) days prior to construction or installation of any Approved Network Node, Verizon shall submit or cause to be submitted an application form to the City in order to provide all necessary information for City records. Further, prior to blocking any street, beginning construction or maintenance, installing a network node or pole, or any equipment associated with such network node or pole, Verizon shall require on-site personnel, including any subcontractor, to: (1) contact the Public Works Director by telephone at 713-465-8308 or email at afaiello@springvalleytx.com and provide the approximate start date, end date, brief description of work, and any anticipated impact on vehicle or pedestrian traffic; and (2) maintain on their person during work within the City a copy of this Agreement or the applicable permit for any network node or pole not provided for in this Agreement. Verizon acknowledges that all construction work requiring a permit within the City requires a copy of the permit to be maintained on site. Further, Verizon acknowledges that failure to comply with City regulations is a violation of law that may result in a citation being issued by the City of Spring Valley Village Police Department.

2. Exhibit A of the Agreement is hereby deleted in its entirety and replaced with the attached Exhibit A1.

3. Except as specifically modified by this First Amendment, all of the terms and conditions of the Agreement shall remain in full force and effect. Neither Party is in default of the Agreement as of the date of this First Amendment. In the event of a conflict between any term or provision of the Agreement and this First Amendment, the terms and provisions of this First Amendment shall control. All captions are for reference purposes only and shall not be used in the construction or interpretation of this First Amendment. All capitalized terms used but not defined in this First Amendment have the meanings set forth in the Agreement.

[Signature Page Follows]

This First Amendment has been executed by each Party's duly authorized representative effective as of the date first above written.

CITY:
CITY OF SPRING VALLEY VILLAGE, TEXAS

Mayor

ATTEST:

City Secretary

VERIZON:

GTE MOBILNET OF SOUTH TEXAS, LIMITED
PARTNERSHIP

By: Sandra Loughridge

Title: Director – Network Field Engineering

Date: _____

Exhibit A – Approved Node Location Listing and Map

Redacted from recorded version