

**MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, DECEMBER 12, 2023, 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 6:06 p.m.

Members Present:

Mayor Marcus Vajdos
Mayor Pro Tem Allen Carpenter
Council Member Steve Bass
Council Member David Dominy
Council Member John Lisenby
Council Member Joy McCormack

Members Absent:

None.

2. PLEDGE OF ALLEGIANCE

- 2.1 American Flag
- 2.2 Texas Flag

During the Regular City Council Meeting, Emmet Grubbs a scout from Troop 478 led the City Council, City staff, and visitors in the Pledge of Allegiance.

3. INTRODUCTIONS

John McDonald, City Administrator
Loren Smith, City Attorney
Jasmin Torres, City Secretary
Brent Walker, City Treasurer
Susan Thornhill, Assistant City Treasurer
Mark Schulze, Chief of Police
David Dixon, Police Commissioner

4. PROCLAMATIONS / ANNOUNCEMENTS / SWEARING-IN

None.

5. PUBLIC COMMENTS

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

None.

OLD BUSINESS

6. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** November 2023 Police Department Staff Report (Chief Schulze):

1. Number of Calls for Service – 3,833
2. Number of Traffic Violations – 1,066

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

1. Update on current status of the Bingle Road Diet project

Public Works Director Kristina Watson informed the City Council that the City of Houston had a goal of meeting to discuss the Bingle Road Diet in December and have now set the meeting for January 2024 but have not provided a concrete date as of yet.

3. Status of Brighton Place Paving and Utility Improvement Project

Ms. Watson informed the City Council that the bid for the Brighton Place Paving and Utility Improvement Project opens tomorrow, December 13, 2023. Bids will be opened February 2, 2024, then bringing it before City Council at the February City Council Meeting and then having the Town Hall Meeting in March.

8. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Village Fire Department Commissioners Meeting on November 7, 2023 and Any Special Meetings That May Have Occurred since November 7, 2023. (Mayor Pro-Tem Carpenter / Council Member Lisenby)

Council Member Lisenby provided an update to City Council for the last Village Fire Department Commissioners Meeting stating that they voted to approve contracting for financial analysis services for the Village Fire Department accounting practices. He informed the Council that the roof for the annex building continues to be in process and the new construction roof had some setbacks but is in process as well.

9. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Planning & Zoning Commission Meeting of November 15, 2023. (City Attorney Loren Smith)

At this time, City Attorney Loren Smith referred City Council to Agenda Items 11, 12, 13, and 14 as those were the matters that were discussed during the last Planning and Zoning Commission Meeting on November 15, 2023.

NEW BUSINESS

10. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Approval of the Village Fire Department's FY 2023 Budget Amendment #5 (2023-05).

City Administrator John McDonald briefed the City Council on the Village Fire Department's FY 2023 Budget Amendment #5 (2023-05). Council Member Dominy made a motion to approve the Village Fire Department's FY 2023 Budget Amendment #5 (2023-05), and Council Member Carpenter seconded the motion. Motion carried 5-0.

11. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2023-XX: AN ORDINANCE AMENDING EXHIBIT "A" OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, EXHIBIT "A" BEING THE CITY'S ZONING ORDINANCE BY AMENDING SECTION 05:01.01, ONE FAMILY DWELLING TO ADD REGULATIONS REGARDING LEASING; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Mayor Vajdos opened the Public Hearing at 6:21 p.m.

A. Presentation of Replat

City Attorney Loren Smith informed City Council that this amendment to the ordinance would change the definition of on family dwelling prohibiting 30 (thirty) day leasing agreements. This would be in favor of preventing Airbnbs and similar short term leasing options.

B. Those in Favor

None.

C. Those Opposed

None.

D. Adjourn Public Hearing

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

12. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2023-XX: AN ORDINANCE AMENDING EXHIBIT "A" OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, EXHIBIT "A" BEING THE CITY'S ZONING ORDINANCE BY AMENDING SECTION 05:01.01, ONE FAMILY DWELLING TO ADD REGULATIONS REGARDING LEASING; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Mayor Vajdos read the Ordinance by caption only. Council Member Dominy to approve Ordinance 2023-15, and Council Member Bass seconded the motion. Motion carried 5-0.

13. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2023-XX: AN ORDINANCE AMENDING EXHIBIT “A” OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, EXHIBIT “A” BEING THE CITY’S ZONING ORDINANCE BY DELETING APPENDIX ONE, BOARD OF ADJUSTMENTS, AND AMENDING SECTION 01:03.02, BOARD OF ADJUSTMENT, OF SECTION ONE, PURPOSE AND ADMINISTRATION, TO INCORPORATE THE PROVISIONS FROM APPENDIX ONE AND ADD NEW GROUNDS TO DETERMINE THE GRANTING OF VARIANCES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Mayor Vajdos opened the Public Hearing at 6:25 p.m.

A. Presentation of Zoning Text Amendment

City Attorney Loren Smith briefed the City Council on the changes to the ordinance before them. The governance structure for the Board of Adjustments was in two places, this ordinance would put both of those together. And, because the legislature has adopted new language regarding what constitutes a hardship in order to establish a variance. This ordinance adds those statutory provisions.

B. Those in Favor

None.

C. Those Opposed

None.

D. Adjourn Public Hearing

Mayor Vajdos closed the Public Hearing at 6:26 p.m.

14. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2023-XX: AN ORDINANCE AMENDING EXHIBIT “A” OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, EXHIBIT “A” BEING THE CITY’S ZONING ORDINANCE BY DELETING APPENDIX ONE, BOARD OF ADJUSTMENTS, AND AMENDING SECTION 01:03.02, BOARD OF ADJUSTMENT, OF SECTION ONE, PURPOSE AND ADMINISTRATION, TO INCORPORATE THE PROVISIONS FROM APPENDIX ONE AND ADD NEW GROUNDS TO DETERMINE THE GRANTING OF VARIANCES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Mayor Vajdos read the Ordinance by caption only. Council Member Dominy to approve Ordinance 2023-14, and Council Member Bass seconded the motion. Motion carried 5-0.

At this time, there was a request for Agenda Item 16 to be taken before Agenda Item 15. Council Member Bass made a motion for Agenda Item 16 to be taken out of order and before Agenda Item 15, and Council Member Dominy seconded the motion. Motion carried 5-0.

- 16. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 23-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE PROPOSAL AND CONTRACT FOR SOLID WASTE AND RECYCLING SERVICES PROVIDED BY GFL ENVIRONMENTAL (RFP 2023-10-501); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Mayor Vajdos read the Resolution by caption only. Council Member Bass to approve Resolution 23-23, and Council Member Dominy seconded the motion. Motion carried 5-0.

- 15. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2023-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 Carpenter to approve Ordinance 2023-13, and Council Member Bass seconded the motion. Motion carried 5-0.

- 17. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** ORDINANCE NO. 2023-XX – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS ADOPTING AMENDMENT NO. 1 TO THE ORIGINAL BUDGET OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, FOR THE FISCAL YEAR 2022-2023; FUNDING CERTAIN OBLIGATIONS OF THE CITY DURING THE BUDGET PERIOD NECESSARY FOR THE PROVISION OF CITY SERVICES; CONTAINING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER DETAILS RELATING TO THE SUBJECT.

Mayor Vajdos read the Ordinance by caption only. Council Member Carpenter to approve Ordinance 2023-12, and Council Member Dominy seconded the motion. Motion carried 5-0.

- 18. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Award Of Competitive Sealed Bid Number CSB#2023-09-103 For Cedarspur (W. of Bingle) & Burkhart (E. of Bingle) Paving and Utility Improvements Project To On Par Civil Services, LLC. In An Amount Not To Exceed \$2,980,202.80, (Total Bid Amount).

Public Works Director Kristina Watson briefed the City Council on Gessner Engineering's recommendation for On Par Civil Services, LLC. Following her briefing, Sam Beavers of

Gessner Engineering briefed the City Council on the re-bidding process for bid CSB#2023-09-103 for Cedarspur (W. of Bingle) & Burkhart (E. of Bingle) Paving and Utility Improvements Project and the changes that were done for the new documents provided in this bidding process. Ms. Beaves then continued answering questions from the City Council regarding the number of bids that the City received and the evaluation process all bids received.

Council Member Dominy made a motion to award CSB#2023-09-103 for Cedarspur (W. of Bingle) & Burkhart (E. of Bingle) Paving and Utility Improvements Project awarding the bid to On Par Civil Services, LLC., and Council Member Bass seconded the motion. Motion carried 5-0.

- 19. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 23-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CONTRACT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND ON PAR CIVIL SERVICES, LLC., FOR THE CEDARSPUR STREET (WEST OF BINGLE) AND BURKHART ROAD (EAST OF BINGLE) PAVEMENT & UTILITY PROJECT (CSB#2023-09-103); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Mayor Vajdos read the Resolution by caption only. Council Member Dominy made a motion to approve Resolution 23-22, and Council Member Bass seconded the motion with a recommendation to approve the terms and conditions of the contract by and between the City of Spring Valley Village and On Par Civil Services, LLC for the Cedarspur (W. of Bingle) & Burkhart (E. of Bingle) Paving and Utility Improvements Project. Motion carried 5-0.

- 20. EXECUTIVE SESSION:** The City Council Will Now Hold A Closed Executive Meeting Pursuant To The Provision Of Chapter 551, Government Code, Vernon's Texas Codes Annotated, In Accordance With The Authority Contained In:

- 20.1 Section 551.071 – Consultation with Attorney regarding pending or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in a closed meeting.
- 20.2 Section 551.087 – Deliberation Regarding Economic Development Negotiations: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).
- 20.3 Section 551.074 – Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Director of Community Development.

Council adjourned into the Executive Session at 6:50 p.m.

21. RECONVENE

The City Council meeting reconvened at 7:21 p.m.

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

None.

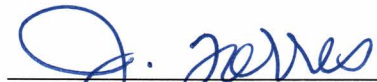
23. ADJOURNMENT

Council Member Carpenter motioned to adjourn the meeting at 7:22 p.m., and Council Member Dominy seconded the motion. Motion carried 5-0.

Signed: _____


Marcus Vajdos
Mayor

Attest: _____


Jasmin Torres
City Secretary

