

**MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, JANUARY 26, 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 Council Member McCormack at 6:00 p.m.

Members Present:

Mayor Marcus Vajdos (by video conference)
Mayor Pro-Tem Allen Carpenter (by video conference)
Council Member Bo Bothe (arrived at 6:11 p.m.)
Council Member David Dominy (by video conference)
Council Member Tom Donaho (by video conference)
Council Member Joy McCormack

Members Absent:

None.

2. INTRODUCTIONS

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

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.**

4.1 Brian Schmulen, who lives at 5 Burkhart Forest Court, advised that he is currently having a home built at 8420 Burkhart Road, and he explained issues he had with meeting the current drainage criteria. Based on the issues he faced in complying with the City's drainage criteria, he stated that the City should reconsider the regulations applicable to large lots.. He also advised that he wanted to make Council aware of his issue.

5. CONSENT AGENDA

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

- 5.1 Minutes for Special Called City Council Meeting on December 15, 2020
- 5.2 Minutes for Regular City Council Meeting on December 15, 2020
- 5.3 2020 Racial Profiling Report presented by the Spring Valley Village Police Department.
- 5.4 Approval of Pay Estimate No. 2 for Green Valley Drive & Winningham Lane Pavement & Utility Improvements Project to Conrad Construction Co., LTD. in the Amount of \$151,628.40.
- 5.5 Resolution Number 21-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT FOR PURCHASING BETWEEN THE CITY OF PEARLAND, TEXAS, AND THE CITY OF SPRING VALLEY VILLAGE, TEXAS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BY THE CITY ADMINISTRATOR; AND PROVIDING AN EFFECTIVE DATE.
- 5.6 Resolution Number 21-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, SUPPORTING GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK’S LEGISLATIVE EFFORTS TO CONTINUE THE TECHNOLOGICAL ENHANCEMENTS AND OPERATIONAL ADVANCEMENTS OF THE 9-1-1 SYSTEM TO BETTER SERVE THE 9-1-1 EMERGENCY NEEDS IN HARRIS AND FORT BEND COUNTIES BY ALLOWING ITS BOARD OF MANAGERS TO SET THE 9-1-1 WIRELESS FEE IN THE SAME MANNER AS THE BOARD CURRENTLY SETS THE WIRELINE FEE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING FOR THE DELIVERY OF SUCH RESOLUTION TO STATE LEGISLATORS REPRESENTING THE CITY OF SPRING VALLEY VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

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

OLD BUSINESS

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

Captain Schulze provided the report on behalf of Chief Evans.

1. Number of Calls for Service – 2,353
2. Number of Traffic Violations – 1,023
3. Number of K-9 Deployments – 137

Commissioner Dixon advised of current high crime and homicide rates in Houston and the surrounding areas. He also updated the Council on the Legacy Fund’s fundraising efforts

and thanked Council Members Bothe and McCormack, City Administrator Robinson, and City Treasurer Yi for their assistance on the implementation of the fund's electronic donation systems through PayPal and Amazon Smile.

7. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Village Fire Department Commissioners Meeting on December 16, 2020 and Any Special Meetings That May Have Occurred since December 16, 2020. (Mayor Pro-Tem Carpenter / Council Member Bothe)

Mayor Pro-Tem Carpenter advised that the Village Fire Department assisted with an accident that occurred on Katy Freeway the previous evening which involved an Amazon truck. He also advised that the Fire Department was currently fully staffed, under budget, and the new fire engine was in service. Mayor Pro-Tem Carpenter advised that the contractors have completed the demolition portion of the Fire Station rehabilitation.

8. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Planning and Zoning Commission Meeting of January 12, 2021. (Council Member Dominy / Council Member Donaho / City Attorney Loren Smith)

City Attorney Loren Smith advised that agenda item numbers 9 and 10 were discussed and recommended for approval at the January 12 Planning & Zoning Commission meeting.

NEW BUSINESS

9. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance Number 2021-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 3, DEFINITIONS, TO AMEND THE DEFINITIONS 03: A-02 - ACCESSORY USE, 03: A-03 – RESIDENTIAL ACCESSORY BUILDING, 03: G-03, GARAGE ATTACHED, AND TO ADD DEFINITIONS 03: P-05 - PRIMARY STRUCTURE, 03: P-06 – PRIMARY USE, AND 03: P-07 - PRINCIPAL; AMENDING SECTION 05:02.01, GARAGES AND CARPORTS, OF 05:02, LIMITATIONS AND RESTRICTIONS, OF SECTION FIVE: BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A” OF EXHIBIT “A” TO CHANGE THE TERM DWELLING TO PRIMARY STRUCTURE; 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.

Council Member McCormack opened the Public Hearing at 6:28 p.m.

A. Presentation of Proposed Ordinance by City Staff

Director of Community Development Zachary Meadows presented the proposed revisions and advised that the proposed ordinance amendments were approved at the October 13, 2020 Planning and Zoning Commission meeting. Mr. Meadows also advised that he worked with City Attorney Loren Smith to provide clarification on ordinance language and definitions. Mr. Meadows also explained that Staff had recommended further revising the definition for “Residential Accessory Building” to accommodate residents

who are now or may be permanently working remotely from home; however, the Commission did not discuss that recommendation.

B. Those In Favor

None.

C. Those Opposed

None.

D. Adjourn Public Hearing

Council Member McCormack adjourned the Public Hearing at 6:31 p.m.

- 10. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 2021-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 3, DEFINITIONS, TO AMEND THE DEFINITIONS 03: A-02 - ACCESSORY USE, 03: A-03 – RESIDENTIAL ACCESSORY BUILDING, 03: G-03, GARAGE ATTACHED, AND TO ADD DEFINITIONS 03: P-05 - PRIMARY STRUCTURE, 03: P-06 – PRIMARY USE, AND 03: P-07 - PRINCIPAL; AMENDING SECTION 05:02.01, GARAGES AND CARPORTS, OF 05:02, LIMITATIONS AND RESTRICTIONS, OF SECTION FIVE: BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A” OF EXHIBIT “A” TO CHANGE THE TERM DWELLING TO PRIMARY STRUCTURE; 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.

Council Member McCormack read the Ordinance by caption only. City Administrator Julie Robinson advised that, during the January 12, 2021 meeting, the Commission was asked to consider further amendment of the definition of “Residential Accessory Building” as it related to the use of accessory structures as possible home offices for residents who are now or may be permanently working remotely. However, there was no discussion about the issue during the Commission meeting. Ms. Robinson asked the Council for direction as to whether they would be willing to consider revisions to the Residential Accessory Building definition and associated regulations in order to accommodate this scenario. Following discussion, it was the direction of the Council that City staff proceed with an evaluation of the definition of Residential Accessory Building and applicable regulations and any revisions that should be considered to accommodate residents who are now or may be permanently working from home. Ms. Robinson indicated that there would be additional discussion on this issue in the future. After discussion, Council Member Carpenter made a motion to approve Ordinance No. 2021-01, and Council Member Bothe seconded the motion. Motion carried 5-0.

- 11. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2021-XX: AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 1, 2021 FOR THE PURPOSE OF ELECTING THREE (3) CITY COUNCIL MEMBERS; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

Council Member McCormack read the Ordinance by caption only. Council Member Bothe made a motion to approve Ordinance No. 2021-02, and Council Member Carpenter seconded the motion. Motion carried 5-0.

- 12. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2021-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. 14 TO THE PERSONNEL MANUAL, TO AMEND APPENDIX “A,” “JOB ALIGNMENT AND SALARY RANGES FOR ALL CITY POSITIONS” TO DELETE THE POSITION OF “UTILITY BILLING/PERMIT TECHNICIAN” FROM GRADE 5; ADD THE POSITIONS OF “ADMINISTRATIVE SERVICES COORDINATOR” AND “PERMIT TECHNICIAN” AT GRADE 5; AND ADD THE EXISTING POSITION OF “ASSISTANT CITY TREASURER” AT GRADE 12; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

Council Member McCormack read the Ordinance by caption only. Council Member Dominy made a motion to approve Ordinance No. 2021-03, and Council Member Donaho seconded the motion. Motion carried 5-0.

- 13. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Changing the Dates of the City Council Meetings for May, November, and December.

After a brief discussion, Council Member McCormack made a motion to change the dates of the November and December City Council meetings to November 16 and December 14; with the May Council meeting remaining on May 25, and Council Member Donaho seconded the motion. Motion carried 5-0.

- 14. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Recommendations For Use Of Unassigned General Fund, Fund Balance From FY 2019.

City Administrator Julie Robinson advised that all of the recommendations except one were previously approved by the Council. The one proposed new recommendation was to use \$174,009 to cover Police Department overtime expenditures related to COVID-19. Council Member Dominy asked if the City would receive a reimbursement from FEMA for this amount. Ms. Robinson advised that requests are submitted to FEMA quarterly, and, if approved, FEMA would reimburse 75% of the costs. Council Member Bothe made a motion to approve use of the unassigned General Fund, Fund Balance from FY 2018-2019 as recommended by Staff, and Council Member Dominy seconded the motion. Motion carried 5-0.

- 15. DISCUSSION AND DIRECTION CONCERNING:** Possible Review and Revision of Planned Area Development Districts and Applicable Zoning Regulations.

City Administrator Julie Robinson advised that she was circling back to the Council’s discussion during the November 17, 2020 meeting during which there was a brief discussion concerning the need to revisit the zoning regulations as they relate to the Planned Area Development Districts (PADDs) to ensure the regulations adopted are still relevant to the way development has been occurring over recent years. Based on issues that Staff identified through the last several PAD developments and that have been expressed by the property owners that own property within the

various PADDs, some of the large areas that should be reviewed are permitted uses and sign regulations to ensure that the regulations remain current. Additionally, in light of the City's concerns about the negative impact to commercial property tax valuations as a result of the Pandemic, the review could provide a vehicle for ensuring that commercial properties have the flexibility they need to be able to lease their available spaces. Ms. Robinson requested direction from the Council as to whether this is a project that the Council wants Staff to undertake particularly in light of the changes that have occurred since the regulations were originally adopted and the new post-COVID state of the market

Following discussion, it was the consensus of the Council that it is important to undertake a complete review of the current Planned Area Development Districts and their applicable zoning regulations and evaluate all provisions utilizing a big picture strategy. It was the direction of the Council for City Staff to proceed with developing a project outline for the review and evaluation, together with timeframes and an indication of the level of effort that would be needed in order to accomplish the project, to discuss with Council at next meeting.

16. DISCUSSION AND DIRECTION CONCERNING: Possible Installation of Bike Rack at Pech Road Footbridge Greenspace.

Mayor Vajdos advised the Council that he had received a request from a resident for the City to install a bike rack in the greenspace at the Pech Road Footbridge for children who walk their bikes across the bridge and then across Westview to lock them up at Valley Oaks Elementary. There was discussion concerning the reasoning for the bike rack, the number of children who could be impacted, liability issues for the City, the current situation with bike racks at Valley Oaks Elementary School based on discussions with Mrs. Reynolds, the Principal. Following discussion, it was the consensus of the City Council not to proceed with the installation of a bike rack at the Pech Road Footbridge as a City project but to use it as a potential Eagle or Girl Scout project.

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

1. Status of New Production Well

Public Works Director Pat Riley advised that walls and roof of the CMU (Concrete Masonry Unit) building were complete, with the contractor currently installing piping.

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

Public Works Director Pat Riley advised that they are ready to issue the notice to proceed. He also advised that once the construction starts, one side of three individual streets will be done at the same time.

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

Public Works Director Pat Riley advised that the contractor is making good progress. He also advised that half of Winningham was complete and water line testing will commence soon.

4. Legislative Update

City Administrator Julie Robinson advised that the Legislature is back in session. She

also advised that Staff is currently tracking various bills concerning building materials, changes to Senate Bill 2, the ability of Texas Municipal League to lobby for cities, the 9-1-1 wireless fee, sales tax sourcing, and the use of videoconferencing as it relates to open meetings. Ms. Robinson advised that she will keep Council aware of pending legislation.

18. ADJOURNMENT

Council Member McCormack made a motion to adjourn the meeting at 7:18 p.m., and Council Member Bothe seconded the motion. Motion carried 5-0.

Signed: _____

Marcus Vajdos
Mayor

Attest: _____

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