

**MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, MARCH 23, 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 6:02 p.m.

Members Present:

Mayor Marcus Vajdos

Mayor Pro-Tem Allen Carpenter (by video conference)

Council Member Bo Bothe

Council Member David Dominy

Council Member Tom Donaho (by video conference)

Council Member Joy McCormack (by video conference) (left at 7:07 p.m.)

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.**

None.

5. CONSENT AGENDA

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

5.1 Minutes for Emergency City Council Meeting on February 19, 2021

- 5.2 Minutes for Regular City Council Meeting on February 23, 2021
- 5.3 Approval of Pay Estimate No. 5 for Green Valley Drive & Winningham Lane Pavement & Utility Improvements Project to Conrad Construction Co., LTD. in the Amount of \$127,411.34
- 5.4 Resolution Number 21-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF ENGINEERING CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND BINKLEY & BARFIELD, INC., FOR ENGINEERING FOR WINNINGHAM, CEDARSPUR, AND BURKHART PAVEMENT & UTILITY IMPROVEMENTS PROJECT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.
- 5.5 Resolution Number 21-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING A PROPOSAL BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND WSP USA FOR ADDED REVIEW SERVICES TO ADDRESS RELOCATING WATER WELL PIPING FOR THE NEW PRODUCTION WELL PROJECT; PROVIDING FOR INCORPORATION OF PREAMBLE; 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, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 3 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..

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

At this time, Council Member Carpenter made a motion to take Agenda Items 10 through 12 out of order, and Council Member McCormack seconded the motion. Motion carried 5-0.

NEW BUSINESS

- 10. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Presentation and Acceptance of Fiscal Year 2019-2020 Audited Comprehensive Annual Financial Report Prepared by Belt, Harris Pechacek, LLLP, Certified Public Accountants. (Robert Belt, Belt Harris Pechacek LLLP)

Robert Belt, Managing Partner with Belt, Harris, Pechacek, LLLP, presented the 2019-2020 Comprehensive Annual Financial Report. Council Member Dominy made a motion to

accept the Fiscal Year 2019-2020 Audited Comprehensive Annual Financial Report prepared by Belt, Harris Pechacek, LLLP, Certified Public Accountants as presented, and Council Member McCormack seconded the motion. Motion carried 5-0.

- 11. CONDUCT A PUBLIC HEARING CONCERNING:** A Preliminary and Final Plat of Dolphin's Cove Subdivision, A Plot Containing 2.639 Acres Of Land, Situated In the Bingle West Planned Area Development District (BWPADD), City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1065 Bingle Road.

Mayor Vajdos opened the Public Hearing at 6:09 p.m.

- A. Presentation of Preliminary and Final Plat by Applicant

Director of Community Development Zachary Meadows advised that City Council approved the PADD for the Dolphin's Cove subdivision at the November 13, 2018 City Council Meeting and that the subdivision plat was the next step in the process. Mr. Meadows introduced Steve Tschirhart, Board President of the Dad's Club, and Bill Odle, Land Development Manager with Cobb, Fendley and Associates, Inc. Mr. Odle gave a PowerPoint presentation regarding the history of the development and the proposed preliminary and final plat.

- B. Those In Favor

None.

- C. Those Opposed

Patrick Johnson, who lives at 8703 Green Valley Drive, advised that he was concerned about safety issues regarding the road, right-of-way, fence line, and ingress and egress.

- D. Adjourn Public Hearing

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

- 12. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** A Preliminary and Final Plat of Dolphin's Cove Subdivision, A Plot Containing 2.639 Acres Of Land, Situated In the Bingle West Planned Area Development District (BWPADD), City Of Spring Valley Village, Harris County, Texas Bearing The Address of 1065 Bingle Road.

City Attorney Loren Smith briefed the Council on the history of the Dolphin's Cove PADD ordinance and subdivision, advising that the PADD was not recommended by the Planning & Zoning Commission, and was approved by City Council in 2018. Mr. Smith advised that the proposed preliminary and final plat meets all requirements listed in the Dolphin's Cove PADD ordinance, and added that the conditions listed in the PADD ordinance were construction conditions, not platting conditions. Planning & Zoning Commission Chairman Trey Hoffman spoke about the previous discussions held by the Commission regarding the Dolphin's Cove PADD ordinance and subdivision. Planning & Zoning Commission Member Charlie Calderwood and former Dad's Club President, spoke regarding previous actions taken by the Dad's Club concerning the Dolphin's Cove PADD ordinance and subdivision. After a lengthy discussion, Council Member Carpenter called the question and made a motion to approve the preliminary and final plat of the Dolphin's Cove subdivision, a plot containing 2.639 acres of land, situated in the Bingle West Planned Area Development District (BWPADD), City of Spring Valley Village, Harris County, Texas bearing the

address of 1065 Bingle Road, and Council Member Dominy seconded the motion. Motion carried 5-0.

OLD BUSINESS

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

Captain Schulze provided the report on behalf of Chief Evans.

1. Number of Calls for Service – 2,177
2. Number of Traffic Violations – 1,326
3. Number of K-9 Deployments – 142

7. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Activities of the Village Fire Department Commissioners Meeting on February 24, 2021 and Any Special Meetings That May Have Occurred since February 24, 2021. (Mayor Pro-Tem Carpenter / Council Member Bothe)

Mayor Pro-Tem Carpenter advised that an update was emailed to the Council regarding the Village Fire Department renovation. He advised that a separate email was sent regarding issues experienced during Winter Storm Uri, such as a depletion of the food and water supply as well as damage to the building. Mayor Pro-Tem Carpenter also informed the Council of a fire that occurred in one of the other Villages in which Houston Fire Department assisted the Village Fire Department.

8. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Activities of the Planning and Zoning Commission Meeting of March 9, 2021. (Council Member Dominy / Council Member Donaho / City Attorney Loren Smith)

City Attorney Loren Smith advised that the items discussed at the March 9, 2021 meeting had already been acted upon by Council that evening.

9. DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Plan for Reviewing Zoning Regulations and Development of Comprehensive Plan for the City.

City Administrator Julie Robinson advised that she was following up on the Council's discussion during the January 26, 2021 meeting regarding the review and possible revision of the Planned Area Development Districts and applicable zoning regulations of the City and the need to revisit these regulations to ensure the regulations adopted are still relevant to the way development has been occurring over recent years and the new post-COVID state of the market. During the January meeting, it was the consensus of the Council that it was important to undertake a complete review of the current PADDs and their applicable zoning regulations and evaluate all zoning regulations utilizing a big picture strategy. It was also 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 for discussion with the Council at another meeting.

As she and Director of Community Development Zach Meadows talked through how to approach the project, it became clear that, in order to ensure that the review of the zoning regulations accomplishes Council's goal of utilizing a big picture strategy, what the Council

was talking about is a comprehensive plan. A comprehensive plan would capture the intent that the Planning and Zoning Commission has discussed numerous times, and regulations would be reviewed to ensure that they match the vision established by the comprehensive plan. The City is already creating the pieces of a comprehensive plan with the Sustainability Initiative, CIP, public infrastructure design manual, and other policy/planning documents that have been developed for the City. A comprehensive plan would tie all of the different policy/planning documents into one plan for the City. The recommendation from her and Mr. Meadows is to proceed with developing a comprehensive plan, and the process will take approximately a year. The chapter that is anticipated to take the most amount of time is the Land Use Chapter since the recommendation is to hold joint meetings of the Council and the Planning and Zoning Commission to work through the policy issues particularly related to future commercial development and redevelopment as well as a few residential land use issues. Ms. Robinson advised that she and Mr. Meadows would submit chapters individually for workshop and adoption, and at the end all of the chapters would be consolidated into the full comprehensive plan and submitted for adoption by the Council.

There was discussion concerning the process for and cost of developing a comprehensive plan including staff time, the benefits of going through the process, tying together different plans that have already been completed for the City, changes in the City since the PADDs were developed 15 years ago, the need to get back on the same page with P&Z again. After a lengthy discussion, it was the consensus of the Council to proceed with the development of a basic comprehensive plan, beginning with the Sustainability and Resiliency Chapter since the Council had already planned on workshopping the Sustainability Initiative next month. Additionally, it was the consensus of the Council to identify dates and check availability for joint meetings with the Planning and Zoning Commission to discuss land use policy issues, and such dates could be separate from regular Council meeting dates. Additionally, the City would utilize a professional facilitator for the joint meetings..

NEW BUSINESS

13. RECESS REGULAR CITY COUNCIL MEETING

13.1 Regular Meeting of the Board of Directors of the Spring Valley Legacy Fund, Inc.

The Regular meeting of the City Council recessed at 7:41 p.m.

14. RECONVENE MEETING OF CITY COUNCIL

The Regular meeting of the City Council reconvened at 7:53 p.m.

15. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 2021-XX – AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS AMENDING CHAPTER 3, BUILDING CONSTRUCTION, OF THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE BY AMENDING SECTION 3.2111, PRE-EXISTING RESIDENCE WHEN SEALED PLANS ARE REQUIRED, TO AMEND SECTION R106, CONSTRUCTION DOCUMENTS, OF THE INTERNATIONAL RESIDENTIAL CODE BY DELETING SECTION R106.2, SITE PLAN OR PLOT PLAN, IN ITS ENTIRETY AND ADOPTING A NEW SECTION R106.2, SITE PLAN OR PLOT PLAN; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR EACH VIOLATION OF THIS ORDINANCE WITH EACH DAY OF VIOLATION

CONSTITUTING A SEPARATE VIOLATION; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.

Mayor Vajdos read the Ordinance by caption only. After a brief discussion, Council Member Carpenter made a motion to approve Ordinance No. 2021-09, and Council Member Dominy seconded the motion. Motion carried 4-0.

16. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Proposed Water Bill Adjustments for Water Customers Experiencing Leaks During Winter Storm Uri.

City Treasurer Michelle Yi advised, despite many customers' efforts to prevent water lines from freezing, there were at least 84 residential and commercial customers in the City who experienced burst pipes and resulting water leaks, and many of these customers had contacted the City inquiring about whether the City will be offering water bill adjustments for the water leaks that occurred from the storm. After researching other cities, City staff developed the following water bill adjustment proposal for the Council's consideration:

1. For any water customer who experienced a leak and is identified on the City's call log and/or damage assessment list for Winter Storm Uri, the City will automatically adjust the water consumption charge to the lesser of the February billing period (February 16 - March 15) or the January billing period (January 16 – February 15) of 2021.
2. For any water customer who is not on the City's call log and/or damage assessment list for Winter Storm Uri but who contacts the City and indicates that they experienced a water leak as a result of Winter Storm Uri, they would be required to provide proof of the leak and repairs and, if sufficient proof is provided, the City would adjust the water consumption charge to the lesser of the February billing period (February 16 - March 15) or the January billing period (January 16 – February 15) of 2021. After a brief discussion, Council Member Dominy made a motion to approve the Staff proposal as presented, and Council Member Carpenter seconded the motion. Motion carried 4-0.

17. BRIEFING AND DISCUSSION CONCERNING: Quarterly Investment Report For Period Ending December 31, 2020.

City Treasurer Michelle Yi presented the Quarterly Investment Report for the period ending December 31, 2020.

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

1. Status of New Production Well

Public Works Director Pat Riley advised that the contractor submitted a request for a time extension due to pipe relocation, which would ensure that the well would strictly rely on the City's water, not the City of Houston's water.

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

Public Works Director Pat Riley advised that the project was on track with work anticipated to begin the first week of April.

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

Improvements 2020

Public Works Director Pat Riley advised that the project was ahead of schedule, under budget, and should be completed ahead of time.

4. Replacement of Security and Camera System for City Hall and Police Building

City Administrator Julie Robinson advised that a proposal would be presented for a new security and camera system at the April 27 City Council meeting as the current vendor has filed bankruptcy and is out of business. Ms. Robinson advised that Assistant to the City Administrator Matthew Hitt has been working with the Police Department to find a security company who can provide a robust system.

5. Replacement of Telephone System for City Hall and Police Building

City Administrator Julie Robinson advised that the current telephone system went down during Winter Storm Uri. She also advised that the current system contained outdated technology. Ms. Robinson advised that a proposal would be presented at the April 27 City Council meeting.

6. Legislative Update

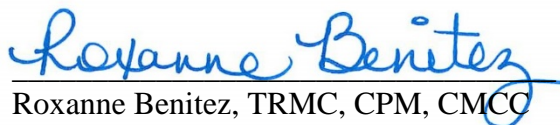
Assistant to the City Administrator Matthew Hitt provided an update on several bills currently moving through the Legislature, including a bill that would prevent the Texas Municipal League from lobbying on behalf of cities.

19. ADJOURNMENT

Council Member Dominy made a motion to adjourn the meeting at 8:21 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