

**MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, JUNE 25, 2019 AT 6:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
1025 CAMPBELL ROAD, HOUSTON, TEXAS**

1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT

With a quorum of the Council Members present, the Regular Meeting of the Spring Valley Village City Council was called to order by Mayor Pro Tem Carpenter at 6:06 p.m.

Members Present:

Mayor Pro Tem Allen Carpenter
Council Member David Dominy
Council Member Tom Donaho
Council Member Joy McCormack
Council Member Marcus Vajdos

Members Absent:

Mayor Tom Ramsey

2. INTRODUCTIONS

Julie M. Robinson, City Administrator
Roxanne Benitez, City Secretary
Arthur Faiello, Director of Public Works (left at 7:31 p.m.)
Michelle Yi, City Treasurer (left at 7:31 p.m.)
Oscar Arevalo, Building Official (left at 7:31 p.m.)
Matthew Hitt, Assistant to the City Administrator (left at 7:31 p.m.)
David Dixon, Police Commissioner (left at 7:31 p.m.)
Mark Schulze, Police Captain (left at 7:31 p.m.)
Derra Purnell, Attorney

3. PROCLAMATIONS / ANNOUNCEMENTS

3.1 Presentation of Life Saving Award to Commend Police Personnel for Swift Action in a Medical Crisis (Chief Evans)

Captain Schulze and Commissioner Dixon presented Life Saving Awards to Sergeant Lane, Officer Pineda, and Officer Menchaca.

4. PUBLIC COMMENTS

None.

5. CONSENT AGENDA

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

5.1 Minutes for City Council Meeting on May 21, 2019

- 5.2 Ordinance No. 2019-XX - AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS DELETING ARTICLE 1.1600, RESOURCE RECOVERY COMMITTEE, OF CHAPTER 1, GENERAL PROVISIONS, OF THE CODE OF ORDINANCES IN ITS ENTIRETY; SPECIFICALLY REPEALING ORDINANCE NO. 235, BOOK I, CODIFIED AS ARTICLE 1.1600, RESOURCE RECOVERY COMMITTEE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
- 5.3 Resolution No. 19-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 FOR PRIMARY DEPOSITORY BANK SERVICES SOLICITATION PROCESS BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND VALLEY VIEW CONSULTING, LLC; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.
- 5.4 Resolution No. 19-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, ADOPTING A PRIMARY DEPOSITORY BANK SOLICITATION BOUNDARIES POLICY EXPRESSLY PERMITTING THE CONSIDERATION OF APPLICATIONS FOR DEPOSITORY BANKING SERVICES FROM BANKS, CREDIT UNIONS, OR SAVINGS ASSOCIATIONS THAT ARE NOT DOING BUSINESS WITHIN THE CITY LIMITS IN ACCORDANCE WITH SECTION 105.011 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.
- 5.5 Resolution No. 19-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN ENGAGEMENT LETTER FOR AUDIT SERVICES BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND BELT HARRIS PECHACEK, LLC FOR FISCAL YEARS 2019 AND 2020; 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.
- 5.6 Resolution No. 19-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 TAX ASSESSMENT AND COLLECTION SERVICES BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AND SPRING BRANCH INDEPENDENT SCHOOL DISTRICT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.
- 5.7 Resolution No. 19-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 H&N CONTRACTOR MANAGEMENT SERVICES, LLC FOR THE CEDARBRAKE DRIVE DRAINAGE IMPROVEMENTS PROJECT (CSB# 2019-03-102); 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.

Council Member Vajdos 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: May 2019 Police Department Staff Report (Chief Evans):

Police Commissioner Dixon provided the report on behalf of Chief Evans.

1. Number of Calls for Service – 1,487
2. Number of Traffic Violations – 926
3. Number of K-9 Deployments – 85

7. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Activities of the Village Fire Department Commissioners Meeting on May 22, 2019 and Any Special Meetings That May Have Occurred and Status of Village Fire Commission's Reinstatement of Bunker Hill Village as a Full Member of the Village Fire Department. (Council Member Carpenter / Mayor Ramsey)

Mayor Pro Tem Carpenter advised that a meeting would be held on the following day regarding the draft of the audit. He also advised that the Commission is working on two amendments to the current Interlocal Agreement for the Village Fire Department: (1) one amendment that would authorize the Commission to enter into a contractual agreement with Bunker Hill Village to provide services for a period of four years, and (2) one amendment that would address how assets of the Village Fire Department would be handled in the event that one city leaves the group and would apply to all cities. Mayor Pro Tem Carpenter also advised that the Village Fire Department is currently fully staffed.

8. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Activities of the Planning and Zoning Commission Meeting of June 11, 2019. (Council Member Vajdos / City Attorney Loren Smith)

Council Member Vajdos advised that the Planning and Zoning Commission recommended Agenda Items 13 and 15 at the last meeting.

NEW BUSINESS

9. DISCUSSION AND DIRECTION CONCERNING: Request for Installation of New Traffic Signal at Bingle Road and Burkhart Road. (Resident Brian Schmulen)

Brian Schmulen, who lives at 5 Burkhart Forest Court, requested that a traffic signal be installed at the intersection of Bingle Road and Burkhart Road. There was discussion

concerning the traffic on Bingle Road and that the more likely location for a traffic signal would be at Bingle Road and Merlin Drive. While the Council decided not to pursue a traffic signal at the requested location, it was the consensus of the Council for City staff to work with the City's engineer to take an overall look at traffic patterns on Bingle Road and develop options for addressing traffic concerns raised by Mr. Schmulen as well as the Council.

10. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Award of Bid Number CSB #2019-05-103 For the Westview Drive Sidewalk Improvements Project To DVL Enterprises, LLC In An Amount Not To Exceed \$154,770.00.

Council Member Vajdos made a motion to award Bid Number CSB #2019-05-103 to DVL Enterprises, LLC for the Westview Drive Sidewalk Improvements Project in an amount not to exceed \$154,770.00, and Council Member Dominy seconded the motion. Motion carried 5-0.

11. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution No. 19-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 DVL ENTERPRISES, LLC FOR THE WESTVIEW DRIVE SIDEWALK IMPROVEMENTS PROJECT (COMPETITIVE SEALED BID #2019-05-103); 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 Pro Tem Carpenter read the Resolution by caption only. Council Member Vajdos made a motion to approve Resolution Number 19-18, and Council Member McCormack seconded the motion. Motion carried 5-0.

12. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2019-XX - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

Mayor Pro Tem Carpenter opened the Public Hearing at 6:45 p.m.

- A. Presentation of Proposed Ordinance by City Attorney

Attorney Derra Purnell advised that the purpose of the ordinance amendment would allow the setbacks on Westview Drive as well as Bingle Road and Campbell Road to be uniform.

- B. Those In Favor
None.
- C. Those Opposed
None.
- D. Adjourn Public Hearing

Mayor Pro Tem Carpenter adjourned the Public Hearing at 6:46 p.m.

13. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2019-XX - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

Mayor Pro Tem Carpenter read the Ordinance by caption only. Council Member Dominy made a motion to approve Ordinance No. 2019-14, and Council Member Vajdos seconded the motion. Motion carried 5-0.

14. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2019-XX - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

Mayor Pro Tem Carpenter opened the Public Hearing at 6:48 p.m.

A. Presentation of Proposed Ordinance by City Attorney

Attorney Derra Purnell advised that the proposed signage would be for property-specific zoning cases that go before the Planning and Zoning Commission and the Board of Adjustments. Ms. Purnell also advised that residential zoning signage would be provided to the property owners by the City and would be smaller in size versus commercial zoning signage would be larger in size and provided by the applicant.

B. Those In Favor

None.

C. Those Opposed

None.

D. Adjourn Public Hearing

Mayor Pro Tem Carpenter adjourned the Public Hearing at 6:49 p.m.

15. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2019-XX - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

Mayor Pro Tem Carpenter read the Ordinance by caption only. Council Member Vajdos made a motion to approve Ordinance No. 2019-15, and Council Member Dominy seconded the motion. Motion carried 5-0.

16. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 2019-XX - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, BY DELETING FROM APPENDIX "A" THEREOF SECTION 3.000 AND SUBSTITUTING THEREFOR A NEW SECTION 3.000; ESTABLISHING A SCHEDULE OF FEES FOR BUILDING AND

CONSTRUCTION; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

Mayor Pro Tem Carpenter read the Ordinance by caption only. Building Official Oscar Arevalo advised that, for many years, building permit fees for both residential and commercial construction projects have been based on construction value. During the 2019 Legislative Session, the Texas Legislature passed House Bill 852 prohibiting cities from calculating residential building permit fees based on construction value, and the new law went into effect on May 21, 2019. Since House Bill 852 is already effective, it was important for the City to adopt a new residential building permit fee structure as soon as possible. In developing the proposed fee structure, Mr. Arevalo and other City staff analyzed the City's residential building permits for the last 18 months and also compared the recommended fee against fees adopted in the other Memorial Villages. The proposed revisions adopt a residential building permit fee structure that is based on square footage and also include a reorganization of the Building Permit Fees Section of the Master Fee Schedule and updated plan review fees and various permit fees for commercial permits. Council Member Donaho made a motion to approve Ordinance No. 2019-16, and Council Member Vajdos seconded the motion. Motion carried 5-0.

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

1. Status of Hilldale, Bade & Cardwell Paving and Utility Improvements Project

Director of Public Works Arthur Faiello provided an update for the Council and advised that they were working with Binkley and Barfield, Inc. and Triple B Services to resolve utility conflicts and other issues with this Project. Mr. Faiello also advised that he did not have a date of when the contractor would return to the job site.

2. Status of Automated Meter Project

Director of Public Works Arthur Faiello advised that the Project was still in progress, and 426 meters had been installed to date. Mr. Faiello also advised that the City received 32 requests for second irrigation water meters.

3. Status of Repairs to Ground Water Well #1

Director of Public Works Arthur Faiello advised that the Project is complete and that, as of June 17, 2019, the water well was running at 850 gallons per minute.

4. Status of New Production Well

Director of Public Works Arthur Faiello advised that the Project is in progress and would be a year-long project.

5. Status of Phase II Park Improvements

City Administrator Julie Robinson advised that the City would go out for bids on the following day and a recommendation to Council is anticipated for the July meeting.

6. Status of I-10 and Campbell Road Development

City Administrator Julie Robinson advised that a new tenant group had delayed the groundbreaking as the group has a preferred contractor they wish to use for the project.

Ms. Robinson also advised that she is in communication with Stream Realty and that the building permit will be issued to and paid for by Stream Realty later that week.

18. 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:

18.1 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.

18.2 Section 551.072. Deliberation Regarding Real Property: Discussion To Deliberate The Purchase, Exchange, Lease, Or Value Of Real Property If Deliberation In An Open Meeting Would Have A Detrimental Effect On The Position Of The Governmental Body In Negotiations With A Third Person.

Council adjourned into the Executive Session at 7:31 p.m.

19. RECONVENE

The City Council meeting reconvened at 8:07 p.m.

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

No action was taken.

21. ADJOURNMENT

Council Member Donaho made a motion to adjourn the meeting at 8:08 p.m., and Council Member Vajdos seconded the motion. Motion carried 5-0.

Signed: _____

Allen Carpenter
Mayor Pro-Tem

Attest: _____

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