

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS
January 21, 2020 AT 5:30 P.M.

I. CALL TO ORDER

Mayor Robert Lord called the meeting to order at 5:00 p.m. in the Council Chambers of City Hall, 11977 Memorial Drive, Houston, Texas.

Those Present:

Mayor Robert Lord
Councilmember Eric Thode - *absent*
Councilmember Susan Schwartz
Councilmember Jay Smyre
Councilmember Keith Brown
Councilmember Laurie Rosenbaum

Also in Attendance:

Karen Glynn, City Administrator
Britique Williams, City Secretary/Dir. of Finance
Steve Smith, Dir. of Public Works/Bldg. Official
Loren Smith, City Attorney

EXECUTIVE SESSION

THE CITY COUNCIL WILL CONVENE INTO CLOSED EXECUTIVE SESSION PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, OR DUTIES OF THE CITY ADMINISTRATOR.

Mayor Lord convened into closed executive session at 5:00 p.m.

Mayor Lord reconvened the meeting at 5:38 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor Lord asked Boy Scout, Luke Potosky to lead the Pledge of Allegiance.

III. CITIZENS' COMMENTS

This is an opportunity for citizens to speak to council relating to agenda and non-agenda items. Comments are limited to three minutes. If the topic the speaker wishes to address is on the agenda, the speaker can either speak at this time or defer comments until such time the item is discussed. Speakers are required to address council at the microphone and give their name and address prior to voicing their concerns.

Note: To comply with provisions of the Open Meetings Act, the City Council may not deliberate on items discussed under this agenda item. Items that cannot be referred to the city staff for action may be placed on the agenda of a future City Council meeting.

Two residents signed up to speak on Item IX.

Item IX was moved up on the agenda to accommodate these residents.

IX. CONSIDERATION AND POSSIBLE ACTION ON CITIZEN REQUESTS:

(Item was taken out of order)

A. Request For Extension Of Time For A Building Permit – 201 Mayerling

Mr. Philip Jacobs, owner of 201 Mayerling, addressed the City Council. Steve Smith, Director of Public Works, shared information regarding the permits needed, the ordinance recently approved for permit timeframes, and whether the timeline was feasible.

The house at 201 Mayerling has been under construction for many years. The initial permit was approved in 2010. Work ceased on the property multiple times with the permit expiring at several points in the history of the project. As an effort to get the project completed, extensions were granted and the permit was reactivated.

Mr. Jacobs contacted the City in August 2019 after work had ceased again and requested to complete the house. A letter agreement was developed to document Mr. Jacobs' request and the terms of the permit reactivation. Unfortunately, Mr. Phillips was not able to complete the house by December 31, 2019 and the permit expired. Mr. Jacobs was requesting an additional 4 months to complete the house.

The City Council discussed the desire to get the house completed and the amount of time needed. The Council questioned if 4 months or 6 months might be needed. The discussion included not wanting to approve another extension and asked Steve Smith what would happen if the timeline expired. Mr. Smith explained that a new permit would need to be acquired and would be under all new regulations including drainage requirements and the recalculation of permit fees. Mayor Lord reiterated this information and shared that the City wanted Mr. Jacobs to complete the house but Mr. Jacobs will have to resubmit and pay the additional costs if he fails to complete the project within the approved timeframe. Mr. Jacobs indicated he understood.

A motion was made by Councilmember Keith Brown and seconded by Councilmember Jay Smyre to approve the request for an extension of time for the permit until July 21, 2020 (six (6) months).

The motion carried 4 – 0.

B. Request To Waive Vacant Property Fee – 16 Greyton Lane

Mrs. Charlotte Chovanec, owner of 16 Greyton Lane, addressed the City Council.

Charlotte and Bob Chovanec own a vacant lot at 16 Greyton Lane. Mrs. Chovanec said she appreciated the intent of the New Vacant Property Ordinance; however, she is requesting that the fee of \$500.00 be waived for her property as

this property is in the Greyton Place Subdivision with an active Homeowners Association. The dues are \$750.00. The Homeowners Association also addresses problematic issues as the intent of the Vacant Property Ordinance.

Karen Glynn, City Administrator explained that the Vacant Property Ordinance does not address a waiver for fees. The Council discussed and directed staff to bring this back to the Planning and Zoning Commission for a recommendation.

Council delayed action on this item. The Planning and Zoning Commission will consider this matter at a future meeting.

IV. POLICE COMMISSIONER REPORT

A. Update on Activities

Police Commissioner, Jay Smyre presented this item. Councilmember Smyre outlined items on the monthly report which included:

- The Department responded to 10,312 total calls; Bunker Hill Village had 4,236 of the calls.
- Officers wrote 208 citations in Bunker Hill.
- The Police Department is projecting to be approximately \$227,000 (4%) under budget for the 2019 fiscal/calendar year based on unaudited reports.

There were several activities and projects noted including the extra efforts during the holiday season; the in-car video systems for new cars; the annual audit and employee benefits/insurance process; and the need for replacement of the radio system. Councilmember/Commissioner Smyre shared more information on the Automated License Plate Readers which are providing excellent results. There are now twenty (20) cameras installed.

B. Consideration and Possible Action to Approve the Proposed Amendment (Revised) to the Interlocal Cooperation Agreement for the Memorial Villages Police Department related to Intra-Budget Transfers of Funds

Police Commission Chair Jay Smyre presented this item.

The proposed amendment was previously discussed and approved by Bunker Hill; however, the other Cities requested some revisions. The revised amendment is recommended for approval.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Schwartz to approve the revised amendment to the Interlocal Agreement.

The motion carried 4 – 0.

V. FIRE COMMISSION LIAISON REPORT

A. Update on Activities

Fire Commission Liaison, Keith Brown presented this item. The Fire Commission will meet on January 22, 2020, so the report will be more detailed at the February City Council meeting. The report included the monthly report provided. Additional notes included:

- A replacement fire engine has been ordered and is currently being built in Sioux Falls, North Dakota.
- The Commission is continuing in the planning stages of the renovation of the fire station.

Councilmember Rosenbaum noted that, in reviewing the Fire Chief's report, that 84% of the EMS calls were for patients over 50 years old.

VI. MAYOR'S REPORT

A. Report on Activities

Mayor Lord reported the following:

- Twinkle Light Parade was a great success.
- Mayor's meeting in December went well.
- The traffic issues on Mayerling Lane, which included speeding and not stopping at stop signs, have been resolved by placing buttons and decals on the street. The Mayor thanked the Police Department and Staff on the prompt response and shared the appreciation from the resident.

B. Consideration and Action Consenting to the Appointment to the Gulf Coast Authority Board Representing the Municipalities Waste Disposal Council Committee Reports/Updates

Mayor Lord announced that his recommendation will be in line with that of the Villages' Mayors as well as the Harris County Mayors and Councils Association. This item was not an action item for Council as this is a mayoral action.

C. Committee Reports/Updates

Beautification Committee – *Councilmember Laurie Rosenbaum, Chair*

- Councilmember Laurie Rosenbaum reported that the Beautification Committee is working on 2020 Projects including street lighting and the corner of Memorial at the Water Plant; however, this will need to wait until construction is completed at the Water Plant. Additionally, Councilmember Rosenbaum reported that the Piney Point Esplanade Project will begin soon. The Committee is awaiting an update from Piney Point Village's City Administrator, Roger Nelson, regarding

the signage to be included. There is a desire for the signs to be distinctive and reflect the representative cities.

The next Beautification Committee meeting will occur in the next thirty to sixty days.

Technology Committee – *Councilmember Eric Thode, Chair*

- Steve Smith shared that the Committee met on Thursday, December 12, 2019. The focus is on improving cell services in Bunker Hill. Mr. Smith met with Verizon in January. More residents are on Verizon than any other carrier. Mr. Smith is working with Verizon on installing more nodes in the City and improving cell service for the area.

Public Safety Committee – *Councilmember Keith Brown, Chair*

- Councilmember Brown shared that the Committee met on Wednesday, January 15, 2020.
- The Next Public Safety Forum has been set for Wednesday, March 11, 2020. Ms. Glynn is working to get confirmation from both Chiefs to attend.
- The Committee also talked about Pedestrian Crossings in several areas of the City and the Safe Walk to School as requested by citizens. Ms. Glynn will be getting more data on these locations.

Drainage Committee – *Jack Christiansen, Co-Chair*

- Mr. Christiansen gave a brief update on the Drainage Committee held on January 14, 2020.
- The main topic was the Regional Drainage Project and the performance during Tropical Storm Imelda. It appears the “detention” worked very well. A concern is the conveyance following the storm. The area took longer than expected to drain. The Drainage Committee will continue to discuss.
- The Blalock Lane/Green Oaks Project is expected to begin this month.
- There are several projects that were discussed and these are recommended as action items on this agenda. Mr. Smith will be presenting these items.

VII. CITY ADMINISTRATOR'S REPORT

A. Report on Activities and Upcoming Events

Karen Glynn, City Administrator reported the following noting that there are no Public Works/Project Reports as many of the projects are included as action items on this agenda.

B. Consideration and Possible Action on the 2020 Holiday and Meeting Schedule

Ms. Glynn shared a summary of the 2020 Holiday and Meeting Scheduled. There

is a recommendation to move the March Meeting to March 24, 2020 as a result of Spring Break. In addition, the Council typically cancels the July and December Meetings. The 4th of July falls on a Saturday. It is recommended that City Hall close on Monday, July 6 to observe the holiday since staff will be working on Friday, July 3 and Saturday, July 4 for the Annual Festival.

A motion was made by Councilmember Brown and seconded by Councilmember Schwartz to adopt the calendar as proposed, including cancellations and changes.

The motion carried 4 – 0.

VIII. CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF THE PLAN OF FINANCE FOR THE REFUNDING OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2011 AND GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012 - Karen Glynn, City Administrator

Karen Glynn, City Administrator, introduced the City's Financial Advisor, Drew Masterson to present the proposed bond refunding.

The City has been working with Masterson Advisors to identify an opportunity to lower the interest rate on the City's 2011 and 2012 General Obligation Bonds. The current interest rate on the 2011 and 2012 Series Bonds is an average of 3.527% and the current market interest rate is 1.812%, resulting in a potential savings of over \$530,000 for the duration of the bond. These bonds are callable in April 2020.

Mr. Masterson discussed various methods of sale of bonds, specifically competitive bidding. The Council concurred with proceeding with the refunding. An Ordinance will be prepared for Council action at the February Meeting.

No action was taken on this item.

X. CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF CHANGE ORDER NO. 2 TO THE CONTRACT WITH AAA ASPHALT PAVING, INC. FOR THE WARRENTON, KILTS AND VALLEY STAR RECONSTRUCTION PROJECT FOR THE EXTENSION OF TIME FOR 60 DAYS - Steve Smith, Director of Public Works/ Building Official

Steve Smith, Director of Public Works/ Building Official presented this item, answered questions and took comments.

The Warrenton, Kilts and Valley Star Reconstruction Project is progressing very well and nearing completion. The City awarded the construction contract to AAA Asphalt in April 2019. There has been one change order to date which addressed the removal and replacement of the subdivision entry sign.

Change Order No. 2 is presented and recommended for an "Extension of Time." The current contract end date is January 14, 2020. An extension of 60 days has been requested

due to documented rain days and project modifications to address field conditions. The proposed extension would increase the project length from 225 days to 270 days and the new contract end date would be March 14, 2020. This is a no-cost change order.

A motion was made by Councilmember Smyre and seconded by Councilmember Rosenbaum to extend Warrenton, Kilts and Valley Star Reconstruction project by 60 days.

The motion carried 3 – 0. *Councilmember Brown stepped out during the vote.*

XI. CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 3 TO THE CONTRACT WITH AAA ASPHALT PAVING, INC. FOR THE WARRENTON, KILTS AND VALLEY STAR RECONSTRUCTION PROJECT FOR ADDITIONAL WATER LINE REHABILITATION RESULTING IN A CONTRACT INCREASE OF \$215,920.00 - Steve Smith, Director of Public Works/ Building Official

- A. Winshire Circle - \$66,640.00
- B. Chappel Belle - \$149,280.00

Steve Smith, Director of Public Works/ Building Official presented this item, answered questions and took comments.

The sub-contractor performing the water line installation portion of the Warrenton – Kilts project has finished ahead of schedule and is approximately \$87,000 under budget. The Contractor is primarily a directional drill contractor and has worked on other projects in the City with other general contractors and as a contractor for the City. The City Staff has been very pleased with this work.

The City has recently experienced several water main failures on two streets in the City: Chapel Belle and Winshire Circle. By using the already contracted prices in the Warrenton-Kilts contract, the City can address the replacement of these older failing water lines, avoid the expense of an additional public bid process, and take advantage of good contract prices and a known Contractor.

Change order 3 would add the replacement of the water distribution lines on Chapel Belle and Winshire Circle to the current construction contract. The additional cost is projected to be \$215,920.00 based on design quantities. Funding for this change order would be available from the \$87,000 in utility savings in the project and supplemented by the 2020 Capital Projects Fund – Water Line Rehab. The 2020 Budget for Water Line Rehab is \$250,000.

A motion was made by Councilmember Rosembaum and seconded by Councilmember Smyre to approve Change Order No. 3 to include the rehabilitation of water lines on Chappel Belle and Winshire Circle in the amount of \$215,920.00.

The motion carried 4 – 0.

XII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SUPPLEMENT TO THE CONTRACT BETWEEN THE CITY OF BUNKER HILL VILLAGE AND LLOYD SMITHA & ASSOCIATES BY \$48,000.00 FOR A TOTAL AMOUNT NOT TO EXCEED \$148,000.00 TO PROVIDE CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE WARRENTON, KILTS AND VALLEY STAR RECONSTRUCTION PROJECT AND POSSIBLE CHANGE ORDERS - Steve Smith, Director of Public Works/ Building Official

Steve Smith, Director of Public Works/ Building Official presented this item, answered questions and took comments.

There is a request to supplement the fees for Lloyd Smitha & Associates who serves as the City's Construction Manager and Inspector for the Warrenton, Kilts, and Valley Star Project. The Council approved the contract to provide these services in April 2019; however, the Council reduced the amount of the contract to \$100,000 (reduced from the amount of \$148,000 which was proposed by the consultant). Because of the extension of time and the additional work to be provided, Staff is recommending supplementing this contract, approving the original contract amount of \$148,000.

A motion was made by Councilmember Brown and seconded by Councilmember Smyre to approve supplemental funding to the contract with Lloyd Smitha and Associates.

The motion carried 4 – 0.

XIII. PRESENTATION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE A WORK ORDER WITH LAYNE CHRISTIANSEN FOR THE REHABILITATION OF WATER WELL #3 IN AN AMOUNT NOT TO EXCEED \$150,000.00 – Steve Smith, Director of Public Works/ Building Official

Steve Smith, Director of Public Works/ Building Official presented this item, answered questions and took comments.

The City Council previously approved the Staff recommendation to remove and inspect Water Well 3, located on Memorial Drive near Hickory Ridge. This well had not been removed for inspection in the last 16 years. This well was drilled in 1961.

The City's on-call contractor, Layne Christiansen, performed this work during December (the lower water production month). The work included removal of the well, inspection of the rotating assembly and television inspection of the below ground casing.

The television inspection report revealed that the well casing had previously been lined and the metal surfaces are in good condition. There was no observed misalignment or areas of concern. It is expected that the casing will provide additional years of continued service.

The motor and rotating assembly displayed normal wear for 16 years of service. This equipment is not recommended for reinstallation.

Layne Christiansen provided two proposals to return the well to service:

1. Install all new motor and rotating assembly to return the well exactly as it is currently configured. Total cost \$143,068
2. Install all new submersible assembly. Total Cost \$130,610

Staff recommends the conversion to a submersible assembly previously completed on other wells. Staff also recommends including a contingency for a not to exceed budget of \$150,000.

A motion was made by Councilmember Schwartz and seconded by Councilmember Rosenbaum to approve installing the new submersible assembly and restoring the well to full operations.

The motion carried 4 – 0.

XIV. PRESENTATION, CONSIDERATION AND POSSIBLE ACTION TO ACQUIRE PROPERTY FROM SPRING BRANCH ISD TO CONSTRUCT WATER WELL NO. 5 - Steve Smith, Director of Public Works/ Building Official

Steve Smith, Director of Public Works/ Building Official presented this item, answered questions and took comments.

Since March 2018, staff has shared information with the Mayor and City Council regarding Water Well No. 2 located at City Hall. The well had failed and was not recommended to be repaired. This well was drilled in 1961.

The Consulting Team and staff have been working to develop an overall rehab and replacement plan for the City's Water Production System. This was discussed with the City Council during the budget process and has been incorporated into the City's 10 year capital plan. In addition, a preliminary engineering contract was awarded to Langford Engineering in the fall of 2019.

The Preliminary Engineering Report includes drilling a new well (Water Well No. 5) and constructing a transmission main to the Taylorcrest Water Plant. Staff has been working on the location of a new well and outlining costs and the financing for this project.

The recommended location for the new water well is Bunker Hill Elementary School. Staff has been working with the school district as the site is planned for reconstruction.

Staff presented the proposed site layout and design and a phasing and construction plan. Staff asked for City Council direction to proceed with discussions and possible land acquisition from the Spring Branch ISD.

A motion was made by Councilmember Smyre and seconded by Councilmember Brown to approve Staff taking the necessary steps to acquire property from Spring Branch ISD at Bunker Hill Elementary School for a new water well.

The motion carried 4 – 0.

XV. CONSIDERATION AND POSSIBLE ACTION TO APPROVE LOCAL DRAINAGE PROJECTS AND ASSOCIATED BUDGETS AS RECOMMENDED BY THE DRAINAGE COMMITTEE - Steve Smith, Director of Public Works/ Building Official

- A. Ditch and Culvert Maintenance on Stoney Ridge not to exceed \$20,000.00
- B. Installation of up to Three Additional Drainage Inlets on Bunker Hill Road not to exceed \$25,000.00
- C. Ditch Maintenance and Excavation on Local Streets

Steve Smith, Director of Public Works/ Building Official, presented this item, answered questions and took comments.

The Drainage Committee met on Tuesday, January 14, 2020 and are recommending several projects to the City Council for construction in 2020:

1. **Culvert and Driveway Replacement for 11902 Stoney Ridge.** The culverts at this address have been lifted by tree roots and are creating an obstruction to the city's ditch. Staff has attempted to excavate the ditch to improve flow but all efforts have been unsuccessful. Working through the City's interlocal agreement with Harris County, AAA Asphalt Paving has provided a cost of approximately \$20,000 to remove and replace the culverts and driveway approaches to re-establish the flowline.
2. **Bunker Hill Road – Additional Inlets.** The Drainage Committee has received several reports that the Type A inlets in the sidewalk along Bunker Hill Road frequently become clogged during rain events. Three specific locations have been identified as a trial to modify the drainage inlet path by adding a Type E above ground inlet to the side of the sidewalk inlets. Working through the City's interlocal agreement with the City of Texas City, T Construction has proposed a cost of \$25,000 to construct the three inlets.
3. **Ditch Maintenance and Excavation.** Routine ditch maintenance has been identified for four streets as requested by residents and inspected by staff. The streets are Country Way, Folwell, Greenbay (east side), and Surrey Lane. This work is estimated at \$25,000.

The Drainage Committee and Staff are recommending the City Council's consideration and action to construct these projects.

Funding is available in the Operations and Maintenance budget for items 1 and 3. The Bunker Hill Road Inlets would be funded in the 2020 Capital Projects Budget – Local Drainage Projects. The Local Drainage Projects has a 2020 Budget of \$200,000.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Brown to approve the Drainage Projects as presented.

The motion carried 4 – 0.

- XVI. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON SATURDAY, MAY 2, 2020, FOR THE PURPOSE OF ELECTING THREE COUNCILMEMBERS (POSITION NOS. 1, 2, AND 3); PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT - Britique Williams, City Secretary/Finance Director**

Britique Williams, Director of Finance/City Secretary, presented this item, answered questions and took comments.

The City of Bunker Hill Village holds its election for the Mayor and City Council on the May General Election Date for each year. The election for Positions 1, 2, and 3 are held in even numbered years, while the election for Mayor and Positions 4 and 5 are held in odd numbered years. The next scheduled City Election is Saturday, May 2, 2020 and accordingly, will be for Positions 1, 2, and 3. Filing for a position on the ballot will begin January 15, 2020 and will conclude February 14, 2020. Write in candidates are allowed through February 18, 2020.

Election Judges are named in the Ordinance. Officers include Clara Towsley as the Presiding Judge and Tom Rigamonti as the Alternate Presiding Judge. Both supported the City in these roles last year. Both have agreed to serve again this year if needed.

A motion was made by Councilmember Rosebaum and seconded by Councilmember Brown to approve the Ordinance calling the City's General Election.

The motion carried 4 – 0.

- XVII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, BY DELETING ALL OF SECTION 2-4, OFFICIAL NEWSPAPER, OF ARTICLE I, IN GENERAL, OF CHAPTER 2, ADMINISTRATION, AND ADDING A NEW SECTION 2-4, OFFICIAL NEWSPAPER, OF ARTICLE I, IN GENERAL, OF CHAPTER 2, ADMINISTRATION, SAID SECTION DESIGNATING THE MEMORIAL EXAMINER (HOUSTON COMMUNITY NEWSPAPER) AS THE OFFICIAL NEWSPAPER OF THE CITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT - Britique Williams, City Secretary/Finance Director**

Britique Williams, Director of Finance/City Secretary, presented this item, answered questions and took comments.

State Law requires that Cities shall designate an official newspaper for all official publications for the year. The City of Bunker Hill Village has utilized the Houston Community Newspaper as the official newspaper for the City in years past and staff is recommending to continue with this publication.

Staff recommended approval of the Ordinance amending the City's current ordinance and designating the Houston Community Newspaper as the City's official newspaper.

On the consent agenda, there is a contract with the Houston Community Newspaper should the Council approve this Ordinance. This contract provides for set costs for the year. These costs have remained the same since 2014.

A motion was made by Councilmember Schwartz and seconded by Councilmember Brown to approve the Ordinance designating the City's Official Newspaper.

The motion carried 4 – 0.

XVIII. DISCUSSION AND DIRECTION TO AMEND THE CITY'S ORDINANCES FOR REDEVELOPMENT OF CHALLENGING PROPERTIES (CONDITIONAL ZONING PERMIT OR SPECIAL EXCEPTIONS) - Karen Glynn, City Administrator and Loren Smith, City Attorney

Steve Smith, Karen Glynn, and Loren Smith presented this item, answered questions and took comments.

The Mayor and Staff have met with the new property owners at 11646 Memorial Drive (corner of Memorial and Briar Forest). In addition, staff shared other legal non-conforming lots in the City that are experiencing challenges being developed. The City Attorney and City Administrator outlined a list of opportunities to address these concerns as well as a list of pros and cons for various code changes.

This concept was presented to the Planning and Zoning Commission and it was recommended that the Commission gain further direction from the City Council.

No action was taken on this item. City Council will deliberate further at a later date.

XIX. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 4, BUILDING AND CONSTRUCTION, BY AMENDING THE TITLE OF CHAPTER 4 TO BE DEVELOPMENT, BUILDING AND CONSTRUCTION, BY AMENDING ARTICLE VI, TREE PRESERVATION, OF CHAPTER 4, DEVELOPMENT, BUILDING AND CONSTRUCTION, SECTION 4-182, DEFINITIONS, TO CLARIFY THE DEFINITION OF A TREE, SECTION 4-183, MINIMUM TREE REQUIREMENT, TO CLARIFY THE CALCULATION OF THE NUMBER OF TREES PER LOT, SECTION 4-184, TREE PERMIT REQUIREMENTS, SO THAT A TREE PERMIT WILL NOT ISSUE IF THE REMOVAL WOULD VIOLATE STATE OR FEDERAL LAW, SECTION 4-185, TREE PRESERVATION, REMOVAL AND REPLACEMENT, TO ESTABLISH AN OFFSITE TREE REPLACEMENT PROGRAM IN CERTAIN CIRCUMSTANCES AND TO REQUIRE TREES REMOVED TO BE CUT SUCH THAT THEY DO NOT EXTEND MORE THAN SIX INCHES (6") ABOVE THE SURROUNDING SOIL, AND SECTION 4-186, NEW CONSTRUCTION,

RECONSTRUCTION, AND EXPANSION/ADDITIONS, TO REQUIRE A STATEMENT ON THE TREE SITE PLAN THAT THE APPLICANT IS NOT AWARE OF ANY IMPACT TO AN ENDANGERED SPECIES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THESE PROVISIONS, WITH EACH DAY CONSTITUTING A NEW VIOLATION; AND PROVIDING FOR SEVERABILITY - Steve Smith, Director of Public Works/ Building Official

Steve Smith, Director of Public Works/ Building Official, presented this item, answered questions and took comments.

The Planning and Zoning Commission has been discussing proposed amendments to the City's Tree Ordinance. This includes the removal of trees at the ground level in addition to an overall review of the Ordinance as a result of resident and redevelopment related concerns. In addition, staff has met with the City's Beautification Committee to review these items.

Concerns include the need for residents to count trees when needing to remove a dead or diseased tree. The other concern includes the required tree count as a result of the removal of large mature trees. This often results in the required count to exceed the 1:1000 sf ratio making it difficult to fit the extra trees within the space available.

Mr. Smith presented the proposed ordinance which included amendments to the current tree preservation ordinance:

1. If a tree is removed, the tree must be removed at ground level defined as within 6" of the surrounding ground. This change is in response to a resident who removed only the top portion of several dead trees.
2. The establishment of an Offsite Tree Replacement Program for the City. If the number of trees required will exceed the minimum required tree count (1:1000 sf) as a result of large tree removal(s), the property owner may participate in an Offsite Tree Replacement Program. This Program is proposed to be established and would allow the required trees to be planted at offsite City identified locations. In order to qualify to participate in this program, the tree count must meet the minimum required count for that particular lot. The permit holder could then elect to pay a fee for each required tree above the lot minimum. The City would plant trees at various locations around the City on City property. This program would help reforest the City when trees are required to be planted on lots which already meet the City's goal for the minimum tree count. The Program would be coordinated with the Beautification Committee.

The suggested fee for each offsite tree is \$1,000.

3. When a resident needs to remove a tree, the tree permit will include a place whereby the resident will confirm that their lot will continue to meet the required tree count after removal. This will be approved on the honor system.

A motion was made by Councilmember Smyre and seconded by Councilmember Rosenbaum to approve the Ordinance as presented amending the City’s Tree Preservation Ordinance.

The motion carried 4 – 0.

XX. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 01-21-2020 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING AN AMENDED SCHEDULE OF FEES, RATES, DEPOSITS, AND OTHER CHARGES FOR PUBLIC SERVICES, INCLUDING THOSE RELATING TO DEVELOPMENT, BUILDING AND CONSTRUCTION, ELECTRICAL, PLUMBING, LICENSING AND REGISTRATIONS, REGULATORY INSPECTIONS, PERMITTING, APPLICATIONS, HEARINGS, AND OTHER MATTERS, EFFECTIVE JANUARY 21, 2020 - Steve Smith, Director of Public Works/ Building Official

Steve Smith, Director of Public Works/ Building Official presented this item, answered questions and took comments.

The City has adopted, by resolution, a schedule for various fees. With the approval of the amendment to the Tree Ordinance (previous item) establishing an Offsite Tree Replacement Program, a fee for collection of off-site tree(s) needs to be established.

Staff recommended approval of the Resolution adopting the "City of Bunker Hill Village Fee Schedule for 2020" as amended to establish a fee for the Offsite Tree Replacement Program at \$1,000 per tree.

A motion was made by Councilmember Rosembaum and seconded by Councilmember Smyre to approve the Resolution adopting the Fee Schedule to include the Fee for the Off Site Tree Program.

The motion carried 4 – 0.

XXI. CONSIDERATION AND POSSIBLE ACTION TO PARTICIPATE IN THE CHARITY AUCTION(S) FOR BUNKER HILL AND FROSTWOOD ELEMENTARY SCHOOLS IN OFFERING TO DONATE RIDING ON THE CITY’S PARADE FLOATS FOR THE ANNUAL VILLAGES INDEPENDENCE FESTIVAL AND TWINKLE LIGHT PARADE – Robert Lord, Mayor

Karen Glynn, City Administrator, presented this item, answered questions and took comments.

The City’s Parade Floats and Events have become very successful. An idea was presented for a way to support the local elementary schools and to gain even more support for the parade floats and events. Both Frostwood and Bunker Hill Elementary Schools host annual auctions to raise funds for the schools. The City has been asked if a “ride on the float” could be an item included in the annual auction. The City Attorney will draft a waiver for those riding to sign.

A motion was made by Councilmember Brown and seconded by Councilmember Schwartz to approve the City participating in the City's Elementary School Auctions offering a "Ride on the Float" Item.

The motion carried 4 – 0.

XXII. CONSIDERATION AND POSSIBLE ACTION REGARDING THE THIRD AMENDMENT TO CONGESTION MITIGATION/TRAFFIC MANAGEMENT AGREEMENT BETWEEN THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY AND THE CITY OF BUNKER HILL VILLAGE – Karen Glynn, City Administrator

Karen Glynn, City Administrator, presented this item, answered questions and took comments.

Bunker Hill Village is a member of the Multi-Cities Coalition with Metro. Metro has contracted with the Area Cities over the years to share taxes collected to construct capital projects in support of the Metro routes. These contracts with Metro expire in 2025. Currently Bunker Hill receives \$134,000 annually, which is a fixed amount and is approximately 75% of sales tax collected in the City. Cities with over \$250,000 in sales tax are capped at 50% of sales tax collected.

Metro held a Bond Referendum in November 2019. As part of the discussions during this time, Metro committed to extending the City Agreements to 2040 should the Bond Election pass. The Bond Referendum was successful. Metro has provided the attached agreement extending the contracts with area cities to 2040.

A motion was made by Councilmember Brown and seconded by Councilmember Schwartz to approve the Amendment to the Agreement with Metro through 2040.

The motion carried 4 – 0.

XXIII. 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 CONSIDERED SEPARATELY."

- A. Minutes of the November 19, 2019 Regular Council Meeting
- B. Minutes of the December 19, 2019 Special Meeting Council Meeting
- C. November 2019 Financials
- D. AAA Asphalt Paving, Inc., Pay Request No. 6 in the amount of \$324,364.60 through November 30, 2019 for Construction of Street, Drainage, and Water Line Improvements for Warrenton Drive, Kilts Drive, and Valley Star Drive
- E. AAA Asphalt Paving, Inc., Pay Request No. 7 in the amount of \$240,822.28

- through December 31, 2019 for Construction of Street, Drainage, and Water Line Improvements for Warrenton Drive, Kilts Drive, and Valley Star Drive
- F. Lloyd, Smitha & Associates, LLC Invoice No. CMBH1705-04 for professional services rendered from November 1, 2019 to November 30, 2019 in the amount of \$14,344.00 for Street, Drainage, and Water Line Improvements for Warrenton Drive, Kilts Drive, and Valley Star Drive
 - G. Lloyd, Smitha & Associates, LLC Invoice No. CMBH1705-05 for professional services rendered from December 1, 2019 to December 31, 2019 in the amount of \$10,451.00 for Street, Drainage, and Water Line Improvements for Warrenton Drive, Kilts Drive, and Valley Star Drive
 - H. RPS, Invoice No. 1019116 in the amount of \$12,477.25 for professional services rendered from October 1, 2019 to November 1, 2019 under on-call services for Construction Management Services for Street, Drainage, and Water Line Improvements for Warrenton Drive, Kilts Drive and Valley Star Drive
 - I. RPS, Invoice No. 1119073 in the amount of \$8,948.25 for professional services rendered from November 2, 2019 to November 29, 2019 under on-call services for Construction Management Services for Street, Drainage, and Water Line Improvements for Warrenton Drive, Kilts Drive and Valley Star Drive
 - J. RPS, Invoice No. 1119069 in the amount of \$730.40 for professional services rendered from November 2, 2019 to November 29, 2019 under on-call services for Site Development Review
 - K. RPS, Invoice No. 1119070 in the amount of \$4,250.90 for professional services rendered from November 2, 2019 to November 29, 2019 under on-call services for miscellaneous services including Drainage Committee Planning, Meeting and Associated Assignments
 - L. Langford Engineering, Inc., Invoice No. 22735 in the amount of \$ 403.72 for professional services rendered through October 31, 2019 for General Engineering On Call Services Miscellaneous Assignments
 - M. Langford Engineering, Inc., Invoice No. 22736 in the amount of \$ 1,329.84 for professional services rendered through October 31, 2019 for the Emergency and Possible Repair for Water Well No. 2 and Discussion of New Well
 - N. Langford Engineering, Inc., Invoice No. 22737 in the amount of \$ 18,880.82 for professional services rendered through October 31, 2019 for Preliminary Engineering for the replacement of Water Well No. 2 (New Water Well No. 5)
 - O. Langford Engineering, Inc., Invoice No. 22738 in the amount of \$ 2,277.95 for professional services rendered through October 31, 2019 for Evaluation and Recommendation for the Repair or Replacement of the Hydro Tank at City Hall
 - P. Langford Engineering, Inc., Invoice No. 22834 in the amount of \$ 8,823.38 for professional services rendered through November 30, 2019 for Preliminary Engineering for the replacement of Water Well No. 2 (New Water Well No. 5)
 - Q. Langford Engineering, Inc., Invoice No. 22835 in the amount of \$ 545.88 for professional services rendered through November 30, 2019 for Evaluation and Recommendation for the Repair or Replacement of the Hydro Tank at City Hall
 - R. Houston Community Newspapers & Media Group Contract for publishing notices or other matters required by law for the period of January 1, 2020 through December 31, 2020 at set amounts

A motion was made by Councilmember Smyre and seconded by Councilmember Schwartz to approve the consent agenda.

The motion carried 4 – 0.

XXIV. ADJOURN

A motion was made by Councilmember Schwartz and seconded by Councilmember Brown to adjourn the meeting at 8:14 p.m.

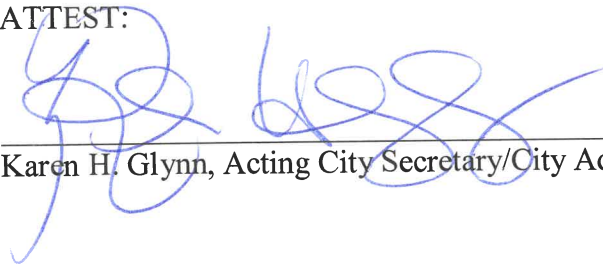
The motion carried 4 - 0.

Approved and accepted on February 18, 2020.



Robert P. Lord, Mayor

ATTEST:



Karen H. Glynn, Acting City Secretary/City Administrator