

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS
May 16, 2023 at 5:00 P.M.**

I. CALL TO ORDER

Mayor Robert P. Lord called the meeting to order at 5:06 p.m. on Zoom and in the Council Chambers of City Hall, 11977 Memorial Drive, Houston, Texas.

Those Present:

Mayor Robert Lord
Councilmember Susan Schwartz
Councilmember Eric Thode
Councilmember Carl Moerer
Councilmember Keith Brown
Councilmember Laurie Rosenbaum *via Zoom*

Also in Attendance:

Gerardo Barrera, City Administrator
Karen Glynn, Acting City Secretary/ Community Development
Loren Smith, City Attorney
Susan Grass, Finance Director
Jennifer Namie, Assistant to the City Secretary *via Zoom*
Ray Schultz, MVPD, Chief of Police
Mallory Pack, Assistant to the City Administrator

II. PLEDGE OF ALLEGIANCE

Officer Boggus led the Pledge of Allegiance.

III. OATH OF OFFICE

- Mayor – Robert P. Lord
- Councilmember Position 4 – Keith Brown
- Councilmember Position 5 – Laurie Rosenbaum

The City holds its election for City Council in May of each year. The election for Mayor and Council Positions 4 and 5 are held in odd numbered years. The election was called for May 6, 2023. The incumbents filed for their respective positions with no opposition.

Loren Smith, City Attorney, administered the Oath of Office to Mayor Lord and Councilmembers Brown and Rosenbaum.

IV. CITIZEN COMMENTS

There were no citizen comments.

V. PRESENTATION AND RECEIPT FOR FILING OF THE 2022 FINANCIAL AUDIT CONDUCTED BY BELT HARRIS PECHACEK, LLLP – Susan Grass, Finance Director

The annual audit process has been completed and the City received an unmodified opinion – the highest level of assurance a city can obtain. The City also included an Annual Comprehensive Financial Report (ACFR) to the audit process in 2022. The ACFR summarized the City’s past 10 years and adds to the City of Bunker Hill’s highest level of financial standards. Robert Belt of Belt Harris Pechacek, LLLP, shared highlights of the Financials for 2022 and the ACFR.

This item was for presentation and discussion only. No action was taken on this item.

VI. DISCUSSION, DIRECTION, AND POSSIBLE ACTION REGARDING A REQUEST FROM THE CITY OF HEDWIG VILLAGE, TEXAS TO ENHANCE THE PEDESTRIAN CROSSING SIGN AT THE MAGDELANE AND TAYLORCREST CROSSWALK – City of Hedwig Village Representatives

Gerardo Barrera introduced City of Hedwig Village Representatives – Tom Jinks, Mayor and Wendy Baimbridge, City Administrator. Mayor Jinks presented the proposed project improvements:

The City received a request from the City of Hedwig Village to enhance the signage at the Magdelane and Taylorcrest crosswalk for improved pedestrian safety, especially for children that walk and bike to Bunker Hill Elementary School and St. Cecelia Catholic School. The crosswalk is in the City of Bunker Hill’s right-of-way but serves residents in Hedwig Village.

Hedwig Village Representatives requested that Council consider a pedestrian push button flasher at the existing crosswalk similar to the crossing on Blalock Lane and Greenbay in Piney Point Village and recently installed at the elementary school in Hunters Creek Village. This would not be a continuous flasher; it would only flash when activated. Staff shared prior discussions with Hedwig Village regarding the crosswalk, including the recommendation to construct a sidewalk in the right-of-way to cross at the controlled intersection at Bunker Hill Road. Hedwig Village has submitted a grant for sidewalks including this location; however, no funding is available for a sidewalk to date.

In 2020, City Council discussed options to enhance the crosswalk through an interlocal agreement. The agreement was never finalized, and the crosswalk remained in its current condition.

Kimley-Horn and Associates, Inc. performed a traffic study and results were shared with the Council.

Council discussed the proposal and various concerns including the installation of the sidewalk as the ultimate solution.

A motion was made by Councilmember Moerer and seconded by Councilmember Brown to enhance the pedestrian crossing sign at the Magdelane and Taylocrest crosswalk to install a push button and flashing signs as a short term solution with the provision that Hedwig Village continue work to construct a sidewalk as the ultimate solution.

The motion carried 3 – 2

VII. MEMORIAL VILLAGES POLICE DEPARTMENT REPORT

- A. Update on Activities – Chief Ray Schultz provided an update on activities, including personnel, calls for service and the 2023 Budget.
- The department is fully staffed.
 - The radio project is nearing completion.
 - The Automatic License Plate Reader (ALPR) System continues to be an effective crime-solving tool.
- B. Presentation on the 2022 Annual Audit – Chief Schultz shared the audit results which included a clean audit. The Department ended the year under budget; therefore the cities will see a refund.

This was for presentation only. No action was taken on this item.

- C. Consideration and Possible Action to Approve the 2024 Annual Budget for the Memorial Villages Police Department as Recommended by the Police Commission

Chief Schultz presented the proposed FY 2024 Budget. Priorities include improvements to the salary and benefits package with modifications to the existing TMRS plan to attract and retain high-quality personnel.

A motion was made by Councilmember Brown and seconded by Councilmember Thode to approve the 2024 Annual Budget for the Memorial Villages Police Department as presented.

The motion carried 5 – 0

VIII. VILLAGE FIRE DEPARTMENT REPORT

- A. Update on Activities – Fire Commissioner, Keith Brown and Chief Miller provided a report on activities, staffing, calls for service and response times.
- A search committee has been established to fill the Fire Chief position.
 - The first consultation for the Insurance Services Office (ISO) review was successful.
 - A new ambulance has been placed into service and a second ambulance is expected at a later date.
- B. Update on the 2024 Annual Budget Process and Discussions
- A Budget Workshop is scheduled for Wednesday, May 17, 2023, with the Fire Commission.
 - FY 2024 priorities include personnel and EMS services.
- C. Consideration and Possible Action to Authorize a Budget Amendment for the Village Fire Department in an Amount of \$184,000.00 for a Roof Retrofit on the Annex Building as Recommended by the Fire Commission

During a Regular Fire Commission Meeting held on March 22, 2023, the Village Fire Commission approved a budget amendment for \$184,000.00 to retrofit the roof on the Annex Building. Approval is required by the Villages.

The City of Bunker Hill Village's contribution to the cost would be 19%, or \$34,960.00. This expense is a one-time cost, and funding could be made available from the General Assigned Fund Balance. If approved, City Staff would present a budget amendment to fund the \$34,900.00 expense for Council action at the June Meeting.

A motion was made by Councilmember Brown and seconded by Councilmember Moerer to approve a budget amendment for the Village Fire Department in an amount of \$184,000.00 with Bunker Hill's contribution being \$34,960.00 for a roof retrofit on the annex building.

The motion carried 5 – 0

IX. MAYOR'S REPORT

- A. Consideration and Possible Action to Adopt Ordinance No. 23-606, an Ordinance of The City of Bunker Hill Village, Texas, Extending a Public Health Emergency and Extending a State of Disaster Due to the Outbreak of COVID-19; Providing for Severability; and Providing an Effective Date

An Ordinance Declaring an Emergency was approved by the City Council on March 24, 2020 and later extended. The proposed ordinance includes an additional extension through June 2023 and ensures that any support needed from other agencies would be available to the City.

A motion was made by Councilmember Moerer and seconded by Councilmember Rosenbaum to adopt Ordinance No. 23-606 to extend the Public Health Emergency and State of Disaster due to the outbreak of COVID-19.

The motion carried 3 – 2

- B. Consideration and Possible Action to Appoint City Administrator Gerardo Barrera to Serve as Acting City Secretary

A motion was made by Councilmember Thode and seconded by Councilmember Brown to appoint City Administrator Gerardo Barrera as Acting City Secretary.

The motion carried 5 – 0

- C. Consideration and Possible Action Regarding Appointments for the Planning and Zoning Commission for a Two-Year Period Ending June 30, 2025

A motion was made by Councilmember Schwartz and seconded by Councilmember Moerer to reappoint the current members to the Planning and Zoning Commission for a two-year period ending June 30, 2025.

The motion carried 5 – 0

- D. Consideration and Possible Action Regarding Appointments for the Zoning Board of Adjustment for a Two-Year Period Ending June 30, 2025

A motion was made by Councilmember Thode and seconded by Councilmember Brown to appoint members to the Zoning Board of Adjustment for a two-year period ending June 30, 2025, as proposed.

The motion carried 5 – 0

- E. Consideration and Possible Action Regarding Appointments for Municipal Court: Judge, Associate Judge, Prosecutor, and Associate Prosecutor for a Two-Year Period Ending June 30, 2025

A motion was made by Councilmember Moerer and seconded by Councilmember Schwartz to appoint Kelly Benavides as Municipal Court Judge, Brian Chandler and James R. Smith as Municipal Court Associate Judges, Chris Gore as Municipal Court Prosecutor, and Robert Galego as Municipal Court Associate Prosecutor for a two-year period ending June 30, 2025.

The motion carried 5 – 0

- F. Proclamations – Mayor Lord shared the following proclamations that are being issued this month:

- A Proclamation Naming the week of May 14-20, 2023 “*National Police Week*” honoring the commitment and service of MVPD officers who work to protect residents.
- A Proclamation Naming the week of May 21-27, 2023 “*National Public Works Week*” recognizing the City’s dedicated public works team and their substantial contributions to protecting the health, safety, and quality of life for residents.

- G. Report on Activities and Upcoming Events

- Water Well No. 5 Ribbon Cutting – *Friday, May 12, 2023* – The event celebrated the completion of several Capital Improvement Projects, including Water Well No. 5 and the underground detention at Bunker Hill Elementary School. The Mayor thanked all project stakeholders for their partnership.
- Memorial High School Senior Parade – *Saturday, May 13, 2023* – The Mayor and family participated in the parade.
- Retirement Reception for Karen Glynn, City Administrator – *Tuesday, May 23, 2023* – The event will honor Karen Glynn for her ten years of committed service to the City.
- Villages Independence Day Parade – *Tuesday, July 4, 2023* – City staff continues to coordinate parade logistics with the other Villages and MVPD.

- State Operations Center (SOC) Exercise – *Tuesday, May 16, 2023* – The Mayor participated in an Emergency Management/ Response tabletop exercise.

Councilmember Rosenbaum left the meeting at 7:30 p.m.

X. CITY ADMINISTRATOR'S REPORT

A. Report on Activities and Upcoming Events

- Government Treasurers' Organization of Texas Award – The City's Investment Policy has been awarded the Certificate of Distinction by the Government Treasurers' Organization of Texas. Gerardo Barrera thanked Susan Grass, Finance Director, and the Finance Committee for their diligent work that made the award possible.
- Planning and Zoning Commission Meeting – *Tuesday, June 6, 2023* – The Commission will hold a public hearing regarding an application for an amendment to the Specific Use Permit (SUP) for Memorial Drive Presbyterian Church and on City Zoning Amendments.
- Personnel Update – The Public Works Director position has been filled. The new Director will start in June.
- City Hall Holiday – *Monday, May 29, 2023* – Memorial Day Holiday.

B. Report on Capital Projects

- Public Works and Emergency Operations Building – Windows are scheduled to be installed and the power connection is being completed.
- Taylorcrest Ct. Landscaping – All landscaping has been planted.
- Memorial Sidewalk and Landscaping Improvements – Sidewalk construction is complete. City staff is working with the resident on finalizing a landscape plan.
- Water Meter Upgrade Project – The project will upgrade all residential water meters for improved water usage tracking and maintenance of the City's water system.
- Wastewater Televising – A plan for televising existing infrastructure on Memorial Drive is in process. The purpose of the project is to maintain the proper functioning of this critical wastewater system.
- Street Maintenance Update – Staff continues to review and plan for the maintenance needs of the existing asphalt City streets.

C. Finance Director Report

- Consideration and Possible Action to Approve Resolution No. 05-16-2023A, a Resolution of the City Council of the City of Bunker Hill Village, Texas, Naming Gerardo Barrera, City Administrator, as an Additional Signatory for the City's Accounts with Independent Financial

A motion was made by Councilmember Thode and seconded by Councilmember Schwartz to approve Resolution No. 05-16-2023A.

The motion carried 4 – 0

- Investments and Opportunities – Staff continues to manage the City’s two banking contracts with the opportunity for increased interest rates.
- Preliminary Estimated Tax Roll – The Preliminary numbers have been received. Tax rate options will be discussed at upcoming Budget Workshops.

XI. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 23-607, AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS AMENDING ITS CODE OF ORDINANCES BY AMENDING SECTION 4-7, UNDERGROUND UTILITIES, OF ARTICLE I, IN GENERAL, OF CHAPTER 4, DEVELOPMENT, BUILDING AND CONSTRUCTION, TO ADD AN EXCEPTION FOR REPLACEMENT OF ELECTRICAL PANEL ONLY; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR EVERY VIOLATION HEREOF, WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT– *Gerardo Barrera, City Administrator and Karen Glynn, Acting City Secretary/ Community Development*

At the April 2023 Meeting, the City Council received a request from a resident to appeal Section 4-7 of the Code of Ordinances regarding the requirement for underground electrical utility service lines. The resident provided a presentation and requested that they not be required to underground their electrical service lines as the work they were completing was simply repairing the panel and not a new service. The City Council voted 4-1 to approve the appeal.

The City Council discussed potential changes to the ordinance including:

- A possible grandfather provision for older homes
- Allow improvements that only include the installation of a new panel

The City Council directed City Staff to assess best practices and make recommendations to amend the ordinance at a later meeting date. Staff worked with the City’s Electrical Inspector and the City Attorney to draft an amendment to the ordinance for these specific situations.

The proposed amendment has been developed that would allow the replacement of electrical panels without the requirement for underground service lines if the service line is already in place and there is no change to the service line. If the power needs to be upgraded, the service line must be underground. In addition, a provision stating that should the property request an electrical permit for remodel or maintenance improvements within 24 months, the service line must be placed underground.

A motion was made by Councilmember Brown and seconded by Councilmember Thode to approve Ordinance No. 23-607.

The motion carried 5 – 0

XII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION 05-16-2023B, A RESOLUTION OF THE CITY COUNCIL OF BUNKER HILL VILLAGE, TEXAS, ADOPTING THE CITY OF BUNKER HILL VILLAGE DRAINAGE CRITERIA MANUAL, AS AMENDED. TO BE USED IN COORDINATION WITH CHAPTER 4, DEVELOPMENT, BUILDING AND CONSTRUCTION OF THE CODE OF ORDINANCES FOR THE DESIGN AND CONSTRUCTION OF DRAINAGE FACILITIES WITHIN THE CITY – *Karen Glynn, Acting City Secretary/Community Development*

The Development Code update approved in 2015 included a new Chapter 4 to encompass the City’s Drainage Ordinance and note the City’s Drainage Criteria Manual. The purpose of the Drainage Criteria Manual is to provide design details to address stormwater and detention requirements for new development and drainage improvements. The Drainage Criteria was last updated in 2017.

Staff has worked with the Drainage Committee on several issues that are included in the proposed amendment:

- Updated Design Criteria to continue to follow Harris County and City of Houston criteria
- Expand/Clarify the Impact Analysis for adjacent properties
- Note exception to Minimum Pipe Sizes with specific approval
- Artificial Turf considered a permeable surface
- Updated Model and Hydraulic Grade Line (HGL)

A motion was made by Councilmember Brown and seconded by Councilmember Thode to approve Resolution No. 05-16-2023B.

The motion carried 4 – 0

XIII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 3 WITH JLA CONSTRUCTION SOLUTIONS LLC FOR THE CONSTRUCTION OF THE PUBLIC WORKS AND DISASTER OPERATIONS BUILDING TO INCLUDE UPGRADED ELECTRICAL SERVICES IN AN AMOUNT NOT TO EXCEED \$60,000.00 – *Gerardo Barrera, City Administrator*

During the initial design phase of the new Public Works and Emergency Operations Building, the electrical engineers concluded that the standard power requirement for the new facility would be single phase 120/208v. All connections and equipment for the facility were specified with this requirement and were bid as part of the project.

After construction was underway, additional discussions occurred to upgrade the incoming power to a higher capacity (277/480v) that would ensure adequate power for potential future expansion at City Hall, the new Public Works building, and Water Plant No. 2. Due to the increased power, upgraded connections and equipment was necessary.

The proposed change order included the following:

The required upgrades to new power:	\$82,769.71
The approved cost for the initial power:	<u>(\$23,508.00)</u>

Proposed change order
(upgrades minus the original cost) **\$59,261.71.**

Staff recommended that the expense be covered by the contingency funds built into the project.

A motion was made by Councilmember Brown and seconded by Councilmember Schwartz to approve Change Order. No. 3 to the current contract with JLA Construction Solutions LLC to include upgraded electrical services.

The motion carried 4 – 0

XIV. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION 05-16-2023C, A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS AUTHORIZING THE CITY TO PARTICIPATE IN HGAC ENERGY PURCHASING CORPORATION – *Gerardo Barrera, City Administrator*

In January 2019, the City signed a 60-month electric supply agreement under the Texas General Land Office (GLO) Power Program. In May 2019, State Legislation was passed that would phase out the GLO Power Program. The City’s contract is scheduled to expire in early 2024, and staff is beginning to explore alternative options to obtain new rates for electricity.

This item provided the opportunity for the City to join with Houston Galveston Area Council (HGAC) Energy Purchasing Corporation and utilize an Energy Consultant to review the City’s energy needs and develop the best strategy for the City to attain the best contract rate.

Staff recommended that Council authorize the City to participate in the HGAC Energy Purchasing Corporation. approve Resolution No. 05-16-2023C authorizing the City to participate in the HGAC Energy Purchasing Corporation.

A motion was made by Councilmember Thode and seconded by Councilmember Brown to approve Resolution No. 05-16-2023C, authorizing the City’s participation in the HGAC Energy Purchasing Corporation.

The motion carried 4 – 0

XV. 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 April 18, 2023 Regular Council Meeting.
- B. April 2023 Financials.
- C. Bownds Wholesale Nursery, Invoice No. 14071 in the amount of \$1,390.00 for landscaping completed in May 2023 for the Taylorcrest Ct. Landscaping project.
- D. Gauge Engineering, Invoice No. 2179 in the amount of \$4,761.00 for professional services rendered through December 31, 2022 for the Memorial Drive and Gessner Road Grant Application project.
- E. Langford Engineering, Invoice No. 26278 in the amount of \$2,999.91 for General Engineering services rendered through March 31, 2023.
- F. Langford Engineering, Invoice No. 26279 in the amount of \$1,413.25 for Water Well No. 5 design and construction completed through March 31, 2023.
- G. Langford Engineering, Invoice No. 26303 in the amount of \$1,625.00 for design and construction services rendered through April 28, 2023 for the Sanitary Sewer Cleaning and Televising project.
- H. MetroCity LLC, Pay Estimate No. 11 in the amount of \$36,643.13 for sidewalk removal and replacement at Briar Forest and Memorial from January 1, 2023 through March 31, 2023.
- I. PGAL, Invoice No. 10058313 in the amount of \$3,000.00 for professional services performed from January 1, 2023 to January 31, 2023 for the City Hall Exterior Improvements project.
- J. PGAL, Invoice No. 10058673 in the amount of \$6,000.00 for professional services rendered from February 1, 2023 to February 28, 2023 for the Public Works and Disaster Operations Building project.
- K. Probstfeld, Invoice No. 67491 in the amount of \$1,075.00 for Drainage Plan Review services completed in April 2023.
- L. Probstfeld, Invoice No. 67529 in the amount of \$455.00 for Drainage Plan Review services completed in April 2023.
- M. RPS, Invoice No. 323054 in the amount of \$1,281.35 for General On-Call professional services for project planning meetings and updates performed from February 27, 2023 to March 31, 2023.
- N. RPS, Invoice No. 323059 in the amount of \$3,124.94 for Site Development Review for Drainage Impact services completed from February 27, 2023 to March 31, 2023.
- O. RPS, Invoice No. 123039 in the amount of \$1,144.52 for City of Bunker Hill Village Drainage Committee services rendered from January 1, 2023 to January 27, 2023.
- P. RPS, Invoice No. 123038 in the amount of \$1,733.27 for Site Development Review for Drainage Impacts work performed from January 1, 2023 to January 27, 2023.
- Q. S & G Engineering Consultants, LLC, Invoice No. 5 in the amount of \$2,447.50 for work completed in April 2023 for detention at Bunker Hill Elementary School.
- R. Terracon, Invoice No. TJ11402 in the amount of \$999.25 for Public Works and Disaster Operations Building engineering services completed through March 30, 2023.
- S. Harris-Galveston Subsidence District, Fee No. 347395 in the amount of \$13,794.00 for the administration and implementation of a regional watershed protection education program (Water Wise Program).

T. Spring Branch ISD Tax Office contract for tax collection services for the period of September 1, 2023 through August 31, 2025 in the amount of \$8,000.00.

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

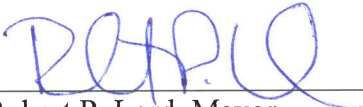
The motion carried 4 – 0

XIX. ADJOURN

A motion was made by Councilmember Thode and seconded by Councilmember Brown to adjourn the meeting at 8:12 p.m.

The motion carried 4 - 0

Approved and accepted on June 20, 2023.



Robert P. Lord, Mayor

ATTEST:



Gerardo Barrera, City Administrator/ Acting City Secretary