

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS
August 15, 2023 at 5:00 P.M.**

I. CALL TO ORDER

Mayor Robert Lord called the meeting to order at 5:10 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 Keith Brown

Councilmember Eric Thode (*entered meeting at 5:15pm*)

Councilmember Laurie Rosenbaum

Councilmember Carl Moerer

Also in Attendance:

Gerardo Barrera, City Administrator

Loren Smith, City Attorney

Susan Grass, Finance Director

Elvin Hernandez, Director of Public Works

Jennifer Namie, Assistant to the City Secretary

Mallory Pack, Management Analyst

II. PLEDGE OF ALLEGIANCE

Commander Baker led the Pledge of Allegiance.

III. CITIZEN COMMENTS

Zora Spevak, 11614 Monica and Nahid Haize, 11701 Longleaf, addressed Council regarding the City's tree ordinance.

IV. MEMORIAL VILLAGES POLICE DEPARTMENT REPORT

A. Update on Activities – Chief Schultz provided an update on activities, personnel, calls for service, and the 2023 budget.

- The department is evaluating the feasibility of electric police vehicles.
- The department is assessing how to effectively regulate electric bikes and will present recommendations to Council at a later date.
- The Dispatch Center project was completed under budget.

V. VILLAGE FIRE DEPARTMENT REPORT

A. Update on Activities – Fire Commissioner Keith Brown reported on activities, staffing, calls for service and response times.

- All Villages have approved the department's 2022 and 2023 budget amendments and the 2024 budget.

- The annex building sealant project has started.
- The Department received a preliminary report from the Insurance Services Office (ISO) and will maintain an ISO Grade 1.

Councilmember Brown left the meeting at 5:52 p.m.

VI. FILE THE PROPOSED 2024 ANNUAL BUDGET – *Gerardo Barrera, City Administrator and Susan Grass, Finance Director*

Staff presented the certified tax information for the proposed 2023 tax rate to support the proposed 2024 budget. This information is based on the certified tax roll provided by the Harris County Appraisal District and calculations from Spring Branch Independent School District, who serves as the City's Tax Assessor Collector.

Per Council direction at the June 2023 budget workshop, staff presented options for the 2023 tax rate. The proposed 2024 budget was calculated using a \$0.270 property tax rate.

The Council discussed the proposed tax rate and the future needs & priorities of the City and directed staff to calculate a \$0.275 and \$0.271 property tax rate.

Public hearings on the 2024 budget and 2023 tax rate are scheduled for September 19, 2023.

No action was taken on this item.

VII. MAYOR'S REPORT

A. Report on Activities and Upcoming Events

- Villages Independence Day Parade – *July 4, 2023* – The parade was successful. Mayor Lord thanked MVPD for providing traffic control.
- Proposed Public Works and Disaster Operations Building Open House – The event will celebrate the completion of the new facility and recognize donors who contributed to the Public Works and Disaster Operations Building Enhancement fundraiser.
- Proposed Family Night Fall Event – Staff will coordinate with MVPD to plan this family-friendly event.

VIII. CITY ADMINISTRATOR'S REPORT

A. Report on Activities and Upcoming Events

- Meeting with CenterPoint Energy – Staff met with CenterPoint representatives to discuss emergency management operations.
- Drainage Committee – *Tuesday, August 8, 2023* – The Committee discussed synthetic turf, updating the drainage master plan, and the Memorial and Gessner project.

- Planning and Zoning Commission Meeting – *Tuesday, August 22, 2023*
 - Discussion and Direction on Synthetic Turf – At the June 2023 City Council meeting, staff presented a synthetic turf ordinance as recommended by the Planning and Zoning Commission. Council noted concerns with lot coverage limitations and the definition of permeability; the motion to adopt the ordinance failed 3-2. Council directed staff to bring the ordinance back to Commission and Drainage Committee for additional review, discussion, and recommendations based on the following feedback:
 - Define turf installation requirements
 - If turf satisfies installation requirements and is fully permeable, turf should be considered landscaping and not counted towards 55% of lot coverage. However, if turf is impermeable, then turf should be included in the 55% lot coverage calculation.
- Update on the Specific Use Permit for Memorial Forest Club (MFC) – A citation was issued for noise, lighting, and activity on the tennis courts after the designated hours of the Specific Use Permit (SUP). The case and all future violations against the specific use permit rules will be processed through the City’s Municipal Court. MFC is aware of the City’s “zero tolerance” approach against the SUP.
- 2023 Annual Texas Municipal League Conference – Mr. Barrera and Mayor Lord will attend the conference in Dallas, October 4 – October 6, 2023.
- City Hall Holiday – Labor Day – *Monday, September 4, 2023* – Reminder that City Hall would be closed. Trash is scheduled to be collected per normal schedule.
- City of Piney Point Village 5k Run – *Saturday, October 14, 2023* – The event is scheduled to take place within Piney Point Village City limits between the hours of 7:00 a.m. – 11:00 a.m. Traffic control for this event will be administered by MVPD.

B. Director of Public Works Report

- Public Works and Disaster Operations Building – The doorway connection between the building and City Hall has been completed. The contractor continues to install interior hardware, doors, tile, and millwork.
- Development Update – Mr. Hernandez provided a report on permits issued and new construction to date.
- Wastewater Televising – A bid for the project was awarded at the June 2023 Council meeting. The project is expected to begin in October 2023.
- 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. Meters are on order and expected in Jan/Feb 2024.

C. Finance Director Report

- Update on 2024 Budget Process – Staff will continue to work through the budget per the direction of Council.
- Ambulance Funds – The City will establish a fire reserve fund.
- Investments and Opportunities – The City continues to follow investment best practices of public funds and taking advantage of favorable interest rates.

IX. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 08-15-2023, A RESOLUTION OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, APPROVING AN ENGAGEMENT LETTER WITH BELT HARRIS PECHACEK, LLLP FOR FISCAL YEAR 2023 AUDIT SERVICES IN AN AMOUNT OF \$29,395.00 – Susan Grass, Finance Director

At the September 2022 meeting, Council approved an engagement letter with Belt Harris Pechacek, LLLP for audit services for fiscal year 2022, with the option to renew annually for fiscal years 2023 and 2024.

The estimated fee for fiscal year 2023 audit services is \$29,395.00. This is a 2% decrease from the 2022 fiscal year audit fees. The fees for audit services were presented:

Financial Statement Audit	2022	2023	Increase/ (Decrease)
	\$21,395	\$22,895	7%

Annual Comprehensive Financial Report (ACFR)	2022	2023	Increase/ (Decrease)
	\$8,500	\$6,500	(-5%)

Staff recommended Council approve the second-year renewal option for fiscal year 2023 audit services.

A motion was made by Councilmember Thode and seconded by Councilmember Schwartz to approve Resolution No. 08-15-2023, approving an engagement letter with Belt Harris Pechacek LLLP for fiscal year 2023 audit services in an amount of \$29,395.00.

The motion carried 4 – 0

X. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AWARD A BID AND AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT FOR ELECTRIC RETAIL SALES BETWEEN THE CITY OF BUNKER HILL VILLAGE AND THE ENERGY SUPPLIER WITH THE MOST FAVORABLE RATE TO THE CITY – Gerardo Barrera, City Administrator

Mayor Lord addressed Council and excused himself from item discussion, citing a potential conflict of interest with one of the bidders (Engie Resources). The Mayor is a non-voting member.

In January 2019, the City signed a 60-month electricity supply agreement under the Texas General Land Office (GLO) Power Program. State Legislation passed in May 2019 phased out the GLO Power Program. Existing contracts signed before this date are valid until the date of the agreement expiration date. The City’s contract is scheduled to expire in February 2024.

At the May 2023 meeting, Council authorized the City’s participation in the Houston Galveston Area Council (HGAC) Energy Purchasing Corporation to explore alternative electricity providers and develop a strategy to attain the best contract rate.

Jay Anderson with Ameresco, HGAC’s energy management consultant, presented the four qualified bids received:

Supplier	Shell/MP2	Engie	NRG	CNE
% Swing	100% MAC	100%	25% MAC	100%
Days to Pay	30	30	30	30
Pass Credit	Yes	Yes	Yes	Yes
Estimated Annual Supply Cost				
12 Month Term	\$ 65,246	\$ 64,956	\$ 67,705	\$ 71,323
24 Month Term	\$ 64,021	\$ 64,003	\$ 65,686	\$ 69,154
36 Month Term	\$ 62,937	\$ 62,694	\$ 64,143	\$ 67,761
48 Month Term	\$ 62,217	\$ 62,011	\$ 63,152	\$ 66,817
60 Month Term	\$ 61,535	\$ 61,815	\$ 62,451	\$ 65,196
Est Delivery Cost	\$ 86,938	\$ 86,938	\$ 86,938	\$ 86,938
Estimated Annual Bundled Cost				
12 Month Term	\$ 152,185	\$ 151,895	\$ 154,643	\$ 158,261
24 Month Term	\$ 150,960	\$ 150,941	\$ 152,624	\$ 156,092
36 Month Term	\$ 149,875	\$ 149,632	\$ 151,081	\$ 154,699
48 Month Term	\$ 149,156	\$ 148,950	\$ 150,090	\$ 153,755
60 Month Term	\$ 148,473	\$ 148,754	\$ 149,389	\$ 152,135
Increase to Current Cost				
12 Month Term	\$ 8,910	\$ 8,620	\$ 11,368	\$ 14,986
24 Month Term	\$ 7,685	\$ 7,666	\$ 9,349	\$ 12,817
36 Month Term	\$ 6,600	\$ 6,357	\$ 7,806	\$ 11,424
48 Month Term	\$ 5,880	\$ 5,675	\$ 6,815	\$ 10,480
60 Month Term	\$ 5,198	\$ 5,478	\$ 6,114	\$ 8,860

Based on the most favorable rate, staff and Mr. Anderson recommended awarding the electricity supply agreement for a 60-month term to Shell/MP2. The new contract would take effect in February 2024.

A motion was made by Councilmember Thode and seconded by Councilmember Schwartz to authorize the Mayor to execute a contract for electrical retail sales between the City and the supplier with the most favorable rate.

The motion carried 4 – 0

XI. CONSIDERATION AND POSSIBLE ACTION TO RATIFY A CONTRACT BETWEEN THE CITY OF BUNKER HILL VILLAGE AND PRECISION SAFE SIDEWALKS FOR SIDEWALK MAINTENANCE IN AN AMOUNT NOT TO EXCEED \$24,152.00 – Elvin Hernandez, Director of Public Works

The City’s 2023 Capital Improvements Plan allocated funding for sidewalk maintenance. This type of work is an annual maintenance and repair effort to address sidewalk conditions for improved pedestrian safety.

In July 2023, the City retained the services of Precision Safe Sidewalks (PSS) to survey and identify sidewalk deficiencies and trip hazards. Work to repair the identified deficiencies began in late July 2023, and is expected to be completed in late August 2023.

City policy requires that contracts receive formal approval from the Council before expenditures/ work can commence. However, due to no July meeting and contractor availability, the City Administrator, acting in the best interest of the City, authorized the work to proceed prior to obtaining formal approval. Ratification of this contract verified formal approval from the City.

A motion was made by Councilmember Moerer and seconded by Councilmember Schwartz to ratify a contract with Precision Safe Sidewalks for sidewalk maintenance in an amount not to exceed \$24,152.00.

The motion carried 4 – 0

XII. CONSIDERATION AND POSSIBLE ACTION TO RATIFY A CONTRACT BETWEEN THE CITY OF BUNKER HILL VILLAGE AND BALLEW CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$33,500.00 FOR STREET MAINTENANCE ON BROKEN BOUGH – *Elvin Hernandez, Director of Public Works*

The City’s 2023 Capital Improvements Plan included funding for street maintenance. To preserve and extend the life of roadways, maintenance encompasses essential tasks such as, base repairs, mill and overlays, and concrete panel replacement.

Street repairs are prioritized according to severity and staff evaluations. Various panels along the 11900 block of Broken Bough were severely deteriorated and required replacement.

In July 2023, the City solicited bids for the project and received three qualified bids:

CONTRACTOR	BID
Ballew Construction	\$33,500.00
Jerson’s Concrete LLC	\$39,000.00
T Construction LLC	\$48,560.00

After review of all bids, staff awarded a contract to Ballew Construction in the amount of \$33,500.00. All work was successfully completed in July 2023 and within budget. The bids satisfied all local state purchasing requirements.

City policy requires that contracts receive formal approval from the Council before expenditures/ work can commence. However, due to no July meeting and contractor availability, the City Administrator, acting in the best interest of the City, authorized the work to proceed prior to obtaining formal approval.

Staff recommended Council formally ratify a contract with Ballew Construction and authorize project expenditures. Ratification of this contract verified formal approval from the City.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Moerer to ratify a contract with Ballew Construction for street maintenance on Broken Bough in an amount not to exceed \$33,500.00.

The motion carried 4 – 0

XIII. 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 June 20, 2023 Regular City Council Meeting
- B. June 2023 Financials
- C. July 2023 Financials
- D. Ballew Construction, Invoice No. 0222 in the amount of \$16,750.00 for phase 1 of Broken Bough street repairs completed July 2023.
- E. Ballew Construction, Invoice No. 0224 in the amount of \$16,750.00 for phase 2 of Broken Bough street repairs completed July 2023.
- F. The Goodman Corporation, Invoice No. 6-2023-3 in the amount of \$2,015.00 for professional services rendered in June 2023 for the Memorial Drive and Gessner Road grant application.
- G. Harris-Galveston Subsidence District, Invoice No. 349443 in the amount of \$46,094.00 for water conservation education program.
- H. JLA Construction Solutions, Application for Payment No. 7 in the amount of \$145,443.10 for construction of the Public Works and Disaster Operations Building from May 1, 2023 to May 31, 2023.
- I. Langford Engineering, Invoice No. 26587 in the amount of \$1,473.18 for on-call engineering services performed through June 30, 2023.
- J. Langford Engineering, Invoice No. 26588 in the amount of \$3,379.48 for design and construction work completed through June 30, 2023 for the sanitary sewer cleaning and televising project.
- K. RPS, Invoice No. 523023 in the amount of \$6,515.29 for drainage site development review services rendered from April 29, 2023 to May 26, 2023
- L. RPS, Invoice No. 623080 in the amount of \$1,028.03 for on-call engineering services performed May 27, 2023 to June 30, 2023.
- M. RPS, Invoice No. 623083 in the amount of \$7,802.25 for drainage site development review services rendered from May 27, 2023 to June 30, 2023.
- N. Willscot, Invoice No. 9018008394 in the amount of \$1,509.80 for June 2023 facility rental (Public Works team)

- O. Annual Interlocal Agreement with Harris-Galveston Subsidence District for the administration and implementation of a regional watershed protection education program (Water Wise Program) effective for the 2023-2024 school year.

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

The motion carried 4 – 0

XIV. EXECUTIVE SESSION

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

Mayor Lord convened into closed Executive Session at 8:25 p.m.

Mayor Lord reconvened the Regular City Council meeting at 9:29 p.m.

XV. ADJOURN

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Moerer to adjourn the meeting at 9:29 p.m.

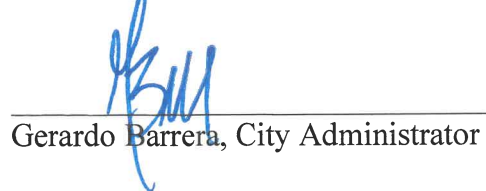
The motion carried 4 - 0

Approved and accepted on September 19, 2023.



Robert P. Lord, Mayor

ATTEST:


Gerardo Barrera, City Administrator