

**MINUTES OF THE SPECIAL MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS  
JULY 24, 2024**

**I. CALL TO ORDER**

Mayor Pro-Tem Susan Schwartz called the meeting to order at 11:02 a.m. on Zoom and in the Council Chambers of City Hall, 11977 Memorial Drive, Houston, Texas.

Present

Mayor Robert Lord (via Zoom)  
Mayor Pro-Tem Susan Schwartz  
Councilmember Carl Moerer  
Councilmember Keith Brown  
Councilmember Andrew Poor

Staff in Attendance

Gerardo Barrera, City Administrator  
Susan Engles, Finance Director  
Elvin Hernandez, Director of Public Works  
Loren Smith, City Attorney (arrived at 11:06 a.m.)  
Mallory Pack, Management Analyst

Absent

Councilmember Eric Thode

**II. PLEDGE OF ALLEGIANCE**

Detective Rodriguez, Memorial Villages Police Department, led the Pledge of Allegiance.

**III. CITIZENS' COMMENTS**

Daniel Harrison, 4 Blalock Woods, presented a request for an appeal against subsections (d) and (f) of Article IV, Section 4-76 (11) of the City's Code of Ordinances regarding generator installation/ placement. He requested to install a generator with a 12" inch clearance between the generator foundation and the main structure and 7" inch encroachment into the 5' foot greenspace.

**IV. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, EXTENDING A STATE OF DISASTER DUE TO DAMAGE, INJURY AND POSSIBLE LOSS OF LIFE AND/OR PROPERTY WITHIN THE CITY OF BUNKER HILL VILLAGE, TEXAS, RESULTING FROM FLOODING AND WINDS ASSOCIATED WITH HURRICANE BERYL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE – *Mayor Robert P. Lord and Gerardo Barrera, City Administrator***

In anticipation of Hurricane Beryl's impact on the community, Mayor Lord issued a Declaration of Disaster on July 6, 2024. Per Section 418.108(b) of the Texas Government

Code, the declaration expires seven (7) days from the date of issuance unless renewed by the City Council.

The ordinance extends the declaration for an additional 30 days. The extension will remain in effect for 30 days or until terminated or modified by earlier ordinance when the impacts from Hurricane Beryl that initiated the declaration no longer exist.

The extension will take effect immediately upon approval.

**A motion was made by Councilmember Brown and seconded by Councilmember Moerer to approve Ordinance No. 24-630, extending a State of Disaster due to Hurricane Beryl.**

**The motion carried 4 - 0**

**V. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CONTRACT BETWEEN THE CITY OF BUNKER HILL VILLAGE, TEXAS, AND GRANT WORKS IN AN AMOUNT NOT TO EXCEED \$48,500.00 FOR GRANT MANAGEMENT SERVICES REGARDING AMERICAN RESCUE PLAN ACT (ARPA) FUNDS – *Gerardo Barrera, City Administrator***

The American Rescue Plan Act (ARPA) is an economic package signed into law in March 2021 to disperse federal funds to state and local governments to respond to the economic and public health impacts of the COVID-19 pandemic. The City received \$976,964.69 through ARPA.

The federal government established rules for how the funds can be used. Eligible expenditures include:

- Supporting the public health response.
- Addressing negative economic impacts caused by the pandemic.
- Replacing local government revenue loss.
- Investing in water, sewer, and broadband infrastructure.

In June 2024, the City solicited bids for grant management services to ensure compliance with federal regulations while maximizing the use of ARPA funds in the community. Staff recommended Grant Works be awarded the bid in an amount of \$48,500.00. Grant management services include, but are not limited to, consultation, project management, assistance with reporting, and ancillary services needed for ARPA-eligible activities.

Grant Works demonstrates a high level of technical knowledge and familiarity with managing major ARPA funds and has provided successful grant management compliance services to several local agencies.

Council directed staff and the City Attorney to include an errors and omission coverage policy in the contract and to present the full contract provisions at a future meeting date.

**No action was taken on this item.**

**VI. CONSIDERATION AND POSSIBLE ACTION REGARDING A REQUEST FROM DANIEL HARRISON FOR AN APPEAL OF THE CITY'S BUILDING OFFICIAL'S INTERPRETATION OF ARTICLE IV, SECTION 4-76 (11)(D) AND SECTION 4-76 (11)(F) OF THE CITY'S CODE OF ORDINANCES AT THE PROPERTY 4 BLALOCK WOODS – *Elvin Hernandez, Director of Public Works***

Generator installation must comply with Article IV, Section 4-76 (11) of the City's Code of Ordinances. The property owner at 4 Blalock Woods submitted an appeal request against subsections (d) and (f) of the ordinance.

**Appeal of Section 4-76 (11)(D)**

Section 4-76 (11)(D) of the City's Code of Ordinances requires a minimum clearance of 24" inches between the generator foundation and any other structures. The property owner is seeking to install a generator with a 12" inch clearance between the generator foundation and the main structure.

**Appeal of Section 4-76 (11)(F)**

Section 4-76 (11)(F) of the City's Code of Ordinances prohibits the placement of a generator in any restricted area or required green space. The property owner is seeking to install a generator that encroaches 7" inches into the 5' foot greenspace.

**Sec. 4-76. International Residential Code for One- and Two-Family Dwellings.**

- (11) Standby and emergency generators shall be installed in accordance with the National Electrical Code, 2020 and the following restrictions:
- a. All wiring shall meet all requirements outlined in this code.
  - b. Maximum sound level at anytime shall be 70db or less measured at the property line.
  - c. Generator shall be positioned so that no structure, roof or overhang is over any portion of the generator enclosure.
  - d. Minimum clearance between generator foundation and other structures shall be twenty-four (24) inches or greater as determined by manufacturers' specifications. At no time shall the clearance be less than twenty-four (24) inches.
  - e. No portion of the generator or wiring may be located in an easement or right-of-way.
  - f. Generator may not be located in any restricted area or required green space.
  - g. Generator may not be located within the required front yard of a lot.
  - h. A generator cannot be visible from view from a public or private street.
  - i. A load analysis, generator specifications and one-line electrical diagram must be posted with the permit on the project site.

Per Chapter 4, Section 4-76 (2) of the City's Code of Ordinances, appeals of the Building Official's decisions related to the Building Ordinance are directed to the Board of Appeals, which is composed of the City Council.

Council discussed potential safety concerns related to fire hazards and ventilation. Council directed staff to consult with the Fire Marshal to determine safety standards for the distance between a generator and a structure and encroachment into setback and greenspace requirements, in effort to review the ordinance and consider potential amendments to address safety concerns.

**A motion was made by Councilmember Brown and seconded by Councilmember Moerer to deny the appeal to Article IV, Section 4-76 (11)(D) and Section 4-76 (11)(F) of the City’s Code of Ordinances at the property 4 Blalock Woods.**

**The motion carried 4-0**

**VII. DISCUSSION, FEEDBACK, AND DIRECTION FOR A POTENTIAL VARIANCE AT THE PROPERTY 11821 CHAPELWOOD LANE – *Elvin Hernandez, Director of Public Works***

The property owner at 11821 Chapelwood Ln. is seeking to subdivide the property into either three one-acre lots or two lots.

The property was originally three separate lots before being platted into one single lot in 2009. The subdivision ordinance was revised in 2014, and no longer allows lots facing private streets to be subdivided.

Per the current ordinance, the only way to subdivide the lot is to make both Chapelwood Ln. and Fallen Timbers into public streets. This would be at the expense and full responsibility of the property owner, and would require final acceptance of the streets, drainage, etc. from the City. There is no variance process to allow the subdividing of the lot otherwise, and one would need to be established to explore alternative options.

Councilmember Brown provided background on the ordinance, stating that the reasoning for preventing lots facing private streets from being subdivided was a “vindictive” act when it was created and passed in the subdivision ordinance.

Council directed this item be taken to the Planning and Zoning Commission for further review and discussion of potential amendments to Chapter 14 of the City’s Subdivision Ordinance.

**No action was taken on this item.**

**VIII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CONTRACT BETWEEN THE CITY OF BUNKER HILL VILLAGE, TEXAS, AND RAM ROD UTILITIES IN AN AMOUNT NOT TO EXCEED \$218,391.24 FOR THE CLEANING AND TELEVISIONING OF SANITARY SEWER AND TELEVISIONING AND INSPECTION OF STORM SEWER ON BUNKER HILL ROAD – *Elvin Hernandez, Director of Public Works***

At the June 2024 meeting, Council directed staff to revise the plans for the mill and overlay of identified streets to focus on completing Bunker Hill Rd. first due to the deteriorating conditions of the street. As part of the engineering work to verify the conditions of the underground lines, it is recommended to complete the review and televising of

approximately 5,000 linear feet of sanitary lines and 4,700 linear feet of storm sewer lines prior to beginning construction.

To attain the best value and meet purchasing requirements, the use of interlocal cooperative agreements allows the City to leverage the purchasing potential and benefit through economies of scale. All contracts are competitively bid and awarded in compliance with State procurement requirements. The City requested proposals from Ram Rod Utilities for the cleaning and televising of the sanitary and storm sewer lines underneath Bunker Hill Road.

Proposals received (turnkey):

PROJECT	COST
Bunker Hill Rd. sanitary sewer cleaning and televising	\$115,641.24
Bunker Hill Rd. storm sewer cleaning and televising	\$102,750.00
<b>Total</b>	<b>\$218,391.24</b>

The City has contracted with Ram Rod Utilities on several televising and underground repair projects and has been responsive with competitive market pricing. Based on the contractor's experience with similar projects and familiarity with the City, staff recommended approving a general services contract with Ram Rod Utilities in an amount not to exceed \$218,391.20 for the cleaning and televising of sanitary sewer and storm sewer for Bunker Hill Rd.

**A motion was made by Councilmember Brown and seconded by Councilmember Moerer to approve a contract between the City of Bunker Hill Village, Texas, and Ram Rod Utilities in an amount not to exceed \$218,391.24 for the cleaning and televising of sanitary sewer and storm lines underneath Bunker Hill Road.**

**The motion carried 4 - 0**

**IX. DISCUSSION AND DIRECTION ON THE CITY'S PROPOSED FISCAL YEAR 2025 BUDGET AND 2024 TAX RATE – Gerardo Barrera, City Administrator and Susan Engels, Finance Director**

Staff presented the Proposed FY 2025 Budget, including the proposed tax rate, utility rates, details on all funds, and the updated 5-Year Financial and Infrastructure Management Model.

**General Fund/Debt Service Fund**

Preliminary tax information from Harris County Appraisal District (HCAD) indicates a 2.77% increase in values. Staff recommended a tax rate of \$0.2710 per \$100 of assessed value.

The General Fund includes a 5% increase in funding for the Memorial Villages Police Department, as approved by the Police Commission, and a 6% increase for the Village Fire Department, as approved by the Fire Commission. Additionally, a 3% cost-of-living adjustment and a 4% salary/merit pool increase for city staff were recommended. Consequently, the General Fund Maintenance & Operation Expenses will not exceed the City's policy of controlling the annual increase in expenditures to 4%.

**Utility Fund**

Staff recommended an 8% increase in utility rates for both residential and non-residential customers. No recommended increase in irrigation rates. Additionally, a 7% increase in solid waste and recycling services was proposed.

**Capital Projects**

Staff discussed current 2024 capital projects and those proposed for 2025 and projected through 2028. Priorities include the rehabilitation of water and wastewater lines, overlay of Bunker Hill Road and Taylocrest, and the reconstruction of Memorial Drive and Gessner Road.

**X. FILE THE PROPOSED 2025 ANNUAL BUDGET – Gerardo Barrera, City Administrator and Susan Engels, Finance Director**

This item confirms the filing of the proposed FY 2025 Budget in accordance with Texas Government Code Chapter 102.

**No action was taken on this item.**

**XI. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING THE PROPOSED TAX RATE CONTAINED IN THE CITY’S PROPOSED 2025 MUNICIPAL BUDGET AS THE CITY’S PROPOSED 2024 TAX RATE TO BE CONSIDERED FOR ADOPTION AT A PUBLIC HEARING HELD FOR THAT PURPOSE; DESIGNATING THE OFFICIAL WHO SHALL MAKE THE CALCULATIONS AND PROVIDE THE INFORMATION ASSOCIATED WITH THE CONSIDERATION AND ADOPTION OF THE CITY’S 2024 TAX RATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT – Gerardo Barrera, City Administrator and Susan Engels, Finance Director**

The truth-in-taxation process includes Council action on a proposed tax rate for public comment. Harris County will send postcards in accordance with the requirements of the tax law which will direct property owners to the County website to read the tax implications on an individual’s property. The requirements will also be posted on the City website.

The tax rate will be adopted at the September 17, 2024 City Council Meeting. The adopted tax rate cannot be higher than the proposed tax rate.

**A motion was made by Councilmember Brown and seconded by Councilmember Poor to approve Resolution No. 07-24-2024, adopting the Proposed 2024 Tax Rate at \$0.27100 as provided in the Proposed FY 2025 Budget.**

**Roll Call Vote**

<b>Councilmember Schwartz.....</b>	<b>YES</b>
<b>Councilmember Thode.....</b>	<b>ABSENT</b>
<b>Councilmember Moerer.....</b>	<b>YES</b>
<b>Councilmember Brown.....</b>	<b>YES</b>
<b>Councilmember Poor.....</b>	<b>YES</b>

**The motion carried 4 - 0**

**XII. ADJOURN**

**A motion was made by Councilmember Schwartz and seconded by Councilmember Moerer to adjourn the meeting at 2:16 p.m.**

**The motion carried 4 - 0**

Approved and accepted on August 20, 2024.

  
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Robert P. Lord, Mayor

ATTEST:

  
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Gerardo Barrera, City Administrator/ Acting City Secretary