

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS
AUGUST 19, 2014 AT 5:00 P.M.

I. CALL TO ORDER

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

Present:

Mayor Pro Tem Keith Brown
Councilman Jay Janecek
Councilwoman Laurie Rosenbaum
Councilwoman Susan Schwartz

Also in Attendance:

Karen Glynn, City Administrator
Kelly Johnson, City Secretary/Dir of Finance
Steve Smith, Dir of Public Wrks/Bldg Official
Loren Smith, City Attorney

Absent:

Mayor Jay Williams
Councilman John Glover

II. PLEDGE OF ALLEGIANCE

The Mayor Pro Tem suspended with the pledge.

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.

Donna Freedman, at 11930 Surrey Lane, handed a map to council and spoke on her concern of the TIRZ 17 detention plans. She said the TIRZ 17 proposed annexing part of Gessner by Frostwood Elementary upsetting her because of the potential increase in traffic, noise, and pollution.

IV. POLICE COMMISSIONER REPORT

A. Update on Activities

Chief Sanders said the police department is gearing up and getting ready for the start of school on Monday. Chief Sanders said something they continue working on with all three villages is a Joint Committee to try and get common ordinances, specifically dealing with public safety. Currently they are working on private property issues relating to streets. He said something a lot of people don't realize is on private streets the police department doesn't have full enforcement capabilities.

Chief Sanders said there currently is a street in the villages that is having some repaving done to it. One side of the street is in Hunters Creek Village and the other side of the street is in Piney Point Village. He said both cities have different parking ordinances so

literally on one side of the street something may be legal where the other side of the street it is not. He said some other examples of these ordinances are relating to dog leashes, bicycles, solicitors permits, and sexual predators.

Chief Sanders introduced Frank Lerma, the new Committee Relationship Officer. Officer Lerma said he was excited about his new position and role in the community.

V. FIRE COMMISSIONER REPORT

A. Update on Activities

Councilman Janecek said year-to-date the fire department was .3% below budget. He reported EMS collections through June 2014 were \$190,948.54 with Bunker Hill Village's share being \$36,280.22. Total calls for the fire department in the month of July totaled 1,034 with Bunker Hill Village total being 148; 88 calls for alarms and 60 calls for EMS.

Councilman Janecek said Piney Point and Bunker Hill Village were the only two cities that voted against the Proposed 2015 Budget with Spring Valley and Hunter's Creek not voting as of yet.

Councilman Janecek said that Captain John Green retired August 5, 2014 after 31 years of service.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING THE EAST SIDE DRAINAGE PROJECT - - *Steve Smith, Director of Public Works/Building Official & Klotz Associates*

- A. Contract with AAA Asphalt for the East Side Drainage Project Awarding the Base Bid plus the Add Alternate for Powderhorn in an amount not to exceed \$2,625,479.75 subject to Change Order Number 1

Discussion and motion was made under the next item.

- B. Award Change Order Number 1 for the East Side Drainage Project to the base bid contract with AAA Asphalt for a deduct of \$925,329.50 resulting in an amount of \$1,700,150.25

Karen Glynn reported the following:

As discussed with the City Council at the July 2014 Meeting, staff and our consultant, Klotz and Associates have been working on the analysis of the bid submittals for the Eastside Drainage Project. On July 3, 2014, three bids were submitted with the apparent low bidder being AAA Asphalt, Inc. All bid prices were effective for 35 days

AAA Asphalt, Inc. submitted a bid of \$2,393,291.75 for the base bid and \$894,160 for the two alternate bids which was above the engineer's estimate and the remaining project budget of \$1.66 million. Klotz Associates and staff have analyzed the bids and are recommending that the City Council award the project to AAA Asphalt at the base bid with one of the two add alternates along with Change Order No. 1 which will get the project back into budget.

Change Order No. 1 will reconfigure the project to reflect the changes presented at the July 2014 Council Meeting and will result in the following scope of work:

- W146 Line collapse repaired
- Greenbay realignment for improved flow efficiencies
- Improved inlet connections and capacities
- 0.67 acre feet of detention

- Upgrade of other utilities in areas of construction
- Street improvements in areas of construction
- Design ready projects for future detention

In addition, staff is recommending two contracts be awarded that included Construction Phase Services for the project:

- Klotz Associates will conduct construction meetings; will coordinate with the on-site inspector; and will review and approve submittals, shop drawings, and any change orders and provide any clarifications as needed. Klotz will also be responsible for coordinating and contracting for the testing lab. All services are outlined in the attached proposal and scope of services.
- Lloyd, Smitha & Associates, Inc. will serve as the city's representative and point of contact with the contractor and the community. They will coordinate construction matters; provide quality control and inspection; and anticipate and avoid construction and scheduling problems. All services are outlined in the attached contract and proposal.

Staff recommends approval of the following items:

- Contract with AAA Asphalt for the East Side Drainage Project, Awarding the Base Bid plus the Add Alternate for Powderhorn in an amount not to exceed \$2,625,479.75 subject to Change Order Number 1
- Award Change Order Number 1 for the East Side Drainage Project to the base bid contract with AAA Asphalt for a deduct of \$925,329.50 resulting in a total contract amount of \$1,700,150.25
- Award additional services with Klotz Associates to include Construction Phase Services for an amount not to exceed \$61,410.00
- Contract with Lloyd, Smitha & Associates, LLC for Construction Field Services for the East Side Drainage Project in an amount not to exceed \$35,000

Motion was made by Councilwoman Rosenbaum and seconded by Councilman Janecek to approve awarding the Base Bid plus the Add Alternate and Change Order #1. Motion carried 4-0.

- C. Award additional services with Klotz Associates to include Construction Phase Services for an amount not to exceed \$ 61,410.00

Motion was made by Councilwoman Rosenbaum and seconded by Councilman Janecek to award additional services with Klotz Associates to include Construction Phase Services for an amount not to exceed \$61,410.00. Motion carried 4-0.

- D. Contract with Lloyd, Smitha & Associates, LLC for Construction Field Services for the East Side Drainage Project in an amount not to exceed \$35,000

Motion was made by Councilwoman Schwartz and seconded by Councilwoman Rosenbaum to approve the contract as presented. Motion carried 4-0.

VII. A RESOLUTION OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, SOLICITING SUPPORT FOR LEGISLATIVE ACTION TO CHANGE THE DEADLINE FOR POSTING THE PROPOSED PROPERTY TAX RATE NOTICE AS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 140.010 - Kelly Johnson, City Secretary/Finance Director

Kelly Johnson reported as follows:

Staff received an email from the City of Webster seeking support for changes to the Texas Local Government Code Section 140.010. This refers to the new deadline for publishing the tax rate by September 1st (this was effective January 1, 2014). Webster has invited other cities to participate to get this through the TML Resolutions Committee for action during the next legislative session. Passage by other cities would certainly show legislators that this is not just one city's problem. Deer Park and West University are adding this to an upcoming agenda too.

The reason for the change was to help cities with the rising cost of so many publications regarding the proposed tax rate each year. The new change eliminated the many publications down to only one but that publication has to be published by September 1st of every year. The problem with that is most cities in Harris County do not receive their certified roll in time to publish by September 1st. The City of Webster recommended changing the language as follows:

(1) provide the notice required by Subsection (d) or (e), as applicable, ~~not later than before the later of September 1 or the 30th day after the date the certified appraisal roll is received by the taxing unit~~

Staff agrees that this is a good solution and are recommending council to approve the resolution.

Motion was made by Councilwoman Schwartz and seconded by Councilwoman Rosenbaum to approve the proposed resolution. Motion carried 4-0.

VIII. A RESOLUTION OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, SOLICITING SUPPORT FOR LEGISLATIVE ACTION TO ALLOW GENERAL-LAW CITIES TO IMPOSE RESIDENCY RESTRICTIONS FOR SEX OFFENDERS - Karen Glynn, City Administrator

Karen Glynn reported as follows:

The Mayor and Staff have been in discussion with Representative Jim Murphy's Office regarding General Law Cities and their ability to impose reasonable residency restrictions for sex offenders. The Texas Municipal League (TML) is also aware of this discussion.

The City has asked TML to consider this issue as part of their Legislative Agenda for the upcoming 2015 Session. The attached Resolution has been developed to provide to Representative Murphy and to TML outlining the City's request and to seek support from other General Law Cities as well.

Staff recommends approval of this resolution.

Mayor Pro Tem Keith Brown said he voted against the original law on this and would vote against it again. He felt it was unconstitutional.

Motion was made by Councilwoman Rosenbaum and seconded by Councilwoman Schwartz to approve the proposed resolution. Motion carried 3-1. (Mayor Pro Tem Keith Brown voted against)

IX. DISCUSSION AND POSSIBLE ACTION REGARDING AN INTERLOCAL AGREEMENT WITH THE CITY OF PINEY POINT VILLAGE TO INCLUDE A RIGHT TURN LANE ON BLALOCK SOUTH AT MEMORIAL DRIVE AS A PART OF THE CITY OF PINEY POINT VILLAGE'S DRAINAGE PROJECT - Karen Glynn, City Administrator

Karen Glynn reported as follows:

As previously discussed with the City Council at their July 2014 meeting, the City received construction plans to review from the City of Piney Point for drainage improvements planned for the intersection of Blalock and Memorial Drive. During the discussion, staff recommended adding a right turn lane southbound on Blalock at this intersection. We continue to receive citizen concerns regarding traffic back up on Blalock during both the morning and evening peak time periods. We have attempted to resolve this through signal timing with Harris County who controls the intersection. In addition, we have met with Memorial Drive Presbyterian Church and they have been experiencing an increase in cut through traffic through their parking lot and indicated their interest as well. The City Council agreed to pursue the opportunity for the turn lane with the City of Piney Point.

The Bunker Hill Village City Administrator attended the most recent City of Piney Point Council Meeting and requested that the right turn lane be considered. Piney Point Council agreed to the addition and requested that an inter-local agreement be prepared to outline the relationship for proceeding with the addition of the right turn lane. The agreement is attached as prepared by our City Attorney. The City of Piney Point will agree to adding the turn lane with the right of way and funding being provided by the City of Bunker Hill Village. Bunker Hill will also participate in the maintenance cost for the turn lane. Funding for this project is available through Metro Funds. Staff recommends approval of this agreement.

For the Council's information, the project is currently being completed and should go out to bid in September. The turn lane will then be considered as a change order to the project.

Motion was made by Councilman Janecek and seconded by Councilwoman Rosenbaum to approve the Interlocal Agreement with the City of Piney Point. Motion carried 4-0.

X. 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 July 15, 2014 Special Council Meeting
- B. July 2014 Financials
- C. Klotz Associates, Invoice No. 714095 in the amount of \$1,770.04 for professional services rendered from June 16, 2014 to July 15, 2014 under on-call services including GIS support and Drainage Ordinance development
- D. Klotz Associates, Invoice No. 714096 in the amount of \$3,500.00 for professional services rendered from June 16, 2014 to July 15, 2014 in connection with Chapel Belle Lane, Rhett Drive and Tara Drive Improvements
- E. Klotz Associates, Invoice No. 714098 in the amount of \$3,542.50 for professional services rendered from June 16, 2014 to July 15, 2014 in connection with East Side Drainage Project
- F. Langford Engineering, Inc., Invoice No. 17844 in the amount of \$6,825.15 for professional services rendered through June 27, 2014 for the Memorial Bridge Water Line Project

Motion was made by Councilwoman Schwartz and seconded by Councilman Janecek to approve the consent agenda. Motion carried 4-0.

XI. CITY ADMINISTRATOR'S REPORT

- A. Update on Emergency Repair for Wastewater Lines on Wendover and Cobblestone

Karen Glynn said the repairs are complete and under budget. We spent \$43,000 out of the \$80,000 that was budgeted. She said the contractor did an excellent job.

B. Memorial Bridge Update - Water Line Project and TxDOT Meetings

Karen Glynn said we are working on the Memorial Bridge Project and the waterline will be going out for bid in September and should be awarded in October. The estimated construction time is 60-90 days, however the consultant John Davis did not think it would take that long.

Karen Glynn said they had a TXDOT Meeting today working on our detour plan with the City of Houston. She said everything looks good for the construction letting of the project in early January with the project starting late March or early April. The bridge will be closed April through July.

C. Ordinance Review Update

She said a Planning and Zoning Meeting is set for September 18, 2014 at 5:00 p.m. The public hearing will be to finalize their recommendation to city council.

D. Budget Development and Schedule for 2015 Budget Process

Karen Glynn said the first budget workshop is scheduled on August 28, 2014 with lunch being served at 11:30 a.m. and the meeting starting promptly at noon.

E. Annual TML Conference

Karen Glynn said the Annual TML Conference starts October 1st and runs through October 3rd. The conference is being held in Houston this year.

F. Website Update

Karen Glynn said the website update is going well, they have come up with some great ideas. She reported the next meeting is this Thursday.

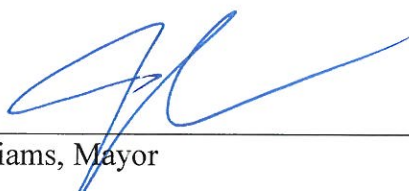
G. Back to School Update

Karen Glynn said school starts Monday, August 25th. She said we will be putting the orange flags up on the school zone signs this Friday. She also reported she will be sending out a reminder about school on our notification system, CODERED.

XII. ADJOURN


Motion was made by Councilwoman Schwartz and seconded by Councilman Janecek to adjourn the meeting at 5:46 p.m. Motion carried 4-0.

Approved and accepted on September 16, 2014.



Jay Williams, Mayor

ATTEST:



Kelly Johnson, City Secretary