

## **CITY OF BUNKER HILL VILLAGE**

### **MINUTES OF THE COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS FEBRUARY 21, 2012 AT 5:00 P.M.**

#### **I. PLEDGE OF ALLEGIANCE**

Phillip Johnson, a Boy Scout and a tenth grade student at Kincaid High School, was asked to lead the Pledge of Allegiance.

#### **II. CALL TO ORDER**

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

Present:

Mayor Derry D. Essary  
Councilman Keith Brown  
Councilman Dave Ellis  
Councilwoman Susan Schwartz  
Councilman Jay Smyre  
Councilman Jay Williams

Also in Attendance:

Ruthie Sager, City Administrator  
Kelly Johnson, City Secretary/Dir of Finance  
Steve Smith, Dir of Pblc Wrks/Blding Official  
Loren Smith, City Attorney  
Tom Ramsey, City Engineer

#### **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.

Mrs. Melissa Flowers, at 11626 Green Oaks, spoke in regards to sexual predators in Bunker Hill Village. She wanted to see if Bunker Hill Village could do something to keep pedophiles out of the city.

#### **IV. MAYOR'S REPORT**

##### **A. February 6, meeting with residents affected by the Strey Lane Drainage Project**

Mayor said all of council was at the meeting so he was not going to go into details about the meeting. He said the project is to start next week and go 300 plus days.

##### **B. February 10, presentation of a proclamation to Bob & Kaye Newman**

Mayor Essary said he had the privilege to attend the Houston Junior Forum Conversations of the Heart with Jenna and Barbara Bush. He said they honored Bob

and Kaye Newman for their service to the community and education matters. Mayor Essary said he had the opportunity, on behalf of the city, to present a proclamation to Bob and Kaye Newman.

C. February 21, meeting with Liberty Bell resident regarding drainage

Mayor Essary said this is for informational purposes only. He said probably 75% of the requests to meet with him are regarding an older home that is adjacent to a new home and the drainage issues resulting from the building of the new home.

D. February 29, - Tealwood Homeowners Association Meeting

Mayor Essary said he will be addressing the Tealwood Homeowners Association on February 29, 2012 at Memorial Forest Club.

E. March 1-2, - TML Workshop “Water in Texas: What Every City Official Needs to Know”

The mayor said he is headed to Austin next week for this conference. He said this continues to be an issue for Bunker Hill Village with the city operating its own water wells.

F. Letter from TxDOT regarding selection of engineering firm to design the Memorial bridge

The mayor said TxDOT has requested that he approve the engineering firm that will be used for the design of the Memorial Drive bridge. The mayor said he is going to request that there is someone on TxDOT’s subcontractor list that he can defer to in all drainage matters with the affirmation of Klotz Engineering. Mayor Essary said TxDOT agreed.

G. Set the date for the State of the City meeting

Meeting is set for March 27, 2012 at 6:00 p.m.

V. **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 January 17, 2012 Regular Council Meeting

B. Minutes of the February 6, 2012 Special Council Meeting

C. Minutes of the February 6, 2012 Town Hall Meeting

D. January 2012 Financials

E. Klotz Associates, Invoice No. 112114 dated January 30, 2012, in the amount of \$7,500 for professional services rendered from December 16, 2011 to January 15, 2012, in connection with Strey Lane Drainage Improvements Design Bid & Construction Phase Service

Motion was made by Councilman Williams and seconded by Councilman Brown to approve the consent agenda as presented. Motion carried 5-0.

VI. **DIRECTOR OF PUBLIC WORKS REPORT**

A. Water Usage

Mr. Smith, Dir of Public Works/Blding Official, presented a slide presentation to council.

Mr. Smith said our well permit year is from May 1, 2011 through April 30, 2012. As of today we have pumped out of the ground 281,540,000 gallons of well water and taken 173,070,000 gallons of surface water. Mr. Smith said where we need to be at April 30, 2012 is a 50/50 split. Any amount that is deficient of that split we will have to either use Class A credits or pay disincentive fees.

B. Update on installation of radio read meters

Mr. Smith, Dir of Public Works/Building Official, said we have 1,327 total meters and have replaced 605 meters with radio read meters. The new meters can identify if there is continuous water running through the meter. Mr. Smith said once identified, those residents are sent a letter notifying them of a possible leak.

C. Oziel Reyna and Mike Sanchez completion of Groundwater Production Course

Mr. Smith, Dir of Public Works/Building Official, said he wanted to make council aware that both Oziel Reyna and Mike Sanchez are working on getting there water license. When they finish, the city will have four licensed operators to operate the wells.

**VII. CITY ENGINEER**

A. Discussion regarding reconstruction of Memorial Drive bridge at W-151

Mr. Ramsey, the City Engineer, said TxDOT wanted to meet to give an overview on the placement of the Memorial Drive bridge at W-151. He said TxDOT knew about drainage, in particular W-151, was an important issue regionally and to the City of Bunker Hill Village.

Mr. Ramsey said the person leading the discussion was the same person that designed the drainage on I-10 Katy Freeway. The engineering firm TxDOT is using for the project is HDR and the subcontractor for HDR is H&H Resources. Mr. Ramsey spoke highly of both firms.

Mr. Ramsey said Harris County Flood Control District (HCFCD) wants to have a meeting with both TxDOT and the City of Bunker Hill Village. Mr. Ramsey said it appears the meeting would be around the improvements related to the bridge. Mr. Ramsey said the bridge is off-set and because of that when the water comes through W-151 under the bridge and south it is constricted. Mr. Ramsey said the point we want to make is that we understand the policy of HCFCD; no down stream impact. That was the policy that was given to us when we designed the Strey Lane Drainage Project. Mr. Ramsey said we will communicate that we expect the same design standard to hold to the redesign of the bridge at Memorial Drive and W-151.

Mayor Essary said it is our intention that the bridge construction on Memorial Drive and W-151 be done as a two lane bridge with the existing foot bridges continuing in place and the constrictions that exists today will be in place with the new bridge. The mayor stated the earliest we would want construction to start would be the summer of 2013.

**VIII. DISCUSSION AND POSSIBLE ACTION REGARDING PURCHASE OF 25,708,000 SERIES A GROUNDWATER CREDITS FROM SPRING CREEK FOREST PUB AT A COST OF \$3.50 PER THOUSAND GALLONS**

Mayor Essary recommended buying the credits. The cost would be just under \$90,000.

Motion was made by Councilman Brown and seconded by Councilwoman Schwartz to approve the purchase of 25,708,000 series A groundwater credits from Spring Creek Forest PUB. Motion carried 5-0.

**IX. DISCUSSION AND POSSIBLE ACTION REGARDING AWARD OF A THREE YEAR BANK DEPOSITORY BID WITH TWO ONE-YEAR CONTINUATION OPTIONS**

Ms. Johnson, City Secretary/Dir of Finance, said she sent five request for proposals and was surprised she received all five back. She said they were very competitive requests. In summary, it came down to the earning credit ratio and the interest rate. BBVA Compass Bank came in with the best proposal.

Ms. Johnson said her recommendation was to award our Bank Depository Contract to BBVA Compass Bank.

Motion was made by Councilman Ellis and seconded by Councilwoman Schwartz to accept the recommendation to award a three year Bank Depository Contract to BBVA Compass Bank. Motion carried 5-0.

**X. DISCUSSION AND POSSIBLE ACTION ON A PROPOSAL FROM HTS, INC., FOR CONSTRUCTION MATERIALS TESTING SERVICES FOR STREY LANE DRAINAGE IN AN AMOUNT NOT TO EXCEED \$60,403**

Mr. Ramsey, the City Engineer, said that when you get into construction there will be construction phase services; testing and inspections of the work called for in the construction documents. He said HTS would be under contract so when the contractor calls and needs a density, concrete, or pavement test they would be the ones to come out and perform those tests.

The mayor clarified that this cost was not part of the original bid.

Motion was made by Councilman Williams and seconded by Councilman Brown to accept HTS, Inc. for the testing. Motion carried 5-0.

**XI. DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSAL FROM KLOTZ ASSOCIATES FOR DRAINAGE STUDY ALTERNATIVES FOR W-146 WATERSHED AND THE WEST ROADSIDE DITCH OF BLALOCK ROAD WITH A RECOMMENDED BUDGET OF \$45,000, NOT INCLUDING SURVEY WORK WHICH IS ESTIMATED AT \$10,000**

Mr. Ramsey, the City Engineer, said they are looking at options to provide some immediate relief on the east side. He said they were told to identify the most value Bunker Hill Village could get that would provide the most significant relief for \$2,000,000. Mr. Ramsey said this is keeping with the long term strategy on the east side.

Councilman Williams said we know Blalock Road has some inefficiencies in the ditch which should not be an expensive solution and to look at what long term solutions we can find for W-146.

Motion was made by Councilman Brown and seconded by Councilman Ellis to accept the proposal from Klotz Engineering. Motion carried 5-0.

**XII. DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING AMENDMENTS NOS. 1 THROUGH 5 TO THE ORIGINAL BUDGET OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, FOR THE FISCAL YEAR 2011; PROVIDING DETAILED LINE ITEM INCREASES OR DECREASES; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT**

Ms. Johnson, City Secretary/Director of Finance, gave a brief summary on amendments Nos. 1 through 5.

Motion was made by Councilman Smyre and seconded by Councilwoman Schwartz to approve an ordinance adopting amendments 1 through 5 to the original budget for the fiscal year 2011. Motion carried 5-0.

**XIII. FIRE COMMISSIONER'S REPORT**

**A. DISCUSSION AND POSSIBLE ACTION REGARDING A JOINT RESOLUTION BETWEEN THE CITY OF BUNKER HILL VILLAGE BY ORDINANCE NO. 04-304 AND HARRIS COUNTY COMMISSIONERS COURT ESTABLISHING SIMILAR PROGRAMS OF COMPREHENSIVE EMERGENCY MANAGEMENT WHICH INCLUDES THE MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY PHASES OF EMERGENCY MANAGEMENT**

Councilman Smyre said this is a renewal of something already in place. He said it renews every two years. This provides resources that the mayor has access to if there is a disaster and it has zero cost to the city.

Motion was made by Councilman Ellis and seconded by Councilwoman Schwartz to accept the joint resolution as presented under tab XIII. Motion carried 5-0.

**B. DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, NAMING SAID CITY'S ALTERNATE COMMISSIONER ON THE BOARD OF COMMISSIONERS OF THE VILLAGE FIRE DEPARTMENT**

Mayor Essary recommended S. Jay Williams as alternate commissioner.

Motion was made by Councilman Brown and seconded by Councilman Ellis to appoint S. Jay Williams as the city's Alternate Commissioner on the board of Commissioners of the Village Fire Department. Motion carried 5-0.

**XIV. POLICE COMMISSIONER'S REPORT**

Commissioner Soanes said the Texas crime statistics for 2010 came out last month. He said our police department analyzed those statistics and determined our villages have the lowest crime rate in Texas.

Commissioner Soanes said he reported in the January meeting that our police force was enhancing its focus on traffic enforcement. He said that has been an ongoing initiative.

Commissioner Soanes said they are looking at putting defibrillators in the cars. He said they are evaluating it and working closely with the fire department. He said they are still gathering information and hopefully will bring it to a vote at the next commissioners' meeting.

The commissioner expects the 2011 budget to be \$70K - \$80K below budget.

Commissioner Soanes said at the next commissioners' meeting they are having a session on the history of TMRS in the police department. He said this is to understand why we entered into TMRS and help explain how TMRS works.

- XV. EXECUTIVE SESSION** – City Council will convene into Executive Session pursuant to Section 551.071 of the Texas Government Code to consult with the City Attorney regarding pending or contemplated litigation or a matter which the duty of the attorney requires to be held in closed session

Council suspended going into Executive Session.

**XVI. RECONVENE**

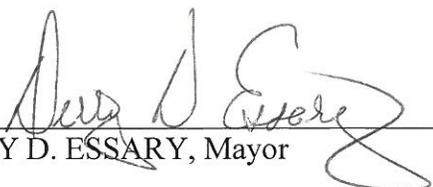
- A. Discussion and possible action as a result of executive session

Council did not go into Executive Session.

**XVII. ADJOURN**

Motion was made by Councilman Smyre and seconded by Loren Smith to adjourn the meeting at 6:35 p.m. Motion carried 5-0.

Approved and accepted on March 20, 2012.

  
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DERRY D. ESSARY, Mayor

ATTEST:

  
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Kelly Johnson, City Secretary