

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS
APRIL 16, 2024**

I. CALL TO ORDER

Mayor Robert Lord called the meeting to order at 5:02 p.m. on Zoom and in the Council Chambers of City Hall, 11977 Memorial Drive, Houston, Texas.

Present

Mayor Robert Lord
Mayor Pro-Tem Susan Schwartz
Councilmember Eric Thode
Councilmember Carl Moerer
Councilmember Keith Brown
Councilmember Laurie Rosenbaum

Staff in Attendance

Gerardo Barrera, City Administrator
Susan Engles, Finance Director
Elvin Hernandez, Director of Public Works
Loren Smith, City Attorney
Mallory Pack, Management Analyst
Jennifer Namie, Assistant to the City Secretary

II. PLEDGE OF ALLEGIANCE

City Administrator Gerardo Barrera led the Pledge of Allegiance.

III. CITIZEN COMMENTS

There were no public comments.

IV. MEMORIAL VILLAGES POLICE DEPARTMENT REPORT

A. Update on Activities – Chief Ray Schultz gave an update on activities, including personnel, calls for service, and the 2024 Budget

- The annual audit has been completed. The results will be presented to Council at a later meeting date.
- The Department is fully staffed.
- Work has started on the 2024 CIP HVAC replacement project.
- The Department has expended 24% of the total annual budget to date.
- Detective Rodriguez was interviewed about the use of the ALPR system in a recent case and its effectiveness as a crime-solving tool and its role in connecting agencies across the country to address crime.

B. Consideration and Possible Action to Approve Budget Amendment No. 2023-02 to the Annual Budget for the Memorial Villages Police Department as Recommended by the Police Commission

- There is no change to the bottom line and only a movement of funds in line items. The proposed movement is estimated to be \$48,600.00.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Schwartz to approve Budget Amendment No. 2023-02 to the Annual Budget for the Memorial Villages Police Department.

The motion carried 5-0

C. Consideration and Possible Action to Approve the 2023 Review of Services

- A 2023 productivity and calls for services review was completed to assist the Police Commission in reviewing the level of services and the distribution of services provided to the three (3) cities served by MVPD (Bunker Hill, Piney Point, and Hunter's Creek).
- MVPD recommended that funding continue to remain equally distributed at 33.3% per City.

A motion was made by Councilmember Thode and seconded by Councilmember Schwartz to approve the 2023 Review of Services for the Memorial Villages Police Department.

The motion carried 5-0

V. VILLAGE FIRE DEPARTMENT REPORT

A. Update on Activities – Chief Howard Miller and Fire Commissioner Brown provided a report on activities, staffing, calls for service, and response times.

- Average response time for Bunker Hill Village is 5:30.
- At the March 20, 2024, Special Meeting, the Fire Commission appointed Interim Chief Howard Miller as Fire Chief for the Village Fire Department.
- Fire hydrant testing has been completed.
- The Department is hiring for a part-time dispatcher position.
- The Department is working on the FY 2025 budget with the intent to remain flat at a 3.5% increase overall. The budget proposal will be submitted to cities by May 24, 2024, pending Fire Commission final approval.

VI. MAYOR'S REPORT

A. Proclamations – Mayor Lord shared the following proclamations that are being issued in April:

- A Proclamation naming April 2024, “Child Abuse Prevention Month” – The month of April is observed as Child Abuse Prevention Month. This initiative promotes the importance of families and communities working together to prevent child abuse and neglect.

- A Proclamation naming April 14-20, 2024, “National Public Safety Telecommunicators Week” in recognition of the indispensable contributions of MVPD and VFD dispatchers who coordinate responses, dispatch emergency personnel, and serve as the initial point of contact during emergencies.
- A proclamation naming April 24, 2024, “Administrative Professionals Day” in honor of the administrative professionals of the City who are integral to the delivery of high-quality customer service and efficient City operations.
- A proclamation naming May 12-18, 2024, “National Police Week” in honor of the hard work, dedication, and commitment to public safety of MVPD law enforcement officers.
- A proclamation naming May 19-25, 2024, “National Public Works Week” in recognition of the contributions the City’s Public Works team make every day to the health, safety, comfort, and quality of life for all residents.

B. Report on Activities and Upcoming Events

- Mayors’ Meetings – Village Mayors met with candidates who are running for other open positions in the Villages.
- Metro Update – Discussed Memorial and Gessner intersection safety improvements and funding opportunities.
- Update Regarding Crosswalk Along Taylorcrest at Magdelene – Hedwig Village informed City that they would be installing the new pedestrian crosswalk signs. City staff recommended no traffic markings be completed as Taylorcrest is scheduled to be milled and overlaid during the summer.

VII. CITY ADMINISTRATOR'S REPORT

A. Finance Director Report

- Proposed 2025 Budget Schedule – Staff presented the proposed calendar and requested feedback from Council regarding meeting and workshop dates.
- Annual Audit – *Monday, March 25, 2024 – Friday, April 5, 2024* – Field work has been completed. The final report will be presented at the May City Council meeting.
- Investments and Opportunities – The City continues to take advantage of favorable interest rates.

B. Public Works Director Report

- Development Report – Staff reported on permits issued in March 2024.
- CIP Project Update – Staff is working to develop a project schedule including; design and construction for waterline replacement for Rhett, Tara, and Mayerling,

wastewater televising of Memorial trunk line, and design for asphalt streets (Knipp, Strey, Taylorcrest, and Bunker Hill Rd.)

- Public Works and Disaster Operations Building – The Certificate of Occupancy has been issued. Furniture for the facility has been delivered, and staff is working to establish Internet and phone system connections.

C. City Administrator Report on Activities and Upcoming Events

- Planning and Zoning Commission Meeting – *Tuesday, April 25, 2023* – The Commission will hold a public hearing on an amendment to the Specific Use Permit (SUP) for Memorial Drive Presbyterian Church to install electronic signage on the campus.
- Drainage Committee Meeting – The Committee continues to discuss the regulation of artificial turf installation.
- Texas Pride Disposal Contract Update – At the March 2024 meeting, Texas Pride proposed an amendment that included the implementation of a Variable Energy Charge/ fuel recovery fee to address changes in fuel costs. Council was not in favor of index pricing and tabled the item. Subsequently, staff met with Texas Pride to discuss the fee and contract and the fee will not be implemented in 2024.

VIII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A FINAL PLAT FOR 349 KNIPP ROAD AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION – *Gerardo Barrera, City Administrator*

The plan review of a new home at 349 Knipp Rd., revealed that no final plat had been recorded with Harris County.

At the March 2024 Planning and Zoning Commission meeting, the Commission approved the final plat and recommended it be presented to City Council for final approval.

Staff has reviewed the final plat and it satisfies all requirements of the City’s ordinances.

A motion was made by Councilmember Schwartz and seconded by Councilmember Rosenbaum to approve a final plat for 349 Knipp Road as recommended by the Planning and Zoning Commission.

The motion carried 5-0

IX. DISCUSSION, FEEDBACK AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS AMENDING SECTION 9-1, DEFINITIONS, OF ARTICLE I, IN GENERAL TO UPDATE LANGUAGE; AMENDING SECTION 9-9, OPERATION OF MOTOR DRIVEN VEHICLES ON PUBLIC SIDEWALKS AND PUBLIC HIKE AND BIKE PATHS PROHIBITED, OF ARTICLE I, IN GENERAL, TO ADD ALLOWANCE FOR ELECTRIC BICYCLES; ADDING SECTION 9-10, SMALL MOTORED

VEHICLES RESTRICTED, OF ARTICLE I, IN GENERAL, TO RESTRICT SMALL MOTOR VEHICLES FROM PUBLIC SIDEWALKS; ADDING SECTION 9-133, ELECTRIC RIDING TOYS - GENERAL PROVISIONS, SECTION 9-134, ELECTRIC BICYCLES - BICYCLE PATHS, SECTION 9-135, ELECTRIC BICYCLES - CLASS 3 ELECTRIC BICYCLES, SECTION 9-136, ELECTRIC BICYCLES - ELECTRIC BICYCLE AGE RESTRICTIONS, SECTION 9-137, ELECTRIC BICYCLES - OPERATION AT NIGHT, SECTION 9-138, ELECTRIC SCOOTERS AND ELECTRIC SKATEBOARDS, SECTION 9-139, ELECTRIC RIDING TOYS - PENALTY OF ARTICLE V, BICYCLES, OF CHAPTER 9, MOTOR VEHICLE AND TRAFFIC, OF THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE UPDATING AND AMENDING RULES AND REGULATIONS RELATED TO ELECTRIC BICYCLES AND INCLUDING GENERAL DEFINITIONS AND GUIDELINES FOR USE OF ELECTRIC RIDING TOYS; AMENDING ARTICLE V, BICYCLES, TO READ ARTICLE V, BICYCLES AND ELECTRONIC RIDING TOYS OF CHAPTER 9, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE TO ADD RULES AND REGULATIONS RELATED TO ELECTRONIC SCOOTERS AND SKATEBOARDS; PROVIDING FOR PENALTY; AND PROVIDING FOR SEVERABILITY – *Gerardo Barrera, City Administrator*

Chief Schultz presented this item.

Due to the increased use of electric bicycles and electric riding toys, (e-bikes) on city streets and sidewalks, the lack of current regulation, and safety concerns, all three Villages (Piney Point, Hunter’s Creek and Bunker Hill) provided direction to the Memorial Village Police Department (MVPD) to review and draft a recommended ordinance on how best to regulate the use of e-bikes within the Villages.

The proposed amendment classifies e-bikes based on their motor type and speed as follows:

- Class 1: Equipped with motor that assists the rider only when the rider is pedaling and with a top assisted speed of 20 MPH or less.
- Class 2: Equipped with a motor that may be used to propel the bicycle without the pedaling of the rider and with a top assisted speed of 20 MPH or less.
- Class 3: Equipped with a motor that assists the rider only when the rider is pedaling and with a top assisted speed of more than 20 but less than 28 MPH.

The proposed ordinance amends Chapter 9 of the Code of Ordinances:

- Section 9-1 – Definitions

- Section 9-9 – Operation of motor driven vehicles on public sidewalks and public hike and bike paths
- Section 9-10 – Small Motored Vehicles Restricted
- Adds Section 9-133 – Electric Riding Toys – General Provisions
- Adds Section 9-134 – Electric Bicycles – Bicycle Paths
- Adds Section 9-135 – Electric Bicycles – Class 3 Electric Bicycles
- Adds Section 9-136 - Electric Bicycles – Age Restrictions
- Adds Section 9-137 – Electric Bicycles – Operation at Night
- Adds Section 9-138 – Electric Scooters and Electric Skateboards
- Adds Section 9-139 – Electric Riding Toys – Penalty

Amending the code clarifies where and under what circumstances the three classifications of e-bikes are permitted in or upon public spaces. The amendment intends to minimize conflicts between operators of e-bikes and pedestrians by reducing the potential impacts of e-bikes in these spaces. Additionally, the amendment ensures the compatibility of the use of e-bikes with other passive recreational activities, while protecting the safety of all users of the City’s sidewalks and streets.

The amendments were drafted and reviewed by the City Attorney. The Police Commission recommended the ordinance be presented to Bunker Hill, Hunter’s Creek, and Piney Point for approval.

Staff recommended Council discuss the proposed amendment and take any desired action.

A motion was made by Councilmember Schwartz and seconded by Councilmember Thode to approve Ordinance No. 24-625 on the condition that Sec. 9-139 Electric Riding Toys – Penalty (b) be revised from “First violation of this ordinance may be subject to a fine not to exceed \$50” to “Second violation of this ordinance may be subject to a fine not to exceed \$50.”

The motion carried 5-0

- X. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY OF BUNKER HILL VILLAGE, TEXAS SUSPENDING THE APRIL 10, 2024 EFFECTIVE DATE OF CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC’S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING CONTINUED COOPERATION WITH THE GULF COAST COALITION OF CITIES; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES’ RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS**

RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE GULF COAST COALITION OF CITIES – *Gerardo Barrera, City Administrator*

On March 6, 2024, CenterPoint filed an application with the Public Utilities Commission (PUC), as well as with cities seeking to increase system-wide transmission and distribution base rates by \$60 million per year. CenterPoint asks the City to approve an increase of \$17 million in retail transmission and distribution rates (an increase of about 1%) and \$43 million in wholesale transmission rates (an increase of about 6.6%). According to CenterPoint, the impact on an average residential customer would be an increase of about \$1.25 per month.

Bunker Hill Village participates in the Gulf Coast Coalition of Cities (GCCC), a coalition of similarly situated cities served by CenterPoint that have joined together to efficiently and cost-effectively review and respond to issues affecting rates charged in the CenterPoint’s service area. The GCCC legal counsel and the City Attorney recommend all cities act on the request as outlined in the proposed resolution.

The proposed resolution suspends the effective date of the Company’s rate increase for the maximum period permitted by law to allow the City, working in conjunction with other members of GCCC served by CenterPoint to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

The City was not aware that this notice was issued as it was not received. Despite the April 10 deadline, the GCCC legal team was notified and requested that the City still proceed with formal action, and would inform CenterPoint on behalf of the City.

Staff recommended Council approve Resolution No. 04-16-2024, suspending the effective date of rate increases.

A motion was made by Councilmember Brown and seconded by Councilmember Thode to approve Resolution No. 04-16-2024.

The motion carried 5-0

XI. 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 March 19, 2024, Regular City Council Meeting.
- B. March 2024 Financials.
- C. Check Register dated March 19, 2024, to April 8, 2024.
- D. Core & Main, invoice no. U318126 for water meters in the amount of \$24,877.50 for the water meter replacement project.

- E. Langford Engineering, invoice no. 27286 in the amount of \$272.99 for Water Well No. 5 transmission line one-year warranty.
- F. Langford Engineering, invoice no. 27287 in the amount of \$6,998.19 for general engineering services rendered through February 29, 2024.
- G. Probstfeld & Associates, invoice no. 69259 in the amount of \$355.00 for drainage plan review services completed in February 2024.
- H. Probstfeld & Associates, invoice no. 69260 in the amount of \$355.00 for drainage plan review services completed in February 2024.
- I. Probstfeld & Associates, invoice no. 69261 in the amount of \$710.00 for drainage plan review services completed in February 2024.
- J. Probstfeld & Associates, invoice no. 69262 in the amount of \$355.00 for drainage plan review services completed in February 2024.
- K. Probstfeld & Associates, invoice no. 69343 in the amount of \$180.00 for drainage plan review services completed in March 2024.
- L. Probstfeld & Associates, invoice no. 69344 in the amount of \$180.00 for drainage plan review services completed in March 2024.
- M. RPS, invoice no. 52212406 in the amount of \$3,651.24 for general on-call engineering services completed from January 2, 2024, to February 23, 2024.
- N. RPS, invoice no. 52212408 in the amount of \$1,064.61 for City Drainage Committee meeting services rendered from January 2, 2024, to February 23, 2024.
- O. RPS, invoice no. 52212870 in the amount of \$7,108.64 for drainage plan review services rendered from January 2, 2024, to February 23, 2024.
- P. TX BBG Consulting, invoice no. 329781 in the amount of \$2,000.00 for plan review services performed through March 31, 2024.

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Brown to approve the Consent Agenda as presented.

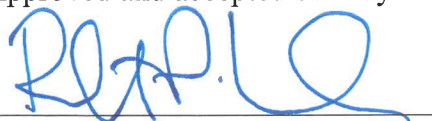
The motion carried 5-0

XII. ADJOURN

A motion was made by Councilmember Rosenbaum and seconded by Councilmember Thode to adjourn the meeting at 6:56 p.m.

The motion carried 5-0

Approved and accepted on May 16, 2024.



Robert P. Lord, Mayor

ATTEST:


Gerardo Barrera, City Administrator/ Acting City Secretary