

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF BUNKER HILL VILLAGE, TEXAS
NOVEMBER 19, 2024**

I. CALL TO ORDER

Mayor Robert Lord called the meeting to order at 5:13 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 Andrew Poor

Staff in Attendance

Gerardo Barrera, City Administrator
Loren Smith, City Attorney
Susan Engles, Finance Director
Elvin Hernandez, Public Works Director
Mallory Pack, Management Analyst

II. PLEDGE OF ALLEGIANCE

Mayor Lord led the Pledge of Allegiance.

III. CITIZEN COMMENTS

There were no citizen comments.

IV. MEMORIAL VILLAGES POLICE DEPARTMENT REPORT

This item was taken out of order and presented after item V

- A. Update on Activities – Chief Schultz provided an update on activities including personnel, calls for service, and the 2024 Budget.
- The budget is projected to be fully expended by year-end. The budget may be slightly overbudget due to expenses related to Derecho and Hurricane Beryl storms.
 - The FEMA reimbursement process for Derecho has been closed out and funds are expected to be received by year-end. Hurricane Beryl has also been closed out and is awaiting the state's determination of the reimbursement amount.
 - The Department is hiring for an officer and dispatcher position. The Community Resource Officer resigned.
 - Received three (3) new Tahoe vehicles (purchased in 2022) that will be upfitted at a later time. The average cost is \$60,000.00.
 - Received a donated high-water vehicle to utilize for storm response.

- The Department successfully hosted its annual Trunk-Or-Treat event in October.
- A resident donated two (2) ALPR cameras with live feedback capabilities.

V. VILLAGE FIRE DEPARTMENT REPORT

This item was taken out of order and presented ahead of item IV

- A. Chief Miller and Fire Commissioner Brown reported on activities, staffing, calls for service, and response times.
- The average response time for Bunker Hill was 5:24 in October.
 - The ladder truck was involved in a traffic accident while responding to a City of Houston call. Truck is out of service and awaiting damage evaluation by claim adjuster. The driver was pinned inside but did not sustain serious injuries but the Capt. was injured. A Bunker Hill resident donated a “loaner” fire truck for the department to use in the interim.
 - The department purchased 6 chainsaws and completed switch to PS Lightwave (fiber).

VI. MAYOR’S REPORT

- A. Report on Activities and Upcoming Events
- Family Movie Night – *Friday, November 8, 2024* – The event was well attended. Thanks to Management Analyst and MVPD Foundation for organizing the event.
 - Memorial Villages Community Forum: Autism in the Community – *Wednesday, November 20, 2024*
 - Twinkle Light Parade – *Thursday, December 19, 2024*

VII. CITY ADMINISTRATOR'S REPORT

- A. Report on Activities and Upcoming Events
- FEMA/ State Recovery for Hurricane Beryl and Derecho Storm – Category Z (administrative costs) have been approved by FEMA for the Derecho Storm. The City is eligible to receive reimbursement equal to 5% of the total obligated funds, amounting to \$5,837.32. Total amount expected to be reimbursed for Cat B equals \$116,746.35
 - City Hall Holiday Hours
 - Thursday, November 28 & Friday, November 29 (offices close at noon on Wednesday, November 27)
 - Monday, December 23-Friday, December 27
 - Tuesday, December 31-Wednesday, January 1
-Normal business hours on Monday, December 30
- B. Public Works Director Report
- Development Report – Director Hernandez reported on permits issued in the month of October and development to date.

- CIP Project Update –
 - Construction for the Bunker Hill Rd. and Greenbay Sanitary Sewer Rehab project has started. Despite minor weather delays, the project is on schedule. An AT&T communication line was damaged however it was not properly marked nor included in AT&T plans.
 - The water meter replacement project is nearing completion. City crew took over the remaining meter installation. Contractor is now transitioning to the installation of antenna poles for the AMI meter reading equipment.
 - The waterline replacement project is on-schedule with anticipated start in January.
 - Public Works Building generator repairs were completed and unit is online.

City Administrator Barrera reported the City has received several phone calls from residents regarding high water bills and requests for meter downloads. He stated that some properties did receive a new meter during the billing cycle, but this change is not correlated with a higher water flow and subsequently higher bill. In most cases, the higher bills have been attributed to actual leaks or extended irrigation run time set by landscapers without the resident being made aware.

C. Finance Director Report

- Investments and Opportunities – The City continues to take advantage of favorable interest rates.
 - City earned approximately \$736K in interest through October 31.
 - Staff met with Finance Committee to discuss and revise Investment Policy. This item will be presented under Agenda XV for Council approval.

VIII. PRESENTATION, PUBLIC HEARING, CONSIDERATION AND POSSIBLE ACTION REGARDING AMENDING THE CITY’S SUBDIVISION ORDINANCE

ALL INTERESTED PARTIES SHALL HAVE THE RIGHT AND OPPORTUNITY TO APPEAR AND BE HEARD ON THE ITEM LISTED BELOW

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS BY AMENDING SECTION 14-7 (B) (7), STANDARDS AND SPECIFICATIONS, OF CHAPTER 14, SUBDIVISIONS, TO ALLOW THE SUBDIVISION OF LOTS WHERE THE RESULTING LOT IS ADJACENT TO EITHER A PUBLIC OR PRIVATE STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN

AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION

At the July 24, 2024, City Council Special Meeting, the property owner at 11821 Chapelwood Ln. presented a request 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.

During the Council meeting, Councilmember Brown provided background on the ordinance, stating that the reasoning for preventing lots facing private streets from being subdivided was to “coerce” property owners to allow the streets to turn from private to public. No action was taken on this item at the meeting. Council directed this item to the Planning and Zoning (P&Z) Commission for further review and discussion of potential amendments to Chapter 14 of the City’s Subdivision Ordinance.

This item was presented to the Commission during the August 2024 meeting. The Commission inquired about potential disadvantages to the City regarding private streets, including negative impacts to neighboring properties with staff confirming there were none. The Commission was in favor of amending the subdivision ordinance to allow a lot to be subdivided that fronts a private street and directed staff to revise the ordinance.

At the October 2024 P&Z meeting, the Commission held a formal public hearing with no public comments for or against the measure. The Commission voted unanimously to amend the subdivision ordinance and send to City Council for final approval.

Mayor Lord opened the Public Hearing at 6:14 p.m.

RECEIVE COMMENTS FROM THE PUBLIC, EITHER ORAL OR WRITTEN, REGARDING THE FOLLOWING

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS BY AMENDING SECTION 14-7 (B) (7), STANDARDS AND SPECIFICATIONS, OF CHAPTER 14, SUBDIVISIONS, TO ALLOW THE SUBDIVISION OF LOTS WHERE THE RESULTING LOT IS ADJACENT TO EITHER A PUBLIC OR PRIVATE STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION

There were no public comments.

Mayor Lord closed the Public Hearing at 6:18 p.m.

CONSIDERATION AND POSSIBLE ACTION REGARDING THE FOLLOWING

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS BY AMENDING SECTION 14-7 (B) (7), STANDARDS AND SPECIFICATIONS, OF CHAPTER 14, SUBDIVISIONS, TO ALLOW THE SUBDIVISION OF LOTS WHERE THE RESULTING LOT IS ADJACENT TO EITHER A PUBLIC OR PRIVATE STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION

Councilmember Brown stated that he meant “strongly encouraged” and not “coerce.”
A motion was made by Councilmember Brown and seconded by Councilmember Schwartz to approve Ordinance No. 24-638, amending the City’s Subdivision Ordinance to allow a lot to be subdivided that fronts a private street.

The motion carried 5-0

IX. PRESENTATION, PUBLIC HEARING, CONSIDERATION AND POSSIBLE ACTION REGARDING THE FOLLOWING

ALL INTERESTED PARTIES SHALL HAVE THE RIGHT AND OPPORTUNITY TO APPEAR AND BE HEARD ON THE ITEM LISTED BELOW

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING A SCHEDULE OF FEES, RATES, DEPOSITS, AND OTHER CHARGES FOR PUBLIC SERVICES, INCLUDING THOSE RELATING TO DEVELOPMENT, BUILDING AND CONSTRUCTION, ELECTRICAL, PLUMBING, LICENSING AND REGISTRATIONS, REGULATORY INSPECTIONS, PERMITTING, APPLICATIONS, HEARINGS AND OTHER MATTERS

As part of the annual budget process, City staff reviews the building and development fee schedule to ensure that the rates are sufficient to cover the cost of services. The current fee schedule was approved at the April 2023 City Council meeting. During the budget process for FY 2025, a thorough review of the fee schedule was completed, including comparisons/ benchmarking with other cities and third-party engineering consultants. Staff recommend no changes at this time.

State legislation passed in 2023 (H.B. 1922), effective January 1, 2024, requires a city’s governing body to hold a public hearing and vote to reauthorize any city fee charged as a condition of constructing, renovating, or remodeling a residential or commercial structure

at least once every ten years. If a municipality fails to do so by the tenth anniversary of the fee being adopted or reauthorized, the fee will be automatically abolished by law.

Mayor Lord opened the Public Hearing at 6:20 p.m.

RECEIVE COMMENTS FROM THE PUBLIC, EITHER ORAL OR WRITTEN, REGARDING THE FOLLOWING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING A SCHEDULE OF FEES, RATES, DEPOSITS, AND OTHER CHARGES FOR PUBLIC SERVICES, INCLUDING THOSE RELATING TO DEVELOPMENT, BUILDING AND CONSTRUCTION, ELECTRICAL, PLUMBING, LICENSING AND REGISTRATIONS, REGULATORY INSPECTIONS, PERMITTING, APPLICATIONS, HEARINGS AND OTHER MATTERS

There were no public comments.

Mayor Lord closed the Public Hearing at 6:22 p.m.

CONSIDERATION AND POSSIBLE ACTION REGARDING THE FOLLOWING:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ADOPTING A SCHEDULE OF FEES, RATES, DEPOSITS, AND OTHER CHARGES FOR PUBLIC SERVICES, INCLUDING THOSE RELATING TO DEVELOPMENT, BUILDING AND CONSTRUCTION, ELECTRICAL, PLUMBING, LICENSING AND REGISTRATIONS, REGULATORY INSPECTIONS, PERMITTING, APPLICATIONS, HEARINGS AND OTHER MATTERS

A motion was made by Councilmember Thode and seconded by Councilmember Schwartz to approve Resolution No. 11-19-2024A, adopting the City’s building and development fee schedule.

The motion carried 5-0

- X. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS BY AMENDING SECTION 4-75, NATIONAL ELECTRICAL CODE AND INTERNATIONAL ELECTRICAL CODE, OF ARTICLE IV, CONSTRUCTION CODES, OF CHAPTER 4, DEVELOPMENT, BUILDING AND CONSTRUCTION TO REQUIRE THAT GENERATORS BE LOCATED A MINIMUM OF EIGHTEEN INCHES (18”) FROM A STRUCTURE; PROVIDING**

FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY WITH EACH DAY CONSTITUTING A NEW VIOLATION – Elvin Hernandez, Public Works Director

Generator installation must comply with Article IV, Section 4-76 (11) of the City’s Code of Ordinances. At the July 24, 2024, City Council Special Meeting, 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 requested 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 requested 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.

Council voted 0-4 to grant the appeal request, noting potential safety concerns related to fire hazards and ventilation. To consider potential amendments to the ordinance, 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.

During the August 5, 2024, City Council Special Meeting, Council directed this item to the Planning and Zoning Commission for further review based on the following feedback:

- Consider amending the minimum clearance between the generator foundation and other structures to 18” inches, in line with manufacturer specifications and the Fire Marshal & NFPA standards.
- Explore the possibility of allowing the generator to encroach at least 1’ foot into the restricted greenspace. This would apply only to generator pads and not to any other accessory structures.

At the August 2024 Planning and Zoning meeting, staff reported an increase in generator permits issued following the Derecho storm (May 2024) and Hurricane Beryl (July 2024), recognizing that emergency generators are becoming essential. The Commission agreed that residents should have the ability to easily install emergency generators.

The Commission recommended the City follow manufacturer recommendations that the minimum clearance be 18” inches between the generator foundation and other structures must be met before allowing encroachment up to 1’ foot into the restricted greenspace. Generators being placed in front of openings (i.e. doors or windows) must adhere to National Fire Prevention Association (NFPA) standards. If placement and encroachment cannot be met, the request may be submitted to the Zoning Board of Adjustment (ZBOA) for further review and case-by-case evaluation, rather than being submitted to City Council for review.

Staff and the City Attorney developed a redline document that reflects Commission discussion and feedback. The proposed amendments and additions to the ordinance align with common generator installation practices (per manufacturer recommendation as directed) to no detriment to overall safety.

A motion was made by Councilmember Thode and seconded by Councilmember Brown to approve Ordinance No. 24-639.

The motion carried 5-0

XI. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A MEMORANDUM OF UNDERSTANDING FOR THE USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS – *Gerardo Barrera, City Administrator*

Under the American Rescue Plan Act of 2021, the Coronavirus Local Fiscal Recovery Fund (CLFRF) provided emergency funding for eligible local governments. The City of Bunker Hill Village qualified and received \$976,964.69 in funding. While the funds are restricted to certain activities, the proposed use will be towards necessary investments in infrastructure (i.e. water lines) for the City.

Conditions of the grant require the City to obligate the funds to a project before the deadline of December 31, 2024, and all funds expended by December 31, 2026. To date*, the City has obligated/expensed the following:

FINANCIAL SUMMARY			
Category	Dollars	Percent Complete	Comments
Total Allocation	\$976,964.69		
Match/Local Funds			
Total Estimated Budget	\$948,500.00		
Remaining Amount to Budget	\$28,464.69	97%	
Total Obligations	\$197,820.00		
Remaining Amount to Obligate	\$779,145.00	20%	1 Months Remaining Until the Obligation Deadline of 12/31/2024.
Total Expenditures	\$0.00		
Remaining Amount to Expend	\$976,964.69	0%	25 Months Remaining Until the Expenditure Deadline of 12/31/2026.

**October Status Report dated November 8, 2024*

Since the selected bid is lower than anticipated and there is not enough time to formally publish and bid another project to fully utilize the funds, the U.S. Department of Treasury will consider an interagency agreement, including an agreement in the form of a memorandum of understating (MOU), to constitute a “transaction requiring payment” similar to a contract or subaward and therefore an obligation for the purposes of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) rule if the agreement satisfies one of the following conditions:

- it imposes conditions on the use of funds by the agency, department, or part of government receiving funds to carry out the program;
- it governs the provision of funds from one agency, department, or part of government to another to carry out an eligible use of SLFRF funds; or
- it governs the procurement of goods or services by one agency, department, or part of government from another

and the agreement also satisfies each of the following conditions:

- it sets forth specific requirements, such as a scope of work and project deliverables;
- it is signed by the parties to the agreement, or otherwise evidences that each party has assented to the agreement; and
- it does not disclaim any binding effect or state that it does not create rights or obligations.

The MOU outlines the funds will be used for engineering, procurement, construction, and related costs to the evaluation, repair, and replacement of the City’s water system, including but not limited to water and sewer lines, treatment and pumping facilities, meters, and hydrants (“The Project”). The Project will be supervised by the Other Party, and the Other Party will be responsible for oversight of engineering, procurement, and construction services provided by City staff or contractors.

The MOU has been reviewed by the City Attorney.

Councilmember Brown expressed dissatisfaction with the language used in the MOU and questioned its necessity and relevance as a legal document and unenforceable. City Administrator Barrera stated the MOU was necessary to retain the ARPA funds.

A motion was made by Councilmember Thode and seconded by Councilmember Moerer to approve the MOU to obligate the use of ARPA funds.

Councilmember Brown opposed.

The motion carried 4-1

City Administrator Barrera left the room

XII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CONTRACT BETWEEN THE CITY OF BUNKER HILL VILLAGE, TEXAS AND UNDERGROUND CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$497,267.00 FOR WATERLINE REPLACEMENT ON TARA, RHETT, AND MAYERLING – Elvin Hernandez, Public Works Director

The City’s 5-year Capital Improvement Plan (CIP) includes funding for the replacement of cast iron waterlines that have exceeded their service life and have begun to fail. Over the past year, Public Works crews have responded to multiple line breaks along Mayerling Rd (between Memorial and Wink Rd.), Rhett Dr., and Tara Dr. that have resulted in significant water service interruptions for a lengthy period of time while repairs are completed. Staff has identified these water lines as a priority for replacement.

At the February 2024 meeting, City Council approved a professional services agreement with Langford Engineering, the City’s water/ wastewater on-call engineer, for services for the replacement of approximately 5,600 linear feet of water line along Mayerling, Rhett, and Tara. These services include; survey, design, bid phase, construction management, materials testing, and engineer of record services.

In September 2024, the City solicited formal bids for the replacement/ rehabilitation of waterlines of Mayerling, Rhett, and Tara. Four (4) qualified bids were received:

Bidders	Subtotal Base Bid Items (Nos. 1 Thru 14) and Total Amount Supplementary Items (Item Nos. a Thru h)
Underground Construction	\$497,267.00
Metro City	\$593,995.00
AR Turnkey	\$848,227.00
Bull G Construction	\$954,634.00

After reviewing all bids received, staff and Langford Engineering recommend Underground Construction be awarded a contract in the amount of \$497,267.00. Underground Construction is familiar with the work associated with this project, and background references were verified by Langford Engineering. Additionally, Underground Construction has a history of successful projects for the City of Bunker Hill Village as well as adjacent villages.

This work is expected to be completed within 90 calendar days (pending weather conditions) from the start of construction. Prior to mobilization, a construction notice will be sent to emergency services (MVPD, VFD), residents, and neighboring municipalities.

Under the American Rescue Plan Act of 2021, the Coronavirus Local Fiscal Recovery Fund (CLFRF) provided emergency funding for eligible local governments. The City of

Bunker Hill Village qualified and received \$976,964.69 in funding. While the funds are restricted to certain activities, the proposed use will be towards necessary investments in infrastructure (i.e. water lines) for the City. Staff recommends allocating \$497,267.00 of the funds for this project.

All contracts are competitively bid and awarded in compliance with State and Federal procurement requirements. The contract has been reviewed by the City Attorney.

Staff recommended City Council approve a contract with Underground Construction for the waterline rehabilitation project on Mayerling, Rhett, and Tara.

A motion was made by Councilmember Poor and seconded by Councilmember Brown to approve a contract with Underground Construction in an amount not to exceed \$497,267.00 for the waterline rehabilitation project on Mayerling, Rhett, and Tara.

The motion carried 5-0

XIII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CONTRACT BETWEEN THE CITY OF BUNKER HILL VILLAGE, TEXAS AND SAS CONCRETE CONSTRUCTION, LLC TO PROVIDE ON-CALL CONCRETE SERVICES – Gerardo Barrera, City Administrator

This item was taken out of order and moved after item XIV. Public Works Director Elvin Hernandez presented this item.

In September 2024, the City solicited formal bids for an on-call concrete contractor to provide concrete related services such as the removal and replacement of concrete paving including sections of roadways, parking lots, driveways, sidewalks and curbs. These services are necessary to maintain City streets and drainage infrastructure in good condition. Eight (8) qualified bids were received:

CONTRACTOR	BID AMOUNT*
Resha Corporation	\$240,342.50
H & N Contractor Management Services LLC	\$414,700.00
SAS Concrete Construction, LLC	\$510,770.00
Skilled Construction Subs Unlimited	\$539,737.50
Miranda Trucking & Services, Inc.	\$542,655.00
Queen Constructors LLC	\$555,475.00
On Par Civil Services, LLC	\$573,900.00
VA Construction	\$606,120.00

**estimated quantities were used for bidding purposes only*

After reviewing all bids received and verifying references, staff and IDS, the City Engineer, recommend SAS Concrete Construction, LLC be awarded the on-call concrete contract. SAS has experience with similar work and has demonstrated the necessary qualifications for this contract. Work under this contract will be task-based and subject to funds appropriated in the general and utility funds per the annual budget. The contract term is for one (1) year with four (4) one-year renewal options.

This bid was competitively bid and awarded in compliance with State procurement requirements.

The contract has been reviewed by the City Attorney. Staff recommended to approve a contract with SAS Concrete Construction, LLC to provide on-call concrete services. Funding for contract is based on approved appropriations in annual budget.

Councilmember Schwartz inquired how these invoices would be presented. City Attorney Smith stated the invoices would be included in the Consent Agenda and not as individual agenda items unless they are above the \$50,000.00 threshold.

A motion was made by Councilmember Poor and seconded by Councilmember Brown to approve a contract with SAS Concrete, LLC to provide on-call concrete services.

Councilmember Schwartz opposed.

The motion carried 4-1

XIV. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CONTRACT BETWEEN THE CITY OF BUNKER HILL VILLAGE, TEXAS, AND SPRING BRANCH INDEPENDENT SCHOOL DISTRICT TO PROVIDE FOR MUNICIPAL ELECTION SERVICES – Gerardo Barrera, City Administrator

This item was taken out of order and moved after item XV. City Attorney Smith presented this item.

Chapter 271 of the Texas Election Code provides that a City may enter into an agreement with other political jurisdictions that may be conducting elections on the same day in election precincts that can be served by common polling places.

At the November 2023 meeting, Council approved an interlocal agreement with Spring Branch Independent School District (SBISD) to provide municipal election services. Bunker Hill Village will continue to handle the filing documents at City Hall and SBISD the ballot, early election and election day duties. The agreement automatically renews annually.

SBISD will provide election services for the City's next upcoming general election on May 3, 2025, for the City Council positions 4, 5, and the Mayor. Contracting with SBISD allows the City to leverage SBISD's expertise and resources (i.e., electronic voting equipment) to facilitate the entire election process. Additionally, participating in a joint election enables the City to share costs, significantly reducing overall expense. The expected cost for a May joint election is \$250.00.

Staff recommended that the City Council approve the contract with Spring Branch Independent School District for municipal election services.

A motion was made by Councilmember Schwartz and seconded by Councilmember Poor to approve a contract with Spring Branch Independent School District to provide for municipal election services.

The motion carried 5-0

XV. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, ACKNOWLEDGING REVIEW AND APPROVAL OF THE PUBLIC FUNDS INVESTMENT POLICY AND THE INCORPORATED INVESTMENT STRATEGY – Susan Engels, Finance Director

This item was taken out of order and moved ahead of item XIII.

Texas Government Code Section 2256.005(e) requires annual review and adoption of the City's Investment Policy. Annual adoption of the City's investment policy provides an opportunity to regularly review the policy to ensure consistency with the overall objectives of safety, liquidity, and yield. City Council previously adopted the Investment Policy at the November 2023 Council meeting.

The City's Finance Audit Committee met on November 11, 2024, to review the Investment Policy. The Committee is comprised of Mayor Robert Lord, Mayor Pro-Tem Susan Schwartz, and City Administrator Gerardo Barrera. Finance Director Susan Engels serves as the City's Investment Officer. The Committee unanimously approved the policy with minor changes from the adopted November 2023 version, and recommend Council approve and adopt the City's Investment Policy.

A motion was made by Councilmember Thode and seconded by Councilmember Poor to approve Resolution No. 11-19-2024B, approving the City's Investment Policy governing the investment of municipal funds with the condition to correct the spelling of "north" on page 13.

The motion carried 5-0

XVI. CONSIDERATION AND POSSIBLE ACTION TO ADOPT AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, BY DELETING ALL OF SECTION 2-4, OFFICIAL NEWSPAPER, OF ARTICLE I, IN GENERAL, OF CHAPTER 2, ADMINISTRATION, AND ADDING A NEW SECTION 2-4, OFFICIAL NEWSPAPER, OF ARTICLE I, IN GENERAL, OF CHAPTER 2, ADMINISTRATION, SAID SECTION DESIGNATING THE MEMORIAL EXAMINER (HOUSTON COMMUNITY NEWSPAPER) AS THE OFFICIAL NEWSPAPER OF THE CITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT – Gerardo Barrera, City Administrator

Chapter 52.004 of the Texas Local Government Code requires municipalities to designate a public newspaper to be the municipality's official newspaper for all official publications for the year.

In previous years, the City has contracted with the Houston Community Newspaper (Memorial Examiner) as the designated official newspaper. Staff recommends the City continue with this publication. Funding is based on annual appropriated funding in the general, utility or capital improvement fund. Costs will remain the same as in 2024.

A motion was made by Councilmember Thode and seconded by Councilmember Brown to approve Ordinance No. 24-640, designating the Houston Community Newspaper as the City’s official newspaper.

The motion carried 5-0

XVII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF BUNKER HILL VILLAGE, TEXAS AND STEVE MADDEN FOR THE INSTALLATION OF IRRIGATION AND LANDSCAPING IN THE CITY’S RIGHT OF WAY ALONG THE SOUTH SIDE OF THE 11600 BLOCK OF GREENBAY – *Gerardo Barrera, City Administrator*

Residents Steve and Kelly Madden, 11602 Greenbay, have requested to install irrigation and landscaping in the City’s right-of-way (ROW) along the south side of the 11600 block of Greenbay Ln. The residents will be responsible for the installation, operation, and maintenance of this work, ensuring ongoing upkeep with no responsibility to the City.

In recent years, City Council has approved similar agreements with residents and associations to allow community-driven improvements in the City’s ROW, including with the Homeowner Associations of the Warrenton and Whispering Oaks subdivisions to install and maintain landscaped areas at their respective entrances and with residents to install and maintain a “Little Free Library” on Taylorcrest.

Staff presented an encroachment agreement specific to this project that outlines the maintenance responsibilities and expectations for both the residents and City. There is no responsibility to the City. This agreement does not transfer nor abandon the City’s ROW.

The agreement has been reviewed by the City Attorney.

City Administrator Barrera stated the City will review the irrigation and landscape plans before installation.

Councilmember Moerer recommended including a provision requiring anyone performing this work to list the City as an additional insured, because installing the irrigation will involve underground boring.

A motion was made by Councilmember Moerer and seconded by Councilmember Brown to approve an encroachment agreement with Steve and Kelly Madden for the installation and maintenance of irrigation and landscaping in the City’s ROW along the south side of the 11600 block of Greenbay Ln. with the condition to include a provision requiring the City to be listed as an additional insured for the underground boring.

The motion carried 5-0

XVIII. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE CALENDAR OF EVENTS FOR 2025 – *Gerardo Barrera, City Administrator*

The City’s Calendar of Events is reviewed annually and adopted by City Council ahead of the next fiscal year. Establishing a Calendar of Events provides advanced notice to the public of Council meeting dates and special community events. By setting these dates in advance, the City promotes transparency and ensures residents have ample opportunity and notice to participate in local government and community events.

A motion was made by Councilmember Brown and seconded by Councilmember Schwartz to approve the 2025 Calendar of Events.

The motion carried 5-0

XIX. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, CASTING A VOTE FOR THE ELECTION OF A MEMBER OF THE BOARD OF DIRECTORS OF THE HARRIS CENTRAL APPRAISAL DISTRICT – *Gerardo Barrera, City Administrator*

Every two years, the Chief Appraiser of the Harris County Appraisal District (HCAD) requests a nomination for a director of the Board of Directors to represent the City Councils of cities other than Houston. Since 2021, the City has cast its vote for Mike Sullivan. Mr. Sullivan’s term expires on December 31, 2024, and is seeking re-election and requested the City of Bunker Hill Village’s vote of endorsement.

A motion was made by Councilmember Brown and seconded by Councilmember Thode to cast a ballot for Mike Sullivan for the HCAD Board of Directors nomination.

The motion carried 5-0

XX. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE FOLLOWING PAYMENT(S) THAT EXCEED \$50,000.00:

- A. City of Houston water bill dated September 20, 2024, in the amount of \$107,257.88 for August 2024 water purchase.
- B. City of Houston water bill dated October 22, 2024, in the amount of \$95,868.60 for September 2024 water purchase.
- C. Memorial Villages Water Authority, invoice no. 005-24-25 in the amount of \$58,292.34 for September 2024 wastewater treatment.
- D. Texas Municipal League Intergovernmental Risk Pool, contract no. 6259 in the amount of \$54,880.98 for insurance.

A motion was made by Councilmember Thode and seconded by Councilmember Brown to approve payments that exceed \$50,000.00.

The motion carried 5-0

XXI. 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 October 15, 2024, Regular City Council Meeting.
- B. Minutes of the November 11, 2024, Finance Audit Committee Meeting.
- C. October 2024 Financials.
- D. Check Register dated October 3, 2024, to November 12, 2024.
- E. Core & Main, invoice no. V116974 in the amount of \$7,300.00 for the installation of antenna poles for the AMI meter reading equipment for the water meter replacement project.
- F. The Goodman Corporation, invoice no. 7-2024-1 in the amount of \$310.00 for professional services rendered through July 2024 for the Memorial Dr. and Gessner Rd. reconstruction project grant application.
- G. Grantworks, invoice no. 01 in the amount of \$7,275.00 for ARPA administrative services rendered through October 2024.
- H. Grantworks, invoice no. 02 in the amount of \$7,760.00 for ARPA funds administrative services completed through October 2024.
- I. Harris-Galveston Subsidence District, fee no. 383688 in the amount of \$10,602.00 for the Water Conservation School Program sponsorship.
- J. Langford Engineering, invoice no. 28057 in the amount of \$5,500.00 for engineering services completed through September 2024 for the waterline rehab project on Mayerling Dr. and Tara Dr.
- K. Langford Engineering, invoice no. 28058 in the amount of \$2,783.38 for cleaning and televising completed on Bunker Hill Rd. through September 2024.
- L. Langford Engineering, invoice no. 28059 in the amount of \$382.18 for general engineering services rendered through September 2024 for the Bunker Hill Rd. project.
- M. Neil Technical Services, invoice no. 129707 in the amount of \$2,100.00 for power installation supporting gateway equipment (antennas) for the water meter replacement project.
- N. Probstfeld & Associates, invoice no. 70249 in the amount of \$705.00 for drainage plan review services completed in September 2024.
- O. Probstfeld & Associates, invoice no. 70347 in the amount of \$705.00 for drainage plan review services completed in September 2024.
- P. Probstfeld & Associates, invoice no. 70424 in the amount of \$355.00 for drainage plan review services completed in September 2024.
- Q. Probstfeld & Associates, invoice no. 70545 in the amount of \$175.00 for drainage plan review services completed in October 2024.
- R. Probstfeld & Associates, invoice no. 70546 in the amount of \$355.00 for drainage plan review services completed in October 2024.
- S. Probstfeld & Associates, invoice no. 70547 in the amount of \$355.00 for drainage plan review services completed in October 2024.
- T. Probstfeld & Associates, invoice no. 70548 in the amount of \$355.00 for drainage plan review services completed in October 2024.
- U. Probstfeld & Associates, invoice no. 70591 in the amount of \$530.00 for drainage plan review services completed in October 2024.

- V. Probstfeld & Associates, invoice no. 70592 in the amount of \$355.00 for drainage plan review services completed in October 2024.
- W. Probstfeld & Associates, invoice no. 70593 in the amount of \$355.00 for drainage plan review services completed in October 2024.
- X. Tetra Tech (formerly RPS), invoice no. 52320795 in the amount of \$1,073.57 for City Drainage Committee meetings in September 2024.
- Y. Tetra Tech (formerly RPS), invoice no. 52320798 in the amount of \$2,277.16 for drainage plan review services completed in September 2024.
- Z. Tetra Tech (formerly RPS), invoice no. 52320803 in the amount of \$1,077.65 for general on-call services completed in September 2024.
- AA. Grant Works Procurement Policy for Grant Management Services for American Rescue Plan Act (ARPA) Funds
- BB. Resolution No. 11-19-2024D, adopting a covered applications and prohibited technology policy as required by Texas Senate Bill 1893 of the 88th Legislature.

Mayor Lord addressed Council regarding Item D. Council asked to get the check register of the actual payments for comparison and asked if Council found it to be useful. The Mayor and Council agreed it is useful.

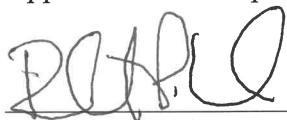
A motion was made by Councilmember Thode and seconded by Councilmember Schwartz to approve the Consent Agenda.

The motion carried 5-0

XXII. ADJOURN

Mayor Lord adjourned the meeting at 7:13 p.m.

Approved and accepted on January 21, 2025.



Robert P. Lord, Mayor

ATTEST:



Gerardo Barrera, City Administrator/Acting City Secretary