

**CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
April 23, 2019**

The City Council of the City of Hunters Creek Village, Texas held a regular meeting on Tuesday, April 23, 2019, at City Hall, #1 Hunters Creek Place, Hunters Creek Village, Texas.

Present:	Mayor:	Jim Pappas
	Councilmembers:	Stuart Marks Fidel Sapien Ken Spalding Chip Cowell Jay Carlton
	City Attorney:	John Hightower
	City Administrator:	Tom Fullen
	City Secretary:	Crystal R. Dozier
	City Engineer:	Steve Byington

With a quorum of the Council Members present, Mayor Jim Pappas called the meeting to order at 6:00 p.m. followed by the pledge of allegiance led by Mr. Ed Holland and invocation by Mayor Pappas.

PUBLIC COMMENTS

Linda Knox at 8407 Hunters Creek Drive spoke before the Council regarding extending the City Pavilion hours.

Treasurer: Tom Fullen, City Administrator, presented the financial report and gave a brief summary.

Police Commission: Follow-up on Previous Month Items/Requests from Commission-None reported. Personnel Changes/Issues/Updates-4 police applicants were tested 3/26/19. This was the first process that included the physical agility testing. All 4 passed the PT test. 1 failed the initial background screening. 3 are proceeding to a full background. 2 dispatcher applicants were interviewed, both are moving to full background reviews. Department wide meeting was held on 3/14/19. Dinner was provided by Piney Point Village. Personnel were provided information on new insurance plans and options, new department policies and procedures, and other topics to include discussion and suggestions for the development of the FY20 budget.

Major/Significant Events

- 3/2/19 the Memorial Area Ferrari Club had an impromptu gathering at the MVPD before beginning a morning car fun run. Over 40 vehicles gathered and soon, so did dozens of passerby's and residents.
- 3/9/19 Officers responded to the Bayou at the end of Farnham Park in reference to 4 people shooting a gun possibly on the Houston side. Officers were able to locate the subjects and recover the firearm. HPD responded and took custody of the suspects.

- 3/23/19 Officers were dispatched to Memorial Hermann Hospital in reference to a teenage patient suffering from a (possible knife) wound to the liver. Upon arrival it was determined that the injury occurred at a party on Windemere. The 18-year-old victim had been in an altercation at which time he was knocked to the ground where he fell on glass, lacerating his liver. It was found that the party was serving alcohol. The DA's office was contacted and requested copies of the report as they will determine if charges are warranted for any of the persons involved in the assault or the party host.

Status Update on any Major Projects-A Radio system circuit board malfunctioned requiring dispatch to work on walkie talkies as the console could not receive radio traffic. An emergency repair order was initiated. Loaner equipment was installed in order for the circuit board to be evaluated and a determination on reparability. Due to the fact that there are several boards in the system, it was decided to repair the board as a spare as the equipment is 14 years old. Total cost was \$5923.84 Charged to contingency fund account.

Councilman Marks reported Piney Point Village has passed the Virtual Gate Resolution at their meeting held Monday, April 22nd.

Fire Commission: Councilman Carlton presented the fire report and gave a brief summary. The Fire Commission has selected an architect and will have fully executed contract at the next meeting being held on Wednesday April 24th. Councilman Cowell reported his concerns regarding the VLinc send out by Chief David Foster of the Village Fire Department without the direction of the Fire Commission.

Building Official: James Stewart, City Building Official gave a brief summary of the building report.

City Engineer: Steve Byington, City Engineer reported on the following public work projects:

- a. Memorial/Voss Intersection Improvements

The intersection light turn on occurred on April 8th. Decommissioning of old signal infrastructure is ongoing and poles still need to be removed. Striping is postponed until after the Memorial Drive asphalt repairs occur. Illuminated street sign placement: The City Engineer is looking at alternate ways to hang the sign. They are getting a cost to mount on the signal pole. Non-peak timing is working great. However, they still may need to tweak timings during peak hour. They may look at offsetting to match Woodway. Flashing yellows will be added to Beinhorn this weekend.

- b. 2018 Outfall Rehabilitation – River Point (34) & River Circle (35)

Still waiting on Flood Control final inspection. Also have a minor dispute with the resident and contractor regarding cleanup. River Circle is 80% complete and on-going and it will be complete within two weeks. Currently total budget for both outfalls is \$430,000. Project is slightly under budget to date.

- c. Memorial Drive Asphalt Repairs

Awarded contract to Main Lane Industries on March 4th for base bid amount of \$215,712. Preconstruction meeting was held on March 14th. Notice to Proceed given for March 25th. Contractor is scheduled for Saturday only work as discussed in last council meeting. However, contractor has been rained out every Saturday. Contractor is not working this Saturday the 20th due to the Easter Holiday. The City Engineer anticipates contractor to start work on the 27th. They will evaluate the impact to traffic at that time.

d. 2019 Outfall Replacement-Outfalls #5 and #24

The City Engineer has an agenda item to proceed with engineering for the 2019 outfalls. One outfall is located at Lindenwood at Shasta where the drainage system exits the city into Houston. They will also lower the outfall, rebuild the cast in place structure and replace and lower the culvert crossing on Lindenwood. This will alleviate some ditch ponding and reduce likelihood of blockages inside the structure. This work was originally in the overall Lindenwood regrading project. The other outfall is located between 8443 and 8447 Hunters Creek Drive. This outfall shows significant signs of deterioration including extensive corrosion of the corrugated metal pipe. The intent of the reconstruction will be to rebuild and/or rehabilitate the outfalls utilizing the most effective method to minimize surface disruption and provide adequate drainage for the associated area and erosion protection meeting modern standards. HCFCD approval will be required and USACE permitting may be required.

e. Wickline Storm Sewer

A sanitary sewer leak was discovered recently on Wickline Drive. MVWA has an emergency project ongoing to repair. The sanitary sewer was draining through the storm sewer. More investigations will occur as part of the CCTV project to determine the extent of the defects. Repairs will need to occur this year as it is likely that there is potential for a sinkhole under the street.

f. Future Traffic Signal Projects

The City Engineer has reports from traffic signal contractors that poles may take up to a year to procure. Other entities including Harris County are buying their poles in advance of signal reconstruction projects. To do that the City Engineer would need to perform surveying and geometric design (about 50% of engineering) to determine layout and location enough to order poles in advance. They then could bid out poles only so that we do not have the delays that occurred on the Memorial/Voss project.

City Administrators Report: Tom Fullen, City Administrator reported S.B. 2, as it passed the Senate yesterday, applies the 3.5 percent rollback rate directly to taxing units that generate more than \$15 million in combined sales tax and property tax revenue. Entities below that threshold are considered “small taxing units” and remain subject to an 8 percent rollback rate. However, language was added in the committee substitute to S.B. 2 to require all small taxing units to hold an election in May 2020 to subject themselves to the 3.5 percent rollback rate.

So while on the surface it appears as though smaller taxing entities are exempt from the 3.5 percent rollback rate, the mandatory election in 2020 will likely make most smaller entities subject to the 3.5 percent along with the bigger taxing units.

This \$15 million benchmark and distinction between small taxing units and large taxing units is not present in the House version of the bill. Instead there is a somewhat complicated “revenue enrichment rate” formula that is designed to give smaller entities more flexibility than a rollback rate of 3.5 percent. H.B. 2 is scheduled to be on the floor next Wednesday (4/24) so we will see if the House adopts the Senate’s approach or keeps in some kind of alternate relief for smaller entities.

Mayor and Council Reports and Comments: Mayor Pappas reported the City will not be participating in the Village Independent Festival parade this year and the cities donation to the festival will be \$2,500.

CONSENT AGENDA

1. Approval of the Minutes of the Regular Meeting on March 26, 2019.
2. Approval of the Cash Disbursement Journal for March, 2019.
3. Approval of the 2018 Quarterly Investment Reports.

A motion was made by Councilman Cowell to approve Consent Agenda and Councilman Spalding seconded the motion. The vote to approve the motion was unanimous.

REGULAR AGENDA

1. Discussion and possible action to approve or object to CenterPoint Energy Houston Electric, LLC's Annual Franchise Fee Calculation.

A motion was made by Councilman Spalding to approve the CenterPoint Energy Houston Electric, LLC's Annual Franchise Fee Calculation and Councilman Marks seconded the motion. The vote to approve the motion was unanimous.

2. Discussion and possible action to approve a resolution of the City of Hunters Creek Village, Texas suspending the May 27, 2019 effective date of the proposal by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Houston Division to implement interim grip rate adjustments for gas utility investment in 2018 and requiring delivery of this resolution to the company and legal counsel.

A motion was made by Councilman Spalding to approve a resolution of the City of Hunters Creek Village, Texas suspending the May 27, 2019 effective date of the proposal by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Houston Division to implement interim grip rate adjustments for gas utility investment in 2018 and requiring delivery of this resolution to the company and legal counsel. Councilman Cowell seconded the motion. The vote to approve the motion was unanimous.

3. Discussion and possible action to approve a resolution of the City of Hunters Creek Village suspending the May 10, 2019 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; and requiring notice of this resolution to the company and legal counsel.

A motion was made by Councilman Spalding to approve a resolution of the City of Hunters Creek Village suspending the May 10, 2019 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; and requiring notice of this resolution to the company and legal counsel. Councilman Carlton seconded the motion. The vote to approve the motion was unanimous.

4. Discussion and possible action to assign an additional street address to the Houston Racquet Club for the Pro Shop for deliveries.

A motion was made by Councilman Spalding to assign an additional address of 10711 Memorial Drive to the Houston Racquet Club for the Pro Shop for deliveries and Councilman Marks seconded the motion. The vote to approve the motion was unanimous.

5. Discussion and possible action to approve an ordinance amending chapter 14, "Emergency Management," of the Code of Ordinances by adding a new section 14-13 establishing the duties and compensation of employees whose job duties are determined to be essential in a public emergency; and making other provisions related to the subject.

A motion was made by Councilman Spalding to approve an ordinance amending chapter 14, "Emergency Management," of the Code of Ordinances by adding a new section 14-13 establishing the duties and compensation of employees whose job duties are determined to be essential in a public emergency; and making other provisions related to the subject. Councilman Sapien seconded the motion. The vote to approve the motion was unanimous.

6. Discussion and possible action to authorize the Mayor to hire a paid summer intern.

A motion was made by Councilman Carlton to authorize the Mayor to hire a paid summer intern at a pay rate not to exceed \$10 per hour and Councilman Spalding seconded the motion. The vote to approve the motion was unanimous.

7. Discussion and possible action to amend the hours for the City Hall Pavilion.

A motion was made by Councilman Sapien to amend the hours for the City Hall Pavilion to Sunday – Wednesday from 9:00 a.m. to 6:00 p.m. and Thursday – Saturday from 9:00 a.m. to 9:00 p.m. Councilman Carlton seconded the motion. The vote to approve the motion was unanimous.

8. Discussion and possible action to consider options renewing the City's solid waste contract and recycling.

No action taken.

9. Discussion and possible action to approve Amendment No. 60 to the engineering contract with CobbFendley for Hunters Creek Drive Outfall No. 5 and Lindenwood Drive Outfall No. 24 Replacement in the amount of \$115,280.

A motion was made by Councilman Spalding to approve Amendment No. 60 to the engineering contract with CobbFendley for Hunters Creek Drive Outfall No. 5 and Lindenwood Drive Outfall No. 24 Replacement in the amount of \$115,280 and Councilman Sapien seconded the motion. The vote to approve the motion was unanimous.

10. Discussion and possible action to approve Amendment No. 61 to the engineering contract with CobbFendley for Intersection and Signalization Improvements at Beinhorn Road and Voss Road intersection in the amount of \$56,200.

A motion was made by Councilman Marks to approve Amendment No. 61 to the engineering contract with CobbFendley for Intersection and Signalization Improvements at Beinhorn Road and Voss Road intersection in the amount of \$56,200 and Councilman Spalding seconded the motion. The vote to approve the motion was unanimous.

11. **A motion was made by Councilman Spalding with a second by Councilman Sapien to adjourn the meeting. The vote to approve the motion was unanimous.**
12. **The meeting was adjourned at 7:41 p.m.**

These minutes were approved on the 28th day of May, 2019.

_____/s/_____
Jim Pappas, Mayor

ATTEST:

_____/s/_____
Crystal R. Dozier, TRMC
City Secretary