

MAYOR
Jim Pappas

CITY OF HUNTERS CREEK VILLAGE

CITY COUNCIL
Stuart Marks
Fidel Sapien
Chip Cowell
Jay Carlton



CITY ADMINISTRATOR
Tom Fullen, MPA, CPM

Notice is hereby given of a regular meeting of the City Council of Hunters Creek Village, Texas, to be held on **Tuesday, January 25, 2022 at 6:00 p.m.** in the City Hall at #1 Hunters Creek Place, for the purpose of considering the following agenda items.

Anyone wishing to address the city council during the meeting must notify the City Administrator, Tom Fullen, before the meeting begins by: 1) filling out a speaker request form at the meeting; 2) emailing him at tfullen@cityofhunterscreek.com; or 3) calling him at 713-465-2150.

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- A. Call to order and the roll of elected and appointed officers will be taken.
- B. Pledge of Allegiance.
- C. **PUBLIC COMMENTS** *At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, if a member of the public comments or inquires about a subject that is not specifically identified on the agenda, a member of council or a staff member may only respond by giving a statement of specific factual information or by reciting existing policy. The City Council may not deliberate or vote on the matter.*
- D. **REPORTS**
1. City Treasurer Monthly Report **Pgs. 1-5**
 2. Police Commissioner Monthly Report **Pgs. 6-32**
 3. Fire Commissioner Monthly Report **Pgs. 33-34**
 4. Building Official Monthly Report **Pgs. 35-48**
 5. City Engineer Monthly Report **Pg. 49**
 6. City Administrator Report
 7. Mayor and Council Reports and Comments
- E. **CONSENT AGENDA** *The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Councilmember requests, in which event, the item will be removed from the general order of business and considered in its normal sequence on the agenda.*
1. Approval of the Minutes of the Regular Meeting on December 7, 2021. **Pgs. 50-53**
 2. Approval of the Cash Disbursement Journal for December 2021. **Pgs. 54-56**

F. REGULAR AGENDA

1. Discussion and possible action to approve Anita Broderick James as an associate municipal court prosecutor. Pgs. 57-59
2. Discussion and possible action to approve an amendment to the Interlocal Agreement for Fire and Emergency Services between the cities of Bunker Hill Village, Texas, Hilshire Village, Texas, Hedwig Village, Texas, Hunters Creek Village, Texas, Piney Point Village, Texas and Spring Valley Village, Texas and the Village Fire Department dated October 2019 as part of the process of allowing the City of Bunker Hill Village to rejoin the Department as a full member. Pgs. 60-70
3. Public hearing, discussion and possible action to adopt an ordinance amending Chapter 10, Building Regulations, of the Code of Ordinances by adopting the 2021 editions of the following International codes, as published by the International Code Council: Fire, Building, Residential, Property Maintenance, Plumbing, Energy Conservation, Mechanical, Fuel Gas, Existing Building, Swimming Pool and Spa; adopting the 2020 edition of the National Electrical Code, as published by the National Fire Protection Association; adopting local amendments to the adopted codes; amending the city's flood prevention regulations; providing a penalty not to exceed \$2,000 per day per occurrence; providing an effective date; and making other provisions related to the subject. Pgs. 71-131
4. Discussion and possible action to approve an Ordinance of the City of Hunters Creek Village, Texas, providing for the holding of a General Election on May 7, 2022, for the purpose of electing three (3) Council Members (Position Nos. 1, 2, and 3); and providing details relating to the holding of the election. Pgs. 132-136
5. Discussion and possible action to abandon a drainage easement on the rear of the property at 601 Wellesley Drive. Pgs. 137-138
6. Discussion and possible action to approve Amendment No. 70 to the engineering contract with Cobb Fendley in the amount of \$55,250.00 for Engineering Services associated with the Kuhlman Road Reconstruction Project. Pgs. 139-147

G. EXECUTIVE SESSION It is anticipated that all, or a portion of the discussion of the following items, if any, will be conducted in closed executive session under authority of the Texas Open Meetings Act. However, no action will be taken on these items until the City Council reconvenes in open session.

H. RECONVENE into Open Session and consider action, if any, on items discussed in Executive Session.

**City of Hunters Creek Village
Monthly Tax Office Report
December 31, 2021**

Prepared by: Tiffany D. Morawiec, Tax Assessor/Collector

A. Current Taxable Value \$ 3,039,596,852

B. Summary Status of Tax Levy and Current Receivable Balance:

	Current 2021 Tax Year	Delinquent 2020 & Prior Tax Years	Total
Original Levy 0.194082	\$ 5,727,601.35	\$ 5,298,670.29	\$ 11,026,271.64
Carryover Balance	-	171,651.01	171,651.01
Adjustments	171,709.00	585,702.69	757,411.69
Adjusted Levy	5,899,310.35	6,056,023.99	11,955,334.34
Less Collections Y-T-D	2,675,402.50	5,911,997.51	8,587,400.01
Receivable Balance	<u>\$ 3,223,907.85</u>	<u>\$ 144,026.48</u>	<u>\$ 3,367,934.33</u>

C. COLLECTION RECAP:

Current Month:	Current 2021 Tax Year	Delinquent 2020 & Prior Tax Years	Total
Base Tax	\$ 1,949,297.64	\$ (991.60)	\$ 1,948,306.04
Penalty & Interest	-	36.61	36.61
Attorney Fees	-	0.03	0.03
Other Fees	256.23	-	256.23
Total Collections	<u>\$ 1,949,553.87</u>	<u>\$ (954.96)</u>	<u>\$ 1,948,598.91</u>

Year-To-Date:	Current 2021 Tax Year	Delinquent 2020 & Prior Tax Years	Total
Base Tax:	\$ 2,675,402.50	\$ 5,911,997.51	\$ 8,587,400.01
Penalty & Interest	-	30,899.18	30,899.18
Attorney Fees	-	7,172.41	7,172.41
Other Fees	1,747.74	2,551.01	4,298.75
Total Collections	<u>\$ 2,677,150.24</u>	<u>\$ 5,952,620.11</u>	<u>\$ 8,629,770.35</u>

Percent of Adjusted Levy	<u>45.38%</u>	<u>146.28%</u>
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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 100 - GENERAL GOVERNMENT (01)							
Revenue							
100-00-41000	CURRENT AD VALOREM TAXES	5,869,080.00	5,869,080.00	-1,065.85	5,865,345.11	-3,734.89	0.06 %
100-00-41005	PREVIOUS AD VALOREM TAXES	15,000.00	15,000.00	10,616.78	46,655.22	31,655.22	311.03 %
100-00-41010	FRANCHISE TAXES	370,000.00	370,000.00	20,383.68	386,621.16	16,621.16	104.49 %
100-00-41015	SALES TAXES	450,000.00	450,000.00	54,746.75	661,611.83	211,611.83	147.02 %
100-00-41020	MIXED DRINK TAX	20,000.00	20,000.00	2,808.84	24,965.27	4,965.27	124.83 %
100-00-41040	PENALTIES/INTEREST	15,000.00	15,000.00	2,010.20	34,897.66	19,897.66	232.65 %
100-00-42035	BUILDING PERMITS	225,000.00	225,000.00	66,501.00	432,848.08	207,848.08	192.38 %
100-00-42044	CREDIT CARD PROCESSING FEE	2,000.00	2,000.00	400.16	3,809.78	1,809.78	190.49 %
100-00-43057	CHILD SAFETY FEES	4,000.00	4,000.00	404.53	5,431.47	1,431.47	135.79 %
100-00-43070	METRO RECEIPTS	225,000.00	225,000.00	27,373.38	330,805.95	105,805.95	147.02 %
100-00-44025	TRAFFIC FINES	100,000.00	100,000.00	12,767.13	118,361.14	18,361.14	118.36 %
100-00-44027	COURT TECHNOLOGY FUND	3,500.00	3,500.00	245.06	2,165.13	-1,334.87	38.14 %
100-00-44028	COURT SECURITY FUND	2,500.00	2,500.00	304.97	2,436.78	-63.22	2.53 %
100-00-46030	INTEREST INCOME	60,000.00	60,000.00	0.00	8,983.34	-51,016.66	85.03 %
100-00-48040	BURGLAR ALARM PERMITS	0.00	0.00	0.00	-30.00	-30.00	0.00 %
100-00-48045	SUBD ST. LIGHTS	35,000.00	35,000.00	0.00	33,002.51	-1,997.49	5.71 %
100-00-48055	OTHER INCOME	10,000.00	10,000.00	101.19	8,431.22	-1,568.78	15.69 %
100-00-48056	Ice Storm Insurance Payment	0.00	0.00	0.00	29,764.80	29,764.80	0.00 %
100-00-48065	AMERICAN RESCUE PLAN ACT	0.00	0.00	0.00	603,234.89	603,234.89	0.00 %
	Revenue Total:	7,406,080.00	7,406,080.00	197,597.82	8,599,341.34	1,193,261.34	16.11 %
Expense							
100-01-71000	SALARIES & WAGES	622,180.00	622,180.00	69,076.93	561,274.78	60,905.22	9.79 %
100-01-71001	LONGEVITY	5,952.00	5,952.00	0.00	0.00	5,952.00	100.00 %
100-01-71025	TMRS	118,525.00	118,525.00	13,278.23	108,351.72	10,173.28	8.58 %
100-01-71030	PAYROLL TAXES	49,612.00	49,612.00	3,982.47	42,110.58	7,501.42	15.12 %
100-01-71105	INSURANCE BENEFITS	126,787.00	126,787.00	8,654.38	100,725.29	26,061.71	20.56 %
100-01-71107	HRA	4,000.00	4,000.00	0.00	1,000.00	3,000.00	75.00 %
100-01-72045	NOTICES & MAILING	15,000.00	15,000.00	523.62	7,666.03	7,333.97	48.89 %
100-01-72055	OFFICE SUPPLIES & PRINTING	8,500.00	8,500.00	423.70	8,012.96	487.04	5.73 %
100-01-72060	TELEPHONE	16,500.00	16,500.00	2,316.94	16,507.68	-7.68	-0.05 %
100-01-72061	TRAVEL & TRAINING	10,000.00	10,000.00	674.83	10,339.86	-339.86	-3.40 %
100-01-72062	TUITION REIMBURSEMENT	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
100-01-72063	CERTIFICATION/LICENSE/EDUCATION	10,200.00	10,200.00	625.00	7,716.00	2,484.00	24.35 %
100-01-72065	MACHINE RENTAL MAINTENANCE	1,800.00	1,800.00	246.21	738.63	1,061.37	58.97 %
100-01-72090	MEMBERSHIPS & SUBSCRIPTIONS	3,500.00	3,500.00	170.00	2,774.37	725.63	20.73 %
100-01-72108	GEN LIABILITY/PROP/WC INS	21,850.00	21,850.00	284.00	17,945.88	3,904.12	17.87 %
100-01-72109	SURETY BONDS	250.00	250.00	0.00	0.00	250.00	100.00 %
100-01-72110	ELECTIONS	3,500.00	3,500.00	0.00	0.00	3,500.00	100.00 %
100-01-72111	RECORDS MANAGEMENT	500.00	500.00	0.00	0.00	500.00	100.00 %
100-01-72112	CODIFICATIONS	2,500.00	2,500.00	250.00	1,863.00	637.00	25.48 %
100-01-75040	OFFICE EQUIPMENT	5,000.00	5,000.00	0.00	2,153.23	2,846.77	56.94 %
100-01-76010	COMPUTER SOFTWARE SERVICES	14,000.00	14,000.00	0.00	11,301.63	2,698.37	19.27 %
100-01-78056	BANK FEES	1,200.00	1,200.00	0.00	650.65	549.35	45.78 %
100-01-78115	PUBLIC RELATIONS	23,000.00	23,000.00	3,789.39	10,553.41	12,446.59	54.12 %
100-02-72042	CONSULTING SERVICES	20,000.00	20,000.00	1,133.48	14,471.87	5,528.13	27.64 %
100-02-72085	TAX COLLECTOR/ASSESSOR	47,500.00	47,500.00	10,772.00	61,955.00	-14,455.00	-30.43 %
100-02-72120	AUDITOR	17,500.00	17,500.00	0.00	16,513.00	987.00	5.64 %
100-02-72300	LITIGATION	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
100-02-72310	CITY ATTORNEY	75,000.00	75,000.00	7,535.00	44,003.00	30,997.00	41.33 %
100-02-72502	CITY ENGINEER	75,000.00	75,000.00	9,485.00	51,988.37	23,011.63	30.68 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
100-02-78504	TCEQ PHIII STORMWATER PERMIT	7,500.00	7,500.00	0.00	2,414.51	5,085.49	67.81 %
100-03-72001	VILLAGE FIRE DEPARTMENT	1,548,892.00	1,548,892.00	64,537.18	1,548,892.33	-0.33	0.00 %
100-03-72005	MEMORIAL VILLAGES POLICE DEPT.	2,036,481.00	2,036,481.00	0.00	1,941,270.00	95,211.00	4.68 %
100-04-72015	GARBAGE SERVICE	525,790.00	525,790.00	85,538.84	513,233.04	12,556.96	2.39 %
100-04-72021	STREET LIGHTS-CITY	60,000.00	60,000.00	6,993.27	33,244.78	26,755.22	44.59 %
100-04-72057	OFFICE SUPP/PRINTING - PW	2,000.00	2,000.00	0.00	612.17	1,387.83	69.39 %
100-04-72062	TRAVEL/TRAINING - PW	8,500.00	8,500.00	83.00	1,796.91	6,703.09	78.86 %
100-04-72070	MOSQUITO FOGGING CONTRACT	12,500.00	12,500.00	4,400.00	14,850.00	-2,350.00	-18.80 %
100-04-72091	MEMBERSHIPS/SUBS PW	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
100-04-72205	UNIFORMS-PW	3,500.00	3,500.00	473.31	2,499.23	1,000.77	28.59 %
100-04-72500	PW-BUILDING INSPECTIONS	60,000.00	60,000.00	9,080.00	47,562.57	12,437.43	20.73 %
100-04-72520	TRUCK MAINTENANCE	15,000.00	15,000.00	2,444.60	12,072.25	2,927.75	19.52 %
100-04-72530	TRAFFIC LIGHT MAINTENANCE	3,500.00	3,500.00	2,544.50	2,544.50	955.50	27.30 %
100-04-72540	MOWING CONTRACT	60,000.00	60,000.00	7,256.00	60,443.00	-443.00	-0.74 %
100-04-72541	CONTRACT LABOR	35,000.00	35,000.00	3,675.00	24,998.75	10,001.25	28.58 %
100-04-72560	LANDSCAPING	30,000.00	30,000.00	3,700.78	17,627.49	12,372.51	41.24 %
100-04-75510	RENTAL/PURCHASE EQUIPMENT	15,000.00	15,000.00	0.00	3,512.84	11,487.16	76.58 %
100-04-75550	TRAFFIC SIGNS	3,000.00	3,000.00	0.00	539.63	2,460.37	82.01 %
100-04-76500	STREET & DRAINAGE MAINTENANCE	100,000.00	100,000.00	19,506.00	93,403.22	6,596.78	6.60 %
100-04-78050	BUILDING MAINTENANCE	30,000.00	30,000.00	884.57	26,645.61	3,354.39	11.18 %
100-04-78051	JANITORIAL SERVICE BLDG MAINTEN...	9,500.00	9,500.00	1,631.51	10,385.97	-885.97	-9.33 %
100-04-78063	STORM DISASTER FUND	300,000.00	300,000.00	0.00	0.00	300,000.00	100.00 %
100-04-78064	Ice Storm Expenses 2021	0.00	0.00	0.00	27,132.08	-27,132.08	0.00 %
100-04-78540	URBAN FORESTER	15,000.00	15,000.00	2,135.00	11,525.00	3,475.00	23.17 %
100-04-78544	CREDIT CARD PROCESSING FEES	3,000.00	3,000.00	0.00	3,326.20	-326.20	-10.87 %
100-05-73000	JUDGES & PROSECUTORS	45,000.00	45,000.00	7,122.50	38,223.75	6,776.25	15.06 %
100-05-73020	JURY DUTY FEES	300.00	300.00	0.00	0.00	300.00	100.00 %
100-05-73025	WARRANTS ISSUED	500.00	500.00	0.00	600.43	-100.43	-20.09 %
100-05-73030	COURT SUPPLIES & PRINTING	2,500.00	2,500.00	118.45	783.48	1,716.52	68.66 %
100-05-73031	COURT TECHNOLOGY	1,500.00	1,500.00	0.00	712.47	787.53	52.50 %
100-05-73032	COURT SECURITY	1,800.00	1,800.00	0.00	1,341.90	458.10	25.45 %
100-05-73034	COURT MEMBERSHIPS & SUBSCRIPTI...	500.00	500.00	0.00	0.00	500.00	100.00 %
100-05-73035	COURT-TRAVEL & TRAINING	1,500.00	1,500.00	0.00	350.00	1,150.00	76.67 %
100-05-73044	CREDIT CARD FEES	3,000.00	3,000.00	0.00	145.37	2,854.63	95.15 %
100-05-73045	COURT TAX PD TO STATE	70,000.00	70,000.00	18,592.33	44,186.72	25,813.28	36.88 %
100-06-75041	COMPUTER EQUIP. & SOFTWARE	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
100-06-75065	FURNITURE & EQUIPMENT	15,000.00	15,000.00	0.00	12,594.00	2,406.00	16.04 %
100-06-78064	CAPITAL RESERVE	200,000.00	200,000.00	0.00	10,172.78	189,827.22	94.91 %
	Expense Total:	6,561,119.00	6,561,119.00	373,938.02	5,610,259.92	950,859.08	14.49 %
	Fund: 100 - GENERAL GOVERNMENT (01) Surplus (Deficit):	844,961.00	844,961.00	-176,340.20	2,989,081.42	2,144,120.42	-253.75 %
	Fund: 200 - CAPITAL IMPROVEMENTS (02)						
	Expense						
200-01-75038	STREET AND MAINTANANCE - RECUR...	850,000.00	1,109,839.41	972.65	477,904.90	631,934.51	56.94 %
200-01-75050	REFORESTATION	20,000.00	35,055.00	4,800.00	33,070.00	1,985.00	5.66 %
200-01-75053	OUTFALL REPAIRS	0.00	57,836.20	1,165.20	51,026.86	6,809.34	11.77 %
200-01-75056	TRAFFIC LIGHT MAST ARMS	330,000.00	585,893.44	10,741.00	169,375.46	416,517.98	71.09 %
200-01-75059	CCTV	0.00	12,529.02	0.00	1,000.00	11,529.02	92.02 %
200-01-75064	STREET REPLACEMENT-BEINHORN W...	2,100,000.00	2,100,000.00	58,606.98	530,090.46	1,569,909.54	74.76 %
200-01-75065	PLAYGROUND AMENITIES	12,500.00	12,500.00	0.00	12,500.00	0.00	0.00 %
	Expense Total:	3,312,500.00	3,913,653.07	76,285.83	1,274,967.68	2,638,685.39	67.42 %
	Fund: 200 - CAPITAL IMPROVEMENTS (02) Total:	3,312,500.00	3,913,653.07	76,285.83	1,274,967.68	2,638,685.39	67.42 %
	Report Surplus (Deficit):	-2,467,539.00	-3,068,692.07	-252,626.03	1,714,113.74	4,782,805.81	155.86 %

Group Summary

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 100 - GENERAL GOVERNMENT (01)						
Revenue	7,406,080.00	7,406,080.00	197,597.82	8,599,341.34	1,193,261.34	16.11 %
Expense	6,561,119.00	6,561,119.00	373,938.02	5,610,259.92	950,859.08	14.49 %
Fund: 100 - GENERAL GOVERNMENT (01) Surplus (Deficit):	844,961.00	844,961.00	-176,340.20	2,989,081.42	2,144,120.42	-253.75 %
Fund: 200 - CAPITAL IMPROVEMENTS (02)						
Expense	3,312,500.00	3,913,653.07	76,285.83	1,274,967.68	2,638,685.39	67.42 %
Fund: 200 - CAPITAL IMPROVEMENTS (02) Total:	3,312,500.00	3,913,653.07	76,285.83	1,274,967.68	2,638,685.39	67.42 %
Report Surplus (Deficit):	-2,467,539.00	-3,068,692.07	-252,626.03	1,714,113.74	4,782,805.81	155.86 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
100 - GENERAL GOVERNMENT (01)	844,961.00	844,961.00	-176,340.20	2,989,081.42	2,144,120.42
200 - CAPITAL IMPROVEMENTS (02)	-3,312,500.00	-3,913,653.07	-76,285.83	-1,274,967.68	2,638,685.39
Report Surplus (Deficit):	-2,467,539.00	-3,068,692.07	-252,626.03	1,714,113.74	4,782,805.81

2021 Municipal Court Recap

Month	Year 2019				Year 2020				Year 2021						
	Total Cases Filed	Citations vs Warnings	Revenues*	Retained by City	Remitted to State	Total Cases Filed	Citations vs Warnings	Revenues*	Retained by City	Remitted to State	Total Cases Filed	Citations vs Warnings	Revenues*	Retained by City	Remitted to State
Jan.	330	129C/201W	\$18,026	\$11,473	\$6,553	255	105C/150W	\$12,104	\$7,689	\$4,415	19	8C/11W	\$7,098	\$4,746	\$2,352
Feb.	258	90C/168W	\$14,856	\$9,823	\$5,033	264	116C/148W	\$14,774	\$9,785	\$4,989	24	4C/18W	\$3,424	\$2,226	\$1,198
March	272	122C/150W	\$22,911	\$16,008	\$6,903	38	18C/20W	\$11,245	\$7,858	\$3,387	28	15C/13W	\$11,892	\$8,005	\$3,886
April	266	113C/153W	\$15,747	\$10,757	\$4,990	4	4C/0W	\$6,487	\$4,903	\$1,583	69	23C/46W	\$13,471	\$9,541	\$3,930
May	298	144C/154W	\$17,311	\$11,650	\$5,661	40	21C/19W	\$10,157	\$7,871	\$2,286	99	42C/57W	\$8,686	\$6,410	\$2,276
June	270	148C/122W	\$20,249	\$13,885	\$6,364	33	19C/14W	\$5,720	\$4,219	\$1,501	83	45C/38W	\$8,840	\$6,106	\$2,734
July	193	109C/84W	\$21,863	\$13,900	\$7,963	11	8C/3W	\$4,710	\$3,420	\$1,290	55	26C/28W	\$6,939	\$4,350	\$2,589
Aug.	277	122C/156W	\$18,752	\$12,154	\$6,598	12	8C/4W	\$4,790	\$3,644	\$1,145	76	41C/36W	\$12,216	\$8,633	\$3,583
Sept.	247	111C/136W	\$17,869	\$12,627	\$5,242	28	18C/10W	\$3,597	\$2,715	\$882	165	101C/64W	\$9,542	\$3,655	\$2,887
October	211	97C/114W	\$17,680	\$11,762	\$5,918	59	33C/26W	\$3,677	\$2,787	\$890	168	97C/71W	\$19,129	\$12,046	\$7,083
Nov.	239	104C/135W	\$15,556	\$10,226	\$5,330	79	56C/23W	\$3,072	\$2,154	\$918	169	66C/103W	\$15,724	\$9,541	\$6,183
Dec.	180	71C/109W	\$20,823	\$14,825	\$5,998	64	34C/30W	\$3,351	\$2,438	\$975	124	54C/70W	\$13,710	\$8,496	\$5,214
TOTAL	3041	1360C/1568	\$221,643	\$149,089	\$72,554	887	440C/447W	\$83,682	\$59,484	\$24,261	1079	522C/485W	\$130,670	\$83,755	\$43,916

Monthly Avg	253.42	107C/121W	\$18,470.27	\$12,424.08	\$6,046.20	73.917	37C/37W	\$6,973.50	\$4,956.98	\$2,021.74	89.9	44C/40W	\$10,889.17	\$6,979.55	\$3,659.63
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*REVENUES INCLUDES BONDS THAT HAVE BEEN APPLIED



Memorial Villages Police Department
11981 Memorial Drive
Houston, Texas 77024
Tel. (713) 365-3701

Raymond Schultz
Chief of Police

December 13, 2021

TO: MVPD Police Commissioners

FROM: R. Schultz, Chief of Police

REF: November Monthly Report

During the month of November MVPD responded/handled a total of 5,957 calls/incidents. 4,691 House watch checks were conducted. 464 traffic stops were initiated with 469 citations being issued for 511 violations. (Note: 10 Assists in Hedwig, 97 in Houston, 1 in Spring Valley and 0 in Hillshire)

Calls/Events by Village were:

Village	Calls/YTD	House Watches/YTD	Accidents	Citations	Response Time
Bunker Hill:	1791/27,493	1463/23,672	3	52/91/143	4@4:34
Piney Point:	1653/22,072	1317/18,271	4	47/110/157	4@5:35
Hunters Creek:	2379/33,066	1908/28,129	7	66/103/169	<u>11@4:52</u>
				Cites/Warn/Total	19@4:58

Type and frequency of calls for service/citations include:

Call Type	#	Call Type	#	Citations	#
False Alarms:	137	Ord. Violations:	17	Speeding:	130
Accidents:	14	Information:	29	Exp. Registration:	122
ALPR Hits:	60	Suspicious Situations	98	No Ins:	73
Assist Fire:	39	Loud Party	15	No License	84
Assist EMS:	34	Welfare Checks:	17	Stop Sign	51

*This month the department generated a total of 70 police reports.
 BH-18, PP-22, HC-23, HOU - 7*

Crimes Against of Persons (4)

Assault – Family Violence	2
Assault – Simple	2

Crimes Against Property (14)

Burglary of a Motor Vehicle	4	Theft	3
Burglary of a Building	2	Fraud/ID	5

Petty/Quality of Life Crimes/Events (52)

ALPR Hits (valid)	7	Information Reports	12
Misc. Reports	14	Possession of CS	5
Public Intoxication	1	Warrants	13

Arrest Summary: Individuals Arrested (21)

Warrants	13	Felony	4
Class 3 Arrests	4		

Budget YTD:	Expense	Budget	%
• Personnel Expense:	4,349,728	5,040,063	86.5%
• Operating Expense:	781,546	899,881	86.8%
• Total M&O Expenditures:	5,131,274	5,939,944	86.4%
• Capital Expenses:	169,842	169,500	100.2%
• Net Expenses:	5,301,116	6,109,444	87%

Follow-up on Previous Month Items/Requests from Commission

- Conducted conference call with executive team from Gallagher in reference to compensation study on rescoping the project and on revised pricing.
- The RFP for the employee healthcare insurance and benefits has been initiated. .

Personnel Changes/Issues/Updates

- TCO Allison Tillmon started 11/27/21.
- Officer Ortega released from FTO training and is a solo unit. Officer Kukowski is in his final phase of training on nightshift.
- Patrol Units conducted their annual assignment selection bid.
- Winter Intern, Noah Boggus started his internship on 11/29/21 and has started production on the recruiting videos for both uniform and dispatch openings.

Major/Significant Events

- 11/14/21 Officers assisted with an assault call involving a firearm on Voss at Woodway. Due to numerous residents frequenting the area and no HPD units close by, MVPD responded and took both parties into custody. A loaded firearm was recovered. HPD did arrive and took over the investigation.
- 11/24/21 Officers located a stolen vehicle after receiving an ALPR alert. The suspect ran on-foot, but Officer Kukowki was quickly in foot pursuit behind him and was able to successfully capture the serial criminal.
- 11/29/21 Detectives were able to utilize the MVPD ALPR system to locate a burglar who had entered the Catholic Retreat Center in Bunker Hill and committed a burglary. Detectives used a poor-quality surveillance photo to use and search hundreds of ALPR captures. After the vehicles were reduced to a manageable number, they began cross-searching with other agencies ALPR's and located our suspect vehicle and a license plate. The suspect was then positively identified based on his license photo and an interior surveillance phot from the crime scene.
- 11/30/21 Officers stopped and prevented an attempted robbery of a resident. The potential victim believed that he was being followed from an area bank after making a withdraw and called the MVPD dispatch center. MVPD personnel quickly gathered the information and dispatched officers who were able to intercept the suspects. The suspects were identified as gang members and admitted that they were planning on robbing the victim.

Status Update on any Major Projects

- MVPD uniformed personnel are posting a picture on Facebook each evening of a MVPD marked unit parked out front of an area home that is displaying Holiday decorations. The MVPD account daily number of hits has increased by 3 times.

V-LINC new registrations in November: +17

BH – 1423(+4)

PP – 1013 (+6)

HC – 1462 (+3)

Out of Area – 485 (+4)

November VFD Assists

Calls received directly by MVPD via 911/3700

Priority Events Average Response Times

Total – 11	4:41
Fire – 1	6:16 (*Gas Leak)
EMS – 10	4:31

By Village

BH Fire – 1	6:16
BH EMS – 2	3:27
PP Fire – 0	0
PP EMS – 3	5:17
HC Fire -0	0
HC EMS -5	4:36

Combined VFD Events (Priority + Radio)

Total – 43	3:52
Fire – 25	3:28
EMS – 18	4:20

Radio Call Events

Total – 32	3:34
Fire- 24	3:20
EMS- 8	4:06

Radio Call Events by Village

BH – 4	3:14
PP – 16	4:17
HC – 12	3:01

2021 Burglary Map

Address	Alarm	POE
302 Chapel Bell	No	Vacant (none)
10611 Tarleton	No	Side Door
11634 Blalock Ln	No	Ruse
618 Piney Point Rd	No	Ruse
11310 Smithdale	No	Veh in Carport
11612 Memorial	No	Open Door
11612 Memorial	No	Key in Door
8429 Katy Fwy	No	Smash Door
10903 Wickwild	Yes	Open Garage
11612 Memorial	No	Gated Space
430 Bunker Hill	No	Open Door

2021 Robberies

Address	MO
11702 Greenbay	Walker



Daytime Burglary



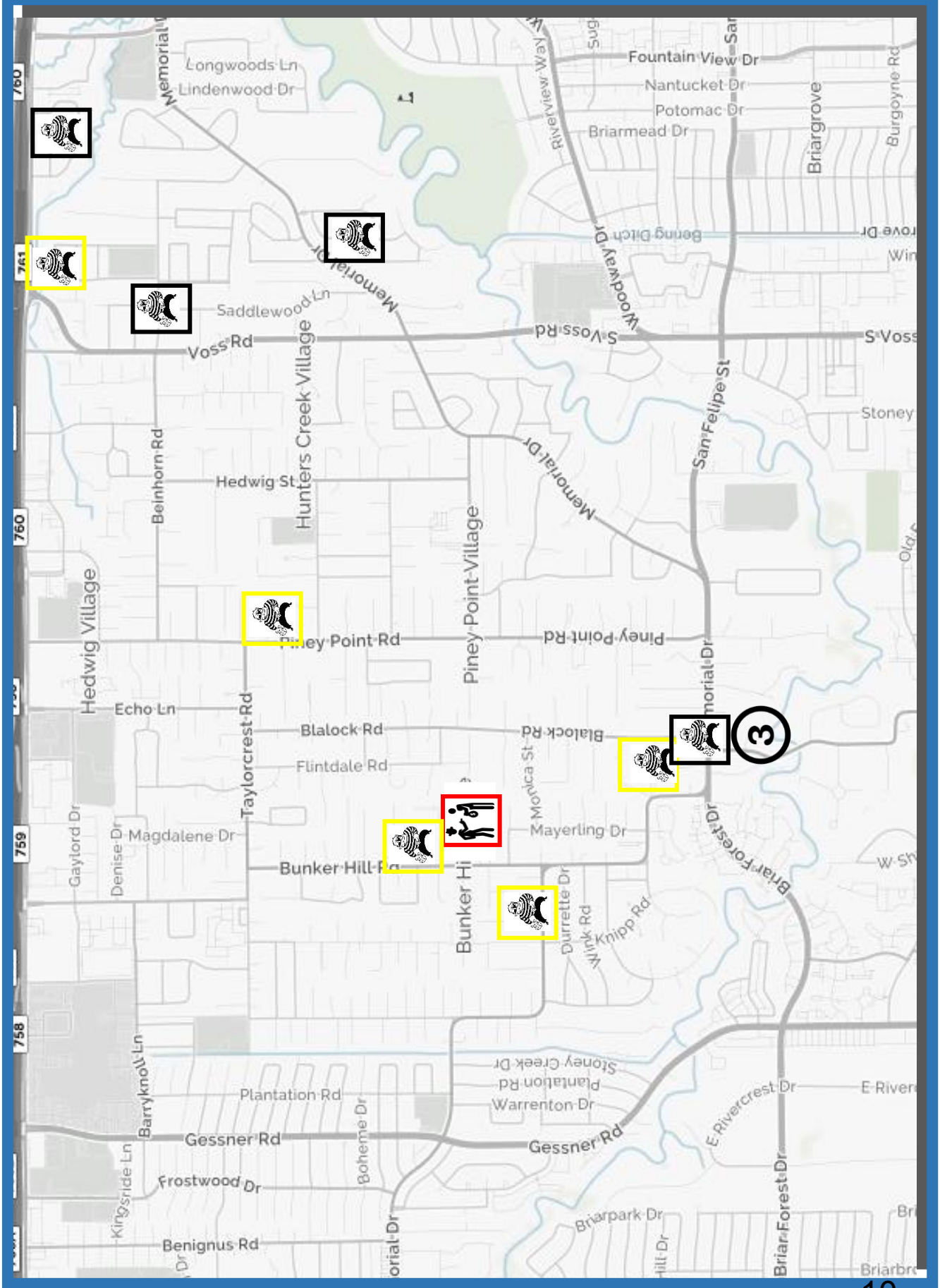
Nighttime Burglary



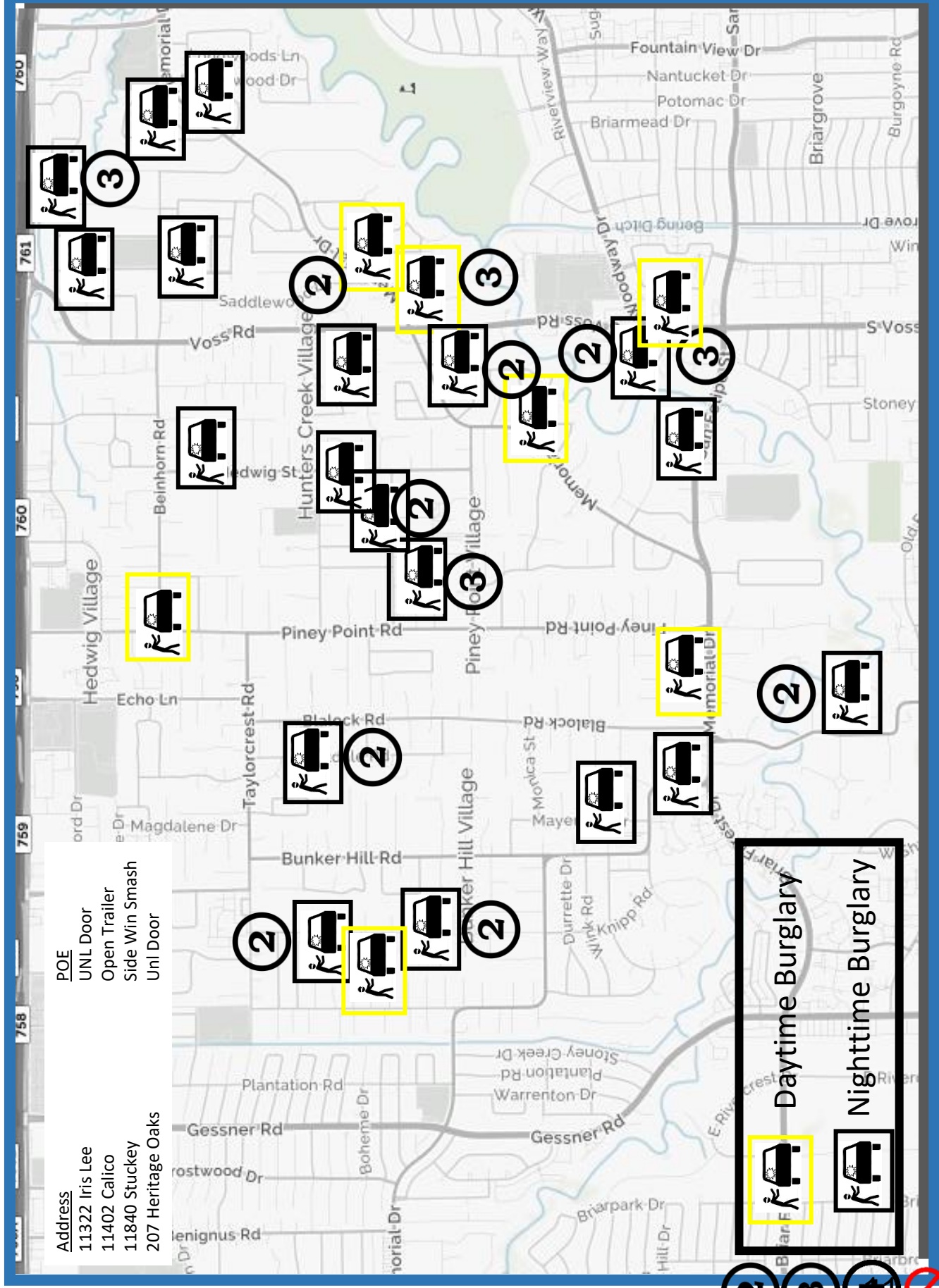
Robbery



11/30/21



2021 Auto Burglary Map



Address	POE
10709 Memorial (jugging)	Side Win Smash
335 Knipp	UNL Door
11931 Broken Bough	UNL Door
348 Knipp	UNL Door
512 Knipp	UNL Door
8435 Katy Fwy	Side Win Smash
11322 Surrey Oaks	UNL Door
505 Ripplecreek	Truck Bed
7627 River Point	UNL Door
11734 Flintwood	UNL Door
7630 River Point	UNL Door
907 Tarrington	UNL Door
10610 N Evers Park	UNL Door
11107 Wickway	UNL Door
243 Hedwig	UNL Door
3 Stayton Cir	UNL Door
3 Claymore	UNL Door
302 Lindenwood	UNL Door
323 Hunters Trail	UNL Door
6 Woodsege	Truck Bed
10821 Longshadow	UNL Door
11116 Riverglyn	UNL Door
10709 Memorial	UNL Door
PP City Hall	Side Win Smash
11701 Forest Glen	UNL Door
733 Creekside	UNL Door
218 Bylane	UNL Door
30 Windemere	UNL Door
8525 Katy Fwy	UNL Door
10700 Memorial	Side Win Smashed
11715 Timberknoll	UNL Door
8525 Katy Fwy	UNL Door
335 Piney Point	UNL Door
3 Saddlecreek	UNL Door
1108 Riverbend	UNL Door
339 Hunters Trail	Side Win Smash
380 Piney Point	UNL Door
1 Windemere	UNL Door

2021 Total Incidents

2021	Crimes Against Persons	Crimes Against Property	Quality of Life Incidents	Total	Arrests	Incidents	House Checks	YTD BH INC	YTD BH HC	YTD PP INC	YTD PP HC	YTD HC INC	YTD HC HC
January	2	28	47	77	5	4008	3019	1377	1077	1153	876	1377	1062
February	1	26	37	64	3	4833	3411	1543	1099	1099	699	2112	1610
March	4	27	54	85	7	7617	6404	2321	1943	1696	1378	3481	3067
April	0	17	86	103	8	6227	5038	2323	1987	1628	1295	2171	1752
May	1	17	70	88	11	7910	6564	2405	2061	2563	2117	2837	2369
June	0	20	62	82	20	9541	8348	3108	2824	2528	2198	3746	3318
July	1	26	70	97	17	14,813	13595	4703	4365	3416	3091	6555	6139
August	2	22	53	77	7	10,226	8969	3451	3116	2951	2623	3722	3224
September	2	18	73	93	15	7,050	5739	2488	2121	1791	1450	2668	2163
October	1	16	56	73	27	5,717	4364	1983	1616	1594	1227	2018	1517
November	4	14	52	70	21	5,957	4691	1791	1463	1653	1317	2379	1908
December													
Total	18	231	660	909	141	83899	70142	27493	23672	22072	18271	33066	28129

2020 Totals	19	269	591	879	178	96885	83432	34182	30460	25843	22003	35623	30831
Difference	0	0	0	0	0	0	0	0	0	0	0	0	0
% Change	0	0	0	0	0	0	0	0	0	0	0	0	0

2021 Officer Committed Time to Service Report

Employee Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Reports	Cites
BAKER, BRIAN C	14:27:08	6:19:50	9:11:48	4:38:17	4:00:59	2:09:49	7:38:50	5:01:13	0:52:11	0:41:32	0:49:00			0
BIEHUNKO, JOHN	23:07:01	19:19:59	14:04:18	12:55:49	17:39:07	13:24:26	28:52:16	3:04:24	15:00:36	11:53:55	8:37:40		6	7
BOGGUS, LARRY	7:55:02	20:20:04	5:40:37	10:56:38	5:10:26	1:43:35	8:55:13	4:33:09	0:50:53	7:53:28	10:00:01			0
BRACHT, DANIEL	17:07:03	11:15:42	9:46:04	6:46:17	10:42:15	2:18:36	9:32:56	7:08:44	1:48:52	5:09:00	4:37:12			0
BURLESON, Jason	12:12:34	18:10:56	10:39:53	13:49:14	17:04:01	12:48:05	19:51:20	16:26:16	24:12:55	15:43:50	17:49:48		5	10
CADENA, VANESSA	18:00:04	12:07:28	24:08:28	10:26:28	12:23:19	16:34:39	15:29:05	22:04:13	8:01:39	16:46:43	5:46:51			0
CANALES, RALPH EDWARD	16:04:00	7:27:16	14:33:16	15:02:51	12:18:48	17:39:17	15:05:58	22:13:54	13:51:20	11:27:15	15:07:31		1	22
CERNY, BLAIR C.	7:56:59	4:17:26	7:37:24	9:13:59	11:30:49	5:30:29	22:13:46	15:34:45	13:35:49	6:19:35	6:52:55		2	0
HARWOOD, NICHOLAS	18:15:14	15:46:27	14:27:52	11:56:07	19:13:33	10:50:16	12:19:00	15:19:41	16:51:51	13:25:18	9:33:16		2	0
JARVIS, RICHARD	10:46:12	28:53:18	23:27:39	16:31:49	9:17:32	22:40:23	19:08:52	10:59:24	22:09:11	15:56:16	8:05:32		1	22
JOLIVET, CHARLES	11:59:12	9:59:43	10:18:23	15:17:10	22:51:51	8:20:21	0:00:00	0:00:00	0:00:00	0:00:00	0:00:00			0
JONES, ERIC	0:31:48	0:06:32	0:00:00	0:00:00	0:05:23	0:00:00	1:38:50	1:14:48	0:14:18	0:00:00	0:00:00			0
KELSO JR, RONALD K	15:55:08	2:04:16	15:04:52	12:24:25	18:36:33	15:40:55	23:40:16	20:14:53	21:08:46	15:42:58	17:53:30		1	19
Kukowski, Andy									4:55:51	11:03:44	37:02:37		6	95
Lowrie, Andy				31:05:28	51:48:34	41:03:41	31:12:08	41:36:01	38:10:32	40:02:16	24:33:06		5	60
MCELVANY, ROBERT	15:06:05	10:55:03	7:34:12	14:51:04	7:40:03	6:40:44	7:02:18	11:09:10	18:30:34	22:51:03	15:56:06		5	2
MILLER, OSCAR	11:42:37	16:13:37	16:55:40	6:53:42	23:58:45	8:36:01	16:39:36	3:23:54	2:20:10	6:32:39	18:53:58			0
NASH, CHRISTOPHER	13:30:51	14:08:19	13:58:31	13:30:18	19:37:33	14:04:38	9:32:58	10:37:45	17:23:34	23:01:29	9:08:18		1	5
Ortega, Yesenia									0:00:00	43:45:37	18:22:00		5	32
OWENS, LANE	4:42:45	0:12:48	2:33:47	2:05:39	0:00:00	0:39:21	1:37:08	0:52:49	0:12:58	0:06:50	0:00:00			0
PAVLOCK, JAMES ADAM	7:56:41	9:16:17	3:48:02	8:41:59	11:23:34	3:39:55	3:41:25	4:13:55	12:38:44	11:16:58	18:08:03		3	26
RODRIGUEZ, CHRISTOPHER	5:37:51	7:31:36	3:54:08	6:27:54	4:05:17	6:45:09	8:40:31	5:50:17	8:56:02	9:02:54	7:43:12			0
SCHANMEIR, CHRISTIAN	2:03:24	11:09:37	22:03:09	13:23:38	15:21:03	35:38:00	31:11:55	16:18:31	31:16:46	0:13:07	24:56:56		1	40
SCHULTZ, RYMOND	0:00:00	0:49:06	0:00:56	1:01:23	2:24:51	0:59:42	1:34:39	0:50:03	0:26:41	1:10:04	0:00:00			0
SILLIMAN, ERIC	16:45:18	18:58:22	19:39:33	13:27:53	12:35:27	10:45:35	7:13:22	16:02:37	16:52:17	43:45:37	19:47:07		8	39
SISSON, KYLE J	0:58:16	0:15:03	0:00:00	0:00:28	0:00:00	0:00:00	0:00:00	0:00:00	0:00:00	0:00:00	0:00:00			0
SPRINKLE, MICHAEL	1:19:49	4:18:27	6:30:48	5:23:43	6:58:37	3:22:06	5:52:46	3:37:51	13:38:29	8:19:02	7:03:00			3
TAYLOR, CRAIG	14:41:29	12:18:05	11:35:47	10:15:58	17:10:22	19:04:50	16:19:36	20:28:11	27:44:07	9:51:01	20:43:44		5	34
TORRES, PATRICK	14:43:57	13:30:08	13:27:58	16:10:17	28:54:02	16:12:23	12:03:12	10:32:36	14:21:28	21:22:56	16:02:29		4	13
TUGGLE, JAMES	8:01:57	13:07:32	13:22:19	15:25:17	18:29:52	11:37:22	4:49:22	21:58:07	10:26:32	15:07:42	0:00:00			0
VALDEZ, JUAN	17:55:02	21:37:31	25:08:41	12:08:45	19:10:40	19:47:07	33:08:24	20:38:47	23:36:33	15:33:19	15:41:17			23
VASQUEZ, MONICA	23:38:14	15:16:42	15:32:19	16:21:37	9:48:28	20:24:37	35:09:41	13:51:11	22:04:34	12:53:41	7:42:12			8
WHITE, TERRY	23:35:00	19:20:08	19:55:44	14:16:38	17:33:08	31:39:37	12:21:50	22:42:41	27:47:45	35:03:04	19:31:17		6	19
WILLIFORD, Adam											21:02:54		3	6
													70	485
Dispatch Committed Time														Totals
911 Phone Calls	302	314	231	279	310	315	373	387	360	307	291			3469
3700 Phone Calls	2189	3536	2566	2301	2359	2490	2606	2585	2501	2268	2329			27730
DP General Phone Calls*	54:30:49	90:01:08	62:57:40	55:10:01	55:48:51	63:16:21	68:36:54	63:02:19	59:07:42	55:04:26	58:22:20			

* = Admin Asmt.
t = temporary

* This is the minimal time as all internal calls route through the 3700 number.

Hedwig
5

Bunker Hill
2

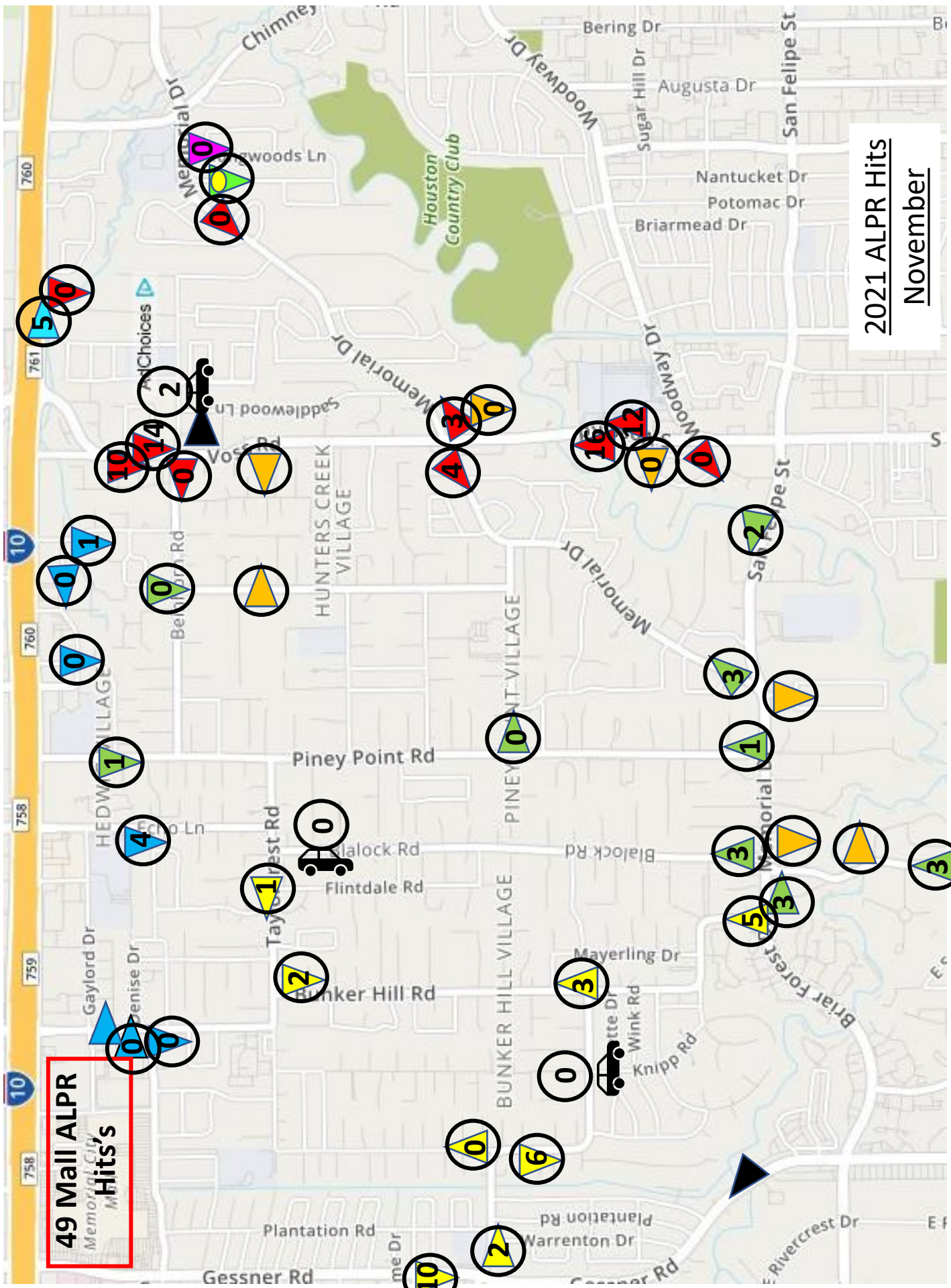
Piney Point
1

Hunters Creek
10

Frequent Mobile Locations
14

Total Hits
108

49 Mall ALPR Hits



2021 ALPR Hits
November

Lindenwood HOA
1

Longwoods HOA
1

US Coins
1

In Process
1

HOA Systems
1

11/30/21

Hedwig



Bunker Hill



Piney Point



Hunters Creek



Frequent

Mobile

Locations

1



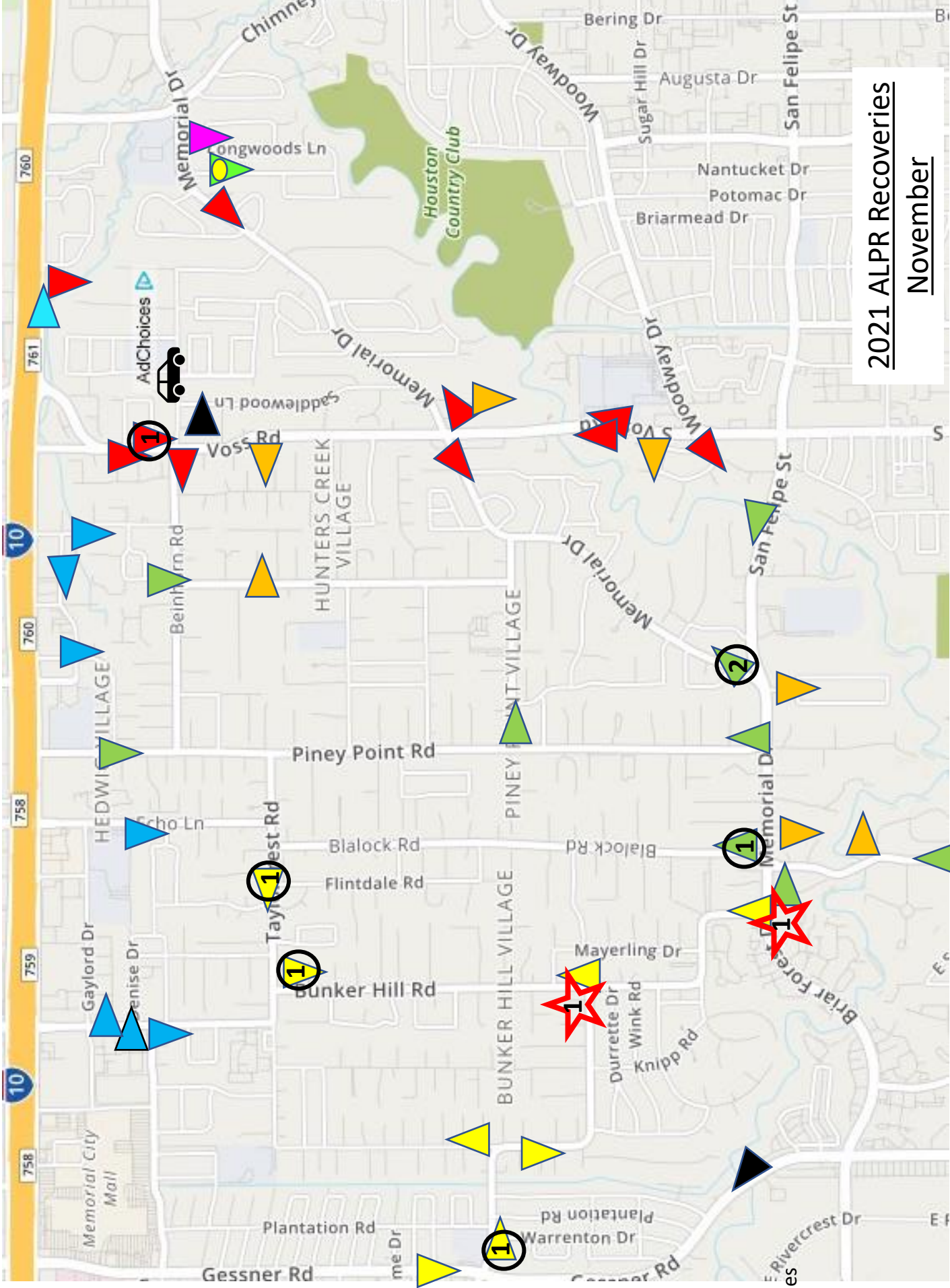
7



Recovered Vehicles



Investigative Leads



2021 ALPR Recoveries
November

11/30/21

Num	Plate	Vehicle	ALPR Recoveries		Links	
			Loc	Val		
1	KHM2376	Ford F350	22	\$ 48,000.00	Drugs-Meth	1/5/2021
2	MVL8705	Hyndi	10	\$ 14,000.00		
3	GKR5588	Hond Civ	8	\$ 12,500.00	Fugitive/poss c	18-Jan
4	MVV2069	Chev Cruz	8	\$ 9,800.00	Fraud	20-Jan
5	R000293	Toy Cor	17	\$ 12,000.00	Rental/Cluck	21-Jan
6	LJP9550	Hynd SFE	19	\$ 14,000.00		28-Jan
7	DV48493	VW Jetta	14	\$ 17,500.00	Fel Warrant	29-Jan
8	MHT8564	Hond Acc	2	\$ 16,000.00	Car Jacking	31-Jan
9	9.49E+09	Chev Volt	8	\$ 38,000.00		2-Feb
10	DLJ392	Hond Acc	6	\$ 21,000.00	Fel Warrant	4-Feb
11	MPR6064	Toy Cor	12	\$ 14,000.00	Fug/Drugs	5-Feb
12	N541138	Chev Mal	8	\$ 21,000.00	Fug/Burg	8-Feb
13	BZ8K588	Ford Taur	23	\$ 8,000.00	Fraud	10-Feb
14	MNC3563	Cadi CTS	8	\$ 28,500.00		21-Feb
15	MYR3265	ToyHigh	US Coins	\$ 18,000.00	Fraud	3-Mar
16	89686F5	HYNSon	7	\$ 18,500.00	Fraud	4-Mar
17	KXS9288	Ford Focus	2	\$ 14,500.00	Fraud	11-Mar
18	MXL9491	Ford F350	22	\$ 31,000.00		18-Mar
19	NZN3882	AcuraTLX	8	\$ 24,500.00		22-Mar
20	GSC6637	Niss Alt	8	\$ 16,000.00		30-Mar
21	AW83550	Ford F150	19	\$ 24,000.00	meth/fraud	2-Apr
22	8UTT006	BMW X7	20	\$ 41,000.00		16-Apr
23	NFS0818	MercC30	19	\$ 37,000.00		18-Apr
24	DV3YSL	Chev Equx	8	\$ 15,600.00		11-Apr
25	NZN3882	AcuraTLX	8	\$ 23,000.00	Burg/BMV's	11-May
26	DB3Y023	Buick Sed	4	\$ 20,000.00		12-May
27	BPS9409	Niss RGE	15	\$ 22,500.00		13-May
28	JDV2724	Toy Corrol	2	\$ 26,000.00	Car Jacking	16-May
29	GYL2571	Chev PU	2	\$ 41,000.00	Prostitute	25-May
30	1275 E1	Niss Rog	6	\$ 24,500.00	Prostitute/273	6-Jun
31	MXD4027	Niss Alt	8	\$ 19,500.00		7-Jun
32	NTH2685	Chev Van	2	\$ 31,000.00	Fugitive	10-Jun
33	NTV6211	Toy Cor	River	\$ 17,000.00	Mail Thieves	10-Jun
34	LDCV51	Kia Van	19	\$ 19,000.00	Fraud	12-Jun
35	MVL3523	Mini	8	\$ 22,500.00		27-Jun
36	LTR3263	Audi	17	\$ 37,000.00	Burglar	8-Jul
37	CWX5690	Tou Rav4	4	\$ 17,500.00	fugitive	9-Jul
38	DGJ6939	Buick Sed	6	\$ 11,000.00	Drugs-Mail	17-Jul
39	DC18410	Mercury	Longwd's	\$ 12,000.00	Weapons	18-Jul
40	NHK7400	Ford F250	22	\$ 23,000.00	Stolen PLT and	27-Jul
41	KHT0403	Toy SUV	8	\$ 11,000.00	Warrant	28-Jul
42	N573023	Ford Edge	23	\$ 2,000.00	Fraud	4-Aug
43	AH32929	Uhaul	19	\$ 31,000.00		4-Aug
44	14919H8	Ram 1500	8	\$ 43,000.00	Burglars	7-Aug
45	PRL8380	Honda Ody	1	\$ 22,000.00	Civil	8-Aug
46	NMC1245	Niss Alt	10	\$ 23,000.00	Mail Thieves	26-Aug *STL PL+
47	401278J	Trailer	8	\$ 9,000.00	Fugitive	9-Sep
48	MXK1989	Chev Sil	8	\$ 16,500.00		10-Sep
49	JMA4019	ChevMal	8	\$ 9,000.00	Runaway	13-Sep
50	AE77046	Uhaul	17	\$ 27,000.00	Stolen in Burg	21-Sep
51	LJS9812	Dodge Chg	River	\$ 23,000.00	Fugitive	30-Sep
52	BWE005	MazMX3	Mall	\$ 19,000.00	Mall	4-Oct
53	KXN6727	BMW3	2	\$ 28,000.00	Fugitive	8-Oct
54	NHT2463	Chry300	8	\$ 22,500.00	Rental	10-Oct
55	Z958GU	Niss Alt	10	\$ 17,000.00		16-Oct
56	MXN4265	Toy Cam	22	\$ 18,000.00	Fugitive	19-Oct
57	JFL0108	Hon Acc	8	\$ 26,000.00	Fugitive	22-Oct
58	EVUU13	Hyun ELN	1	\$ 21,000.00	Fugitivesx2/mi	24-Oct
59	AE48785	Uhaul	Echo	\$ 48,000.00	Fugitive/Narc	28-Oct
60	KZP1231	Chev EQN	5	\$ 34,500.00		5-Nov
61	28917V1	Chev Imp	24	\$ 21,000.00	Fugitive	10-Nov
62	CKV2809	ChevVan	6	\$ 11,000.00		13-Nov
63	GJK8795	Chev1500	2	\$ 26,000.00	Fugitive/drugs	17-Nov
64	PSX1433	Jeep Wran	20	\$ 31,000.00	Fugitive/Drugs	24-Nov
65	22842Z7	Merc230	10	\$ 45,000.00		24-Nov
66	PCD8584	GMC Sierra	10	N/A	Missing Persor	27-Nov
67	PWL8051	Kia Opt	14	\$ 18,501.00		3-Dec

Plate Recoveries		
Plate Recove	Date	Links
9056154	3/1/2021	Paper Fraud Tag
LKW4759	5/23/2021	
KDG6937	7/31/2021	Wanted Subject
NMC1245	8/26/2021	On stolen car same make
JLX5130	9/15/2021	
196144A	9/13/2021	Stolen Temp
NBJ0628	9/19/2021	
DKP0999	10/18/2021	Fug/Stolen Mail/Hotlist
KPX3504	30-Nov	Fraud

41 of 65 involved in other crimes = 63%

Firearm in vehicle

54	2021 Value	\$ 1,483,901.00		65
	2020 Value	\$ 1,147,500.00	Recovered	61
	2019 Value	\$ 438,000.00	Recovered	22
	Program Total	\$ 3,069,401.00		148

INVESTIGATIVE LEADS

103	NVK8808	Chev Tahoe	MDE Harrassment Case	SBISD	Solved	21-Jan
18	92350G3	Jeep Cherokee	Juggler Belaire to Racquet Club		CID-Open	22-Jan
21	BXR4783	Chev Pickup	FSGI		Solved	8-Feb
WIND HOA	FDC2680	Niss Alt	Mail Thieves		Solved	16-Feb
US Coins	MPV1209	Toy	BMV Juggler		CID-Open2	27-Feb
Strey	LYN9642	Toy Cor	Package Thief		CID-Open	27-Feb
17	CNB1734	BLK F150	FSGI		ID's	3-Mar
24	960200	Blk Exped	Burg		Gypsys	27-Apr
26	11548U4	Ford PU	Burg		Gypsys	29-Apr
11	10654S1	Ford PU	Burg		Gypsys	29-Apr
19	07316A8	Niss Sen	Mail Thieves		Arrested	19-Jun
23	BX3C492	Pirus	Selling Drugs		Arrested	26-Jun
Hed	MZZ3574	Ford F150	Theft of Lawn EQPT		Open	7-Jul
10	NMC1245	Niss Alt	Serial Mail Thief		Arrested	26-Aug
11	Golf	Golf	Burglar		Open	14-Sep
12	GWS6988	Chev	Trailer Thief		Open	27-Oct
25			Burglar		TBW	29-Nov



Memorial Villages Police Department
11981 Memorial Drive
Houston, Texas 77024
Tel. (713) 365-3701

Raymond Schultz
Chief of Police

January 10, 2022

TO: MVPD Police Commissioners

FROM: R. Schultz, Chief of Police

REF: December Monthly Report

During the month of December MVPD responded/handled a total of 6,275 calls/incidents. 5,077 House watch checks were conducted. 323 traffic stops were initiated with 328 citations being issued for 589 violations. (Note: 14 Assists in Hedwig, 40 in Houston, 2 in Spring Valley and 1 in Hillshire)

Calls/Events by Village were:

Village	Calls/YTD	House Watches/YTD	Accidents	Citations	Response Time
Bunker Hill:	2252/29,745	1973/25,645	1	35/119/154	10@4:13
Piney Point:	1801/23,873	1394/19,665	2	42/173/215	4@2:13
Hunters Creek:	2126/35,192	1703/29,832	10	55/165/220	<u>6@4:53</u>
				Cites/Warn/Total	20@3:41

Type and frequency of calls for service/citations include:

Call Type	#	Call Type	#	Citations	#
False Alarms:	154	Ord. Violations:	28	Speeding:	101
Accidents:	13	Information:	26	Exp. Registration:	92
ALPR Hits:	67	Suspicious Situations	121	No Ins:	62
Assist Fire:	47	Loud Party	21	No License	58
Assist EMS:	45	Welfare Checks:	17	Stop Sign	29

*This month the department generated a total of 75 police reports.
 BH-17, PP-27, HC-30, HOU - 1*

Crimes Against of Persons (3)

Assault – Family Violence	2
Assault – Sexual	1

Crimes Against Property (20)

Burglary of a Motor Vehicle	3	Theft	7
Burglary of a habitation	1	Fraud/ID	9

Petty/Quality of Life Crimes/Events (52)

ALPR Hits (valid)	7	Information Reports	11
Misc. Reports	17	Possession of CS	1
DWI	3	Warrants	13

Arrest Summary: Individuals Arrested (21)

Warrants	13	Felony	4
Class 3 Arrests	4		

Budget YTD:	Expense	Budget	%
• Personnel Expense:	4,860,361	5,040,063	96.4%
• Operating Expense:	852,272	899,881	94.7%
• Total M&O Expenditures:	5,712,633	5,939,944	96.2%
• Capital Expenses:	170,728	169,500	100.7%
• Net Expenses:	5,883,361	6,109,444	96%

Follow-up on Previous Month Items/Requests from Commission

- Met with IT Vendor (Mergertree) and conducted annual hardware and systems review.

Personnel Changes/Issues/Updates

- Officer Bracht retired 12/31/21. 1/3/22 Officer Dillion Ekerfeld started OJT. Officer Ekerfeld comes from the California Highway Patrol.
- 8 employees have tested positive for COVID. Revised protocols were put in place to minimize exposure of other employees and to ensure that minimum staffing is retained. Officers have been assisting in dispatch during the overnight hours as needed.
- Officer Williford was injured during a foot chase with a suspect who had fled from a stolen vehicle. The suspect was apprehended without incident. Officer Williford suffered a strained shoulder requiring a light-duty assignment in dispatch.

Major/Significant Events

- On December 3, 2021, MVPD Officers stopped and recovered 3 stolen vehicles within 75 minutes.
- 12/3/21 Officers stopped a stolen vehicle after being notified of an ALPR hit. The female driver fled on foot. Officers deployed a Taser and apprehended the suspect. The suspect was identified as a mail thief who had stolen the keys during a mail theft. Suspect was arrested and vehicle recovered.
- 12/7/21 Officers while investigating a stolen vehicle/ALPR hit, determined that the suspects were planning on doing a home invasion in Piney Point Village. (2 firearms recovered) The victim was notified, and security plan initiated for the resident.
- 12/16/21 MVPD assisted with traffic control for the Twinkle Light Parade. MVPD also had a float in the parade.
- 12/20/21 MVPD officers responded to a possible burglary. During the investigation officers located the suspect and took him into custody. The suspect is an area transient who has been involved in multiple area crimes.
- 12/23/21 Officers responded to a possible in-progress burglary on N. Evers Park. The victim had been followed home from a nearby gas station when a male armed with a rifle entered the home. Upon learning additional people were present, the suspect fled. Detectives used the ALPR system and identified a suspect. Days later the suspect was located and arrested in Baytown. The suspect admitted to the Memorial area burglary.

Status Update on any Major Projects

- MVPD winter intern, Noah Boggus completed the work on the 2 long recruiting videos. The 50-second videos are very professional and are being shared on V-linc and YouTube.

V-LINC new registrations in December: +28

BH – 1434(+11)

PP – 1018 (+5)

HC – 1471 (+9)

Out of Area – 488 (+3)

December VFD Assists

Calls received directly by MVPD via 911/3700

<u>Priority Events</u>	<u>Average Response Times</u>
Total – 12	3:42
Fire – 1	8:36 (Kitchen Fire)
EMS – 11	3:12

By Village

BH Fire – 1	8:36
BH EMS – 4	3:14

PP Fire – 0	0
PP EMS – 3	2:22

HC Fire -0	0
HC EMS -4	4:01

Combined VFD Events (Priority + Radio)

Total – 56	4:24
Fire – 27	4:12
EMS – 29	4:34

Radio Call Events

Total – 44	4:37
Fire- 26	4:00
EMS- 18	5:25

Radio Call Events by Village

BH – 9	4:34
PP – 15	4:40
HC – 20	4:35

2021 Burglary Map

Address	Alarm	POE
302 Chapel Bell	No	Vacant (none)
10611 Tarleton	No	Side Door
11634 Blalock Ln	No	Ruse
618 Piney Point Rd	No	Ruse
11310 Smithdale	No	Veh in Carport
11612 Memorial	No	Open Door
11612 Memorial	No	Key in Door
8429 Katy Fwy	No	Smash Door
10903 Wickwild	Yes	Open Garage
11612 Memorial	No	Gated Space
430 Bunker Hill	No	Open Door
12303 Longworth	No	Open Door
10630 N. Evers Park	No	Open Door

2021 Robberies

Address	MO
11702 Greenbay	Walker



Daytime Burglary



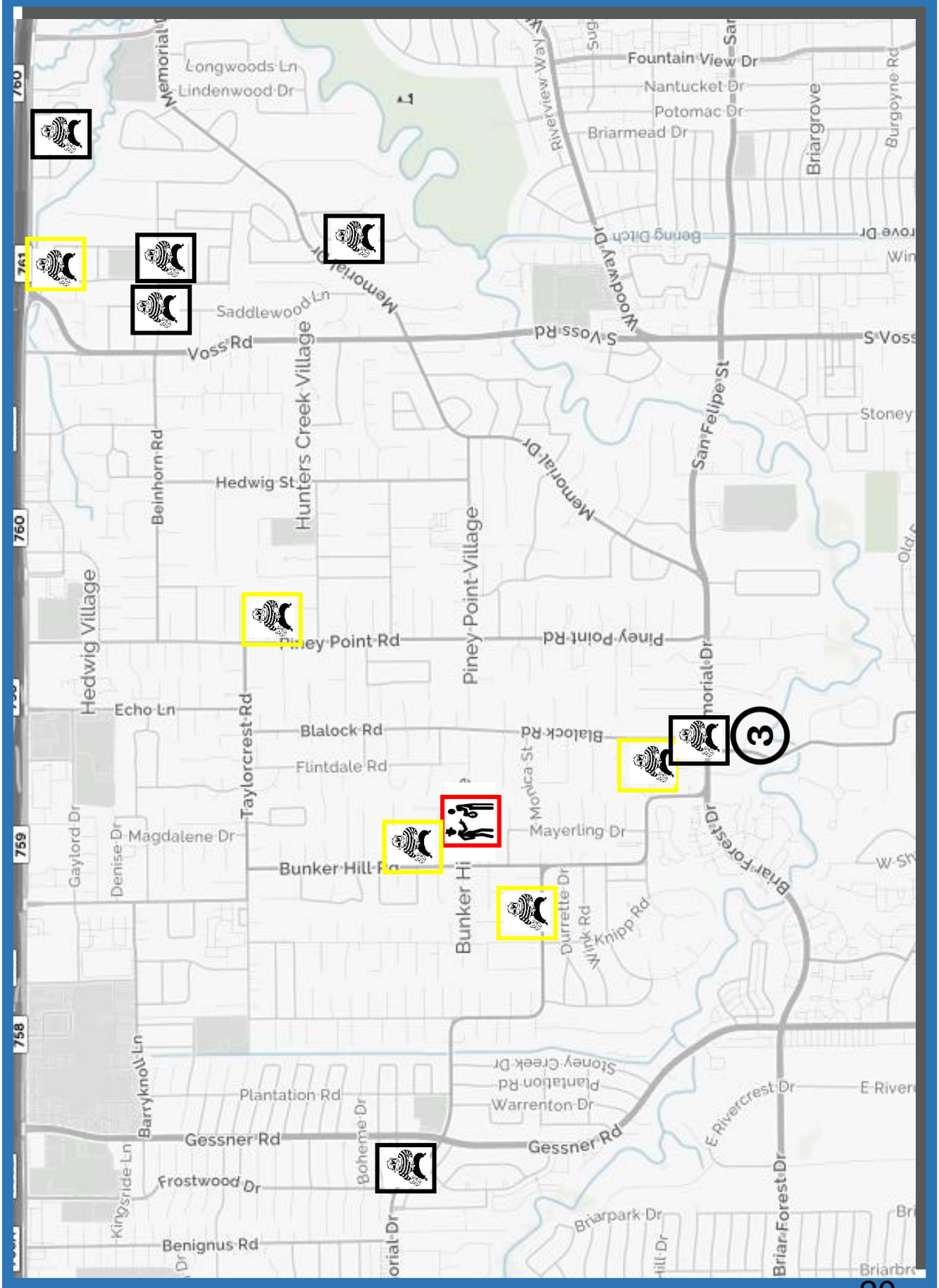
Nighttime Burglary



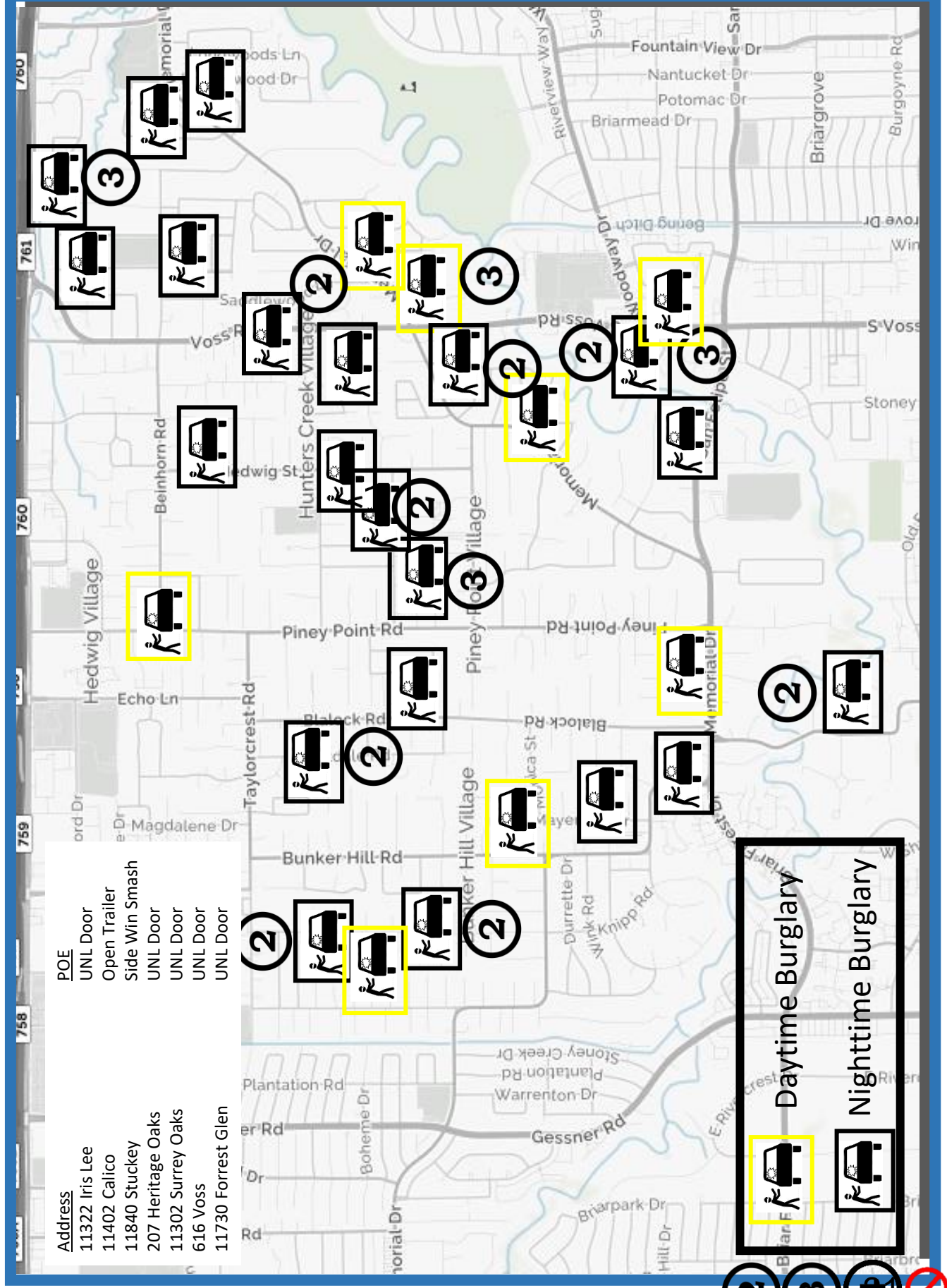
Robbery



12/31/21



2021 Auto Burglary Map



Address	POE
11322 Iris Lee	UNL Door
11402 Calico	Open Trailer
11840 Stuckey	Side Win Smash
207 Heritage Oaks	UNL Door
11302 Surrey Oaks	UNL Door
616 Voss	UNL Door
11730 Forrest Glen	UNL Door

Address	POE
10709 Memorial (jugging)	Side Win Smash
335 Knipp	UNL Door
11931 Broken Bough	UNL Door
348 Knipp	UNL Door
512 Knipp	UNL Door
8435 Katy Fwy	Side Win Smash
11322 Surrey Oaks	UNL Door
505 Ripplecreek	Truck Bed
7627 River Point	UNL Door
11734 Flintwood	UNL Door
7630 River Point	UNL Door
907 Tarrington	UNL Door
10610 N Evers Park	UNL Door
11107 Wickway	UNL Door
243 Hedwig	UNL Door
3 Stayton Cir	UNL Door
3 Claymore	UNL Door
302 Lindenwood	UNL Door
323 Hunters Trail	UNL Door
6 Woodsege	Truck Bed
10821 Longshadow	UNL Door
11116 Riverglyn	UNL Door
10709 Memorial	UNL Door
PP City Hall	Side Win Smash
11701 Forest Glen	UNL Door
733 Creekside	UNL Door
218 Bylane	UNL Door
30 Windemere	UNL Door
8525 Katy Fwy	UNL Door
10700 Memorial	Side Win Smashed
11715 Timberknoll	UNL Door
8525 Katy Fwy	UNL Door
335 Piney Point	UNL Door
3 Saddlecreek	UNL Door
1108 Riverbend	UNL Door
339 Hunters Trail	Side Win Smash
380 Piney Point	UNL Door
1 Windemere	UNL Door

2021 Total Incidents

2021	Crimes Against Persons	Crimes Against Property	Quality of Life Incidents	Total	Arrests	Incidents	House Checks	YTD BH INC	YTD BH HC	YTD PP INC	YTD PP HC	YTD HC INC	YTD HC HC
January	2	28	47	77	5	4008	3019	1377	1077	1153	876	1377	1062
February	1	26	37	64	3	4833	3411	1543	1099	1099	699	2112	1610
March	4	27	54	85	7	7617	6404	2321	1943	1696	1378	3481	3067
April	0	17	86	103	8	6227	5038	2323	1987	1628	1295	2171	1752
May	1	17	70	88	11	7910	6564	2405	2061	2563	2117	2837	2369
June	0	20	62	82	20	9541	8348	3108	2824	2528	2198	3746	3318
July	1	26	70	97	17	14,813	13595	4703	4365	3416	3091	6555	6139
August	2	22	53	77	7	10,226	8969	3451	3116	2951	2623	3722	3224
September	2	18	73	93	15	7,050	5739	2488	2121	1791	1450	2668	2163
October	1	16	56	73	27	5,717	4364	1983	1616	1594	1227	2018	1517
November	4	14	52	70	21	5,957	4691	1791	1463	1653	1317	2379	1908
December	3	20	52	75	12	6275	5077	2252	1973	1801	1394	2126	1703
Total	21	251	712	984	153	90174	75219	29745	25645	23873	19665	35192	29832

2020 Totals	19	269	591	879	178	96885	83432	34182	30460	25843	22003	35623	30831
Difference	2	-18	121	105	-25	-6711	-8213	-4437	-4815	-1970	-2338	-431	-999
% Change	10.5	-6.7	20.5	11.9	-14	-6.9	-9.8	-13	-15.8	-7.6	-10.6	-1.2	-3.2

Hedwig
▲ (10)

Bunker Hill
▲

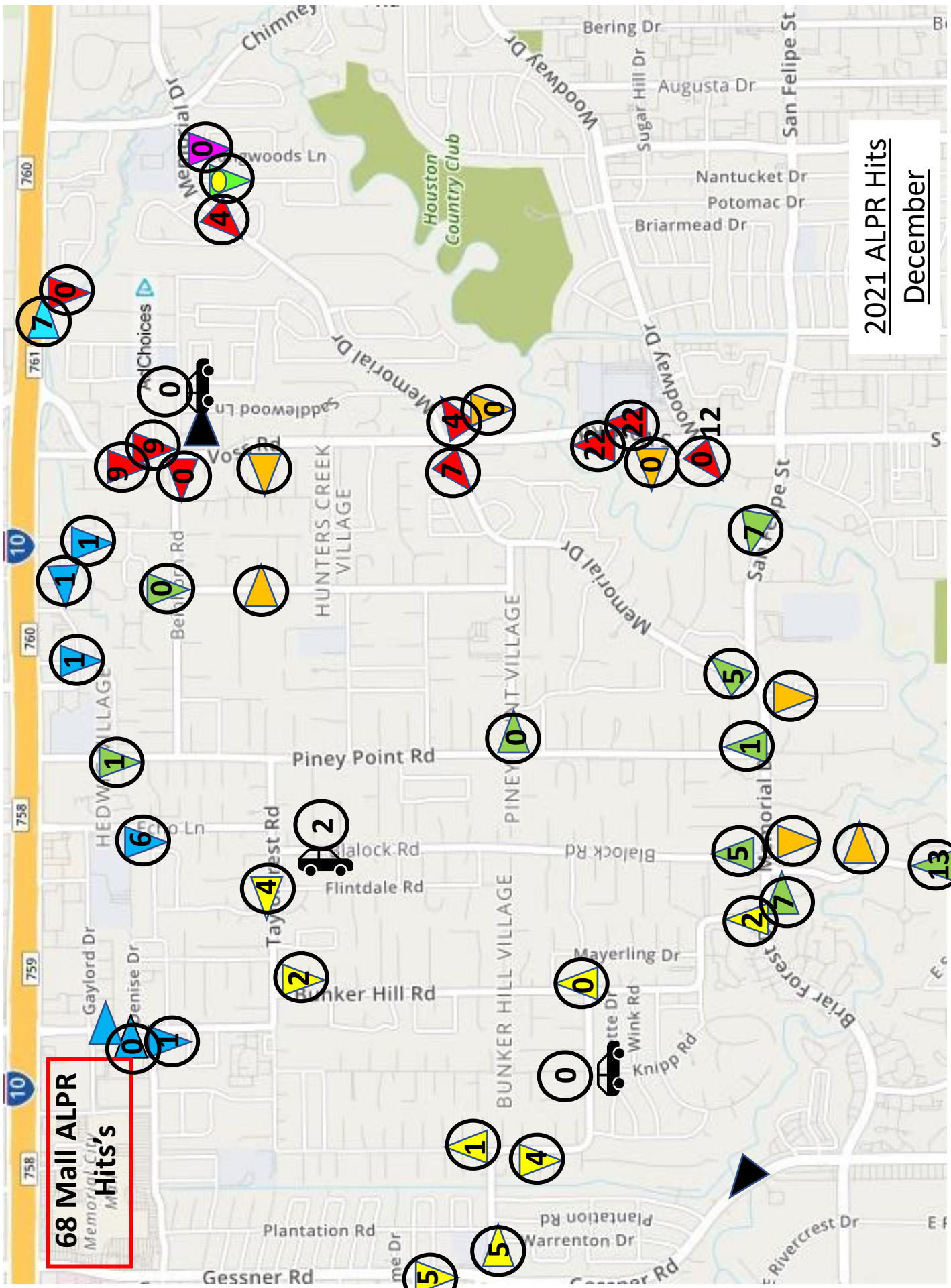
Piney Point
▲

Hunters Creek
▲

Frequent Mobile Locations
🚗

Total Hits
190
24

68 Mall ALPR Hits's



2021 ALPR Hits
December

12/31/21

ALPR Recoveries						
Num	Plate	Vehicle	Loc	Val	Links	
1	KHM2376	Ford F350		22 \$ 48,000.00	Drugs-Meth	1/5/2021
2	MVL8705	Hyndi		10 \$ 14,000.00		11-Jan
3	GKR5588	Hond Civ		8 \$ 12,500.00	Fugitive/poss c	18-Jan
4	MWV2069	Chev Cruz		8 \$ 9,800.00	Fraud	20-Jan
5	R000293	Toy Cor		17 \$ 12,000.00	Rental/Cluck	21-Jan
6	LIP9550	Hynd SFE		19 \$ 14,000.00		28-Jan
7	DV48493	VW Jetta		14 \$ 17,500.00	Fel Warrant	29-Jan
8	MHT8564	Hond Acc		2 \$ 16,000.00	Car Jacking	31-Jan
9	949E+09	Chev Volt		8 \$ 38,000.00		2-Feb
10	DJ392	Hond Acc		6 \$ 21,000.00	Fel Warrant	4-Feb
11	MPR6064	Toy Cor		12 \$ 14,000.00	Fug/Drugs	5-Feb
12	N541138	Chev Mal		8 \$ 21,000.00	Fug/Burg	8-Feb
13	BZ8K588	Ford Taur		23 \$ 8,000.00	Fraud	10-Feb
14	MNC3563	Cadi CTS		8 \$ 28,500.00		21-Feb
15	MYR3265	ToyHigh	US Coins	\$ 18,000.00	Fraud	3-Mar
16	89686F5	HYNson		7 \$ 18,500.00	Fraud	4-Mar
17	KXS9288	Ford Focus		2 \$ 14,500.00	Fraud	11-Mar
18	MXL9491	Ford F350		22 \$ 31,000.00		18-Mar
19	NZN3882	AcuraTLX		8 \$ 24,500.00		22-Mar
20	GSC6637	Niss Alt		8 \$ 16,000.00		30-Mar
21	AW83550	Ford F150		19 \$ 24,000.00	meth/fraud	2-Apr
22	8UTT006	BMW X7		20 \$ 41,000.00		16-Apr
23	NFS0818	MercC30		19 \$ 37,000.00		18-Apr
24	DV3YSL	Chev Equx		8 \$ 15,600.00		11-Apr
25	NZN3882	AcuraTLX		8 \$ 23,000.00	Burg/BMV's	11-May
26	DB3Y023	Buick Sed		4 \$ 20,000.00		12-May
27	BPS9409	Niss RGE		15 \$ 22,500.00		13-May
28	JDV2724	Toy Corrol		2 \$ 26,000.00	Car Jacking	16-May
29	GYL2571	Chev PU		2 \$ 41,000.00	Prostitute	25-May
30	1275 E1	Niss Rog		6 \$ 24,500.00	Prostitute/273	6-Jun
31	MXD4027	Niss Alt		8 \$ 19,500.00		7-Jun
32	NTH2685	Chev Van		2 \$ 31,000.00	Fugitive	10-Jun
33	NTV6211	Toy Cor	River	\$ 17,000.00	Mail Thieves	10-Jun
34	LDCV51	Kia Van		19 \$ 19,000.00	Fraud	12-Jun
35	MVL3523	Mini		8 \$ 22,500.00		27-Jun
36	LTR3263	Audi		17 \$ 37,000.00	Burglar	8-Jul
37	CWX5690	Tou Rav4		4 \$ 17,500.00	fugitive	9-Jul
38	DGJ6939	Buick Sed		6 \$ 11,000.00	Drugs-Mail	17-Jul
39	DCJ8410	Mercury	Longwd's	\$ 12,000.00	Weapons	18-Jul
40	NHK7400	Ford F250		22 \$ 23,000.00	Stolen PLT and	27-Jul
41	KHT0403	Toy SUV		8 \$ 11,000.00	Warrant	28-Jul
42	N573023	Ford Edge		23 \$ 2,000.00	Fraud	4-Aug
43	AH32929	Uhaul		19 \$ 31,000.00		4-Aug
44	14919H8	Ram 1500		8 \$ 43,000.00	Burglars	7-Aug
45	PRL8380	Honda Od		1 \$ 22,000.00	Civil	8-Aug
46	NMC1245	Niss Alt		10 \$ 23,000.00	Mail Thieves	26-Aug *STL PL+
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64	PSX1433	Jeep Wran		20 \$ 31,000.00	Fugitive/Drugs	24-Nov
65	2284227	MerC230		10 \$ 45,000.00		24-Nov
66	PCD8584	GMC Sierr		10 N/A	Missing Persor	27-Nov
67	PWL8051	Kia Opt		14 \$ 18,501.00	Juggers	3-Dec
68	NPV6752	MIT Bur		8 \$ 21,000.00		3-Dec
69	RDD9529	Toy Cor		8 \$ 23,700.00	Mail Theft	3-Dec
70	139LWV	FordTau		24 \$ 21,500.00	Armed Robber	3-Dec
71	251DRE	Chev Cruz		8 \$ 2,000.00		6-Dec
72	KPK0114	HonAcc		8 \$ 24,500.00		10-Dec
73	NHS0587	TovHigh		8 \$ 28,000.00		19-Dec
74	PFL2754	FordF250		20 \$ 61,000.00		20-Dec
75	460K3V	Honda MC		8 \$ 18,000.00		26-Dec

Plate Recoveries		
Plate Recove	Date	Links
9056154	3/1/2021	Paper Fraud Tag
LKW4759	5/23/2021	
KDG6937	7/31/2021	Wanted Subject
NMC1245	8/26/2021	On stolen car same make
JLX5130	9/15/2021	
19614A4	9/13/2021	Stolen Temp
NBJ0628	9/19/2021	
DKP0999	10/18/2021	Fug/Stolen Mail/Hotlist
KPX3504	30-Nov	Fraud

46 of 75 involved in other crimes = (61%

Firearm in vehicle

54	2021 Value	\$ 1,683,601.00		75
	2020 Value	\$ 1,147,500.00	Recovered	61
	2019 Value	\$ 438,000.00	Recovered	22
	Program Total	\$ 3,269,101.00		158

INVESTIGATIVE LEADS

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21	BXR4783	Chev Pickup			Solved	8-Feb
WIND HOA	FDC2680	Niss Alt	Mail Thieves		Solved	16-Feb
US Coins	MPV1209	Toy	BMV Jugger		CID-Open2	27-Feb
Strey	LYN9642	Toy Cor	Package Thief		CID-Open	27-Feb
17	CNB1734	BLK F150	FSGI		ID's	3-Mar
24	960200	Blk Exped	Burg		Gypsys	27-Apr
26	11548U4	Ford PU	Burg		Gypsys	29-Apr
11	1065451	Ford PU	Burg		Gypsys	29-Apr
19	07316A8	Niss Sen	Mail Thieves		Arrested	19-Jun
23	BX3C492	Pirus	Selling Drugs		Arrested	26-Jun
Hed	MZZ3574	Ford F150	Theft of Lawn EQPT		Open	7-Jul
10	NMC1245	Niss Alt	Serial Mail Thief		Arrested	26-Aug
11	Golf		Burglar		Open	14-Sep
12	GW56988	Chev	Trailer Thief		Open	27-Oct
25	PCW0187	ToyCam	Burglar		TBW	29-Nov
16	KTF1152	Ford Fus	Burglar		Arrested	31-Dec

Total Value

Plate Reads Summary

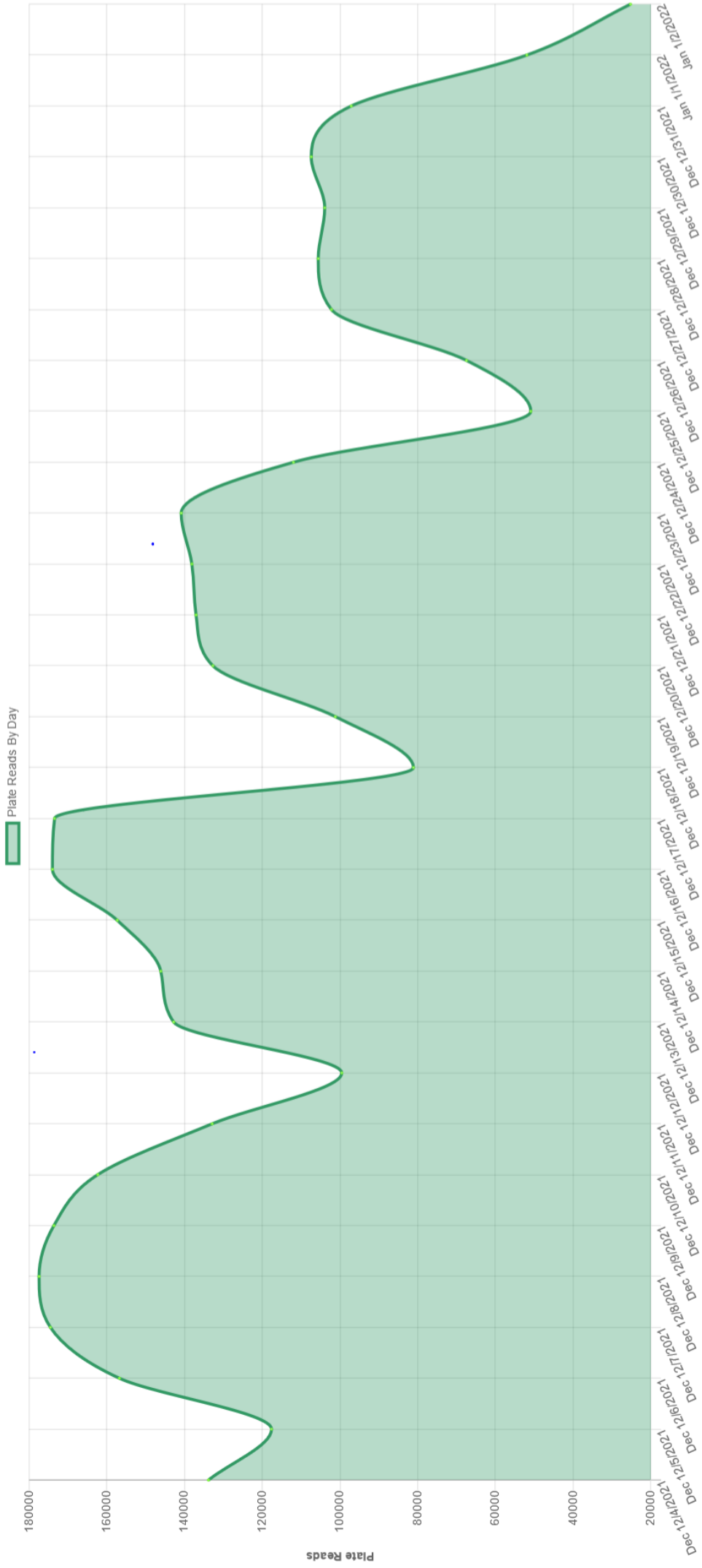
Total Plate Reads:
3,676,310

Export 

Dec 4 - Jan 2

Cameras (30) ▾

Search



Unique Plate Reads Summary

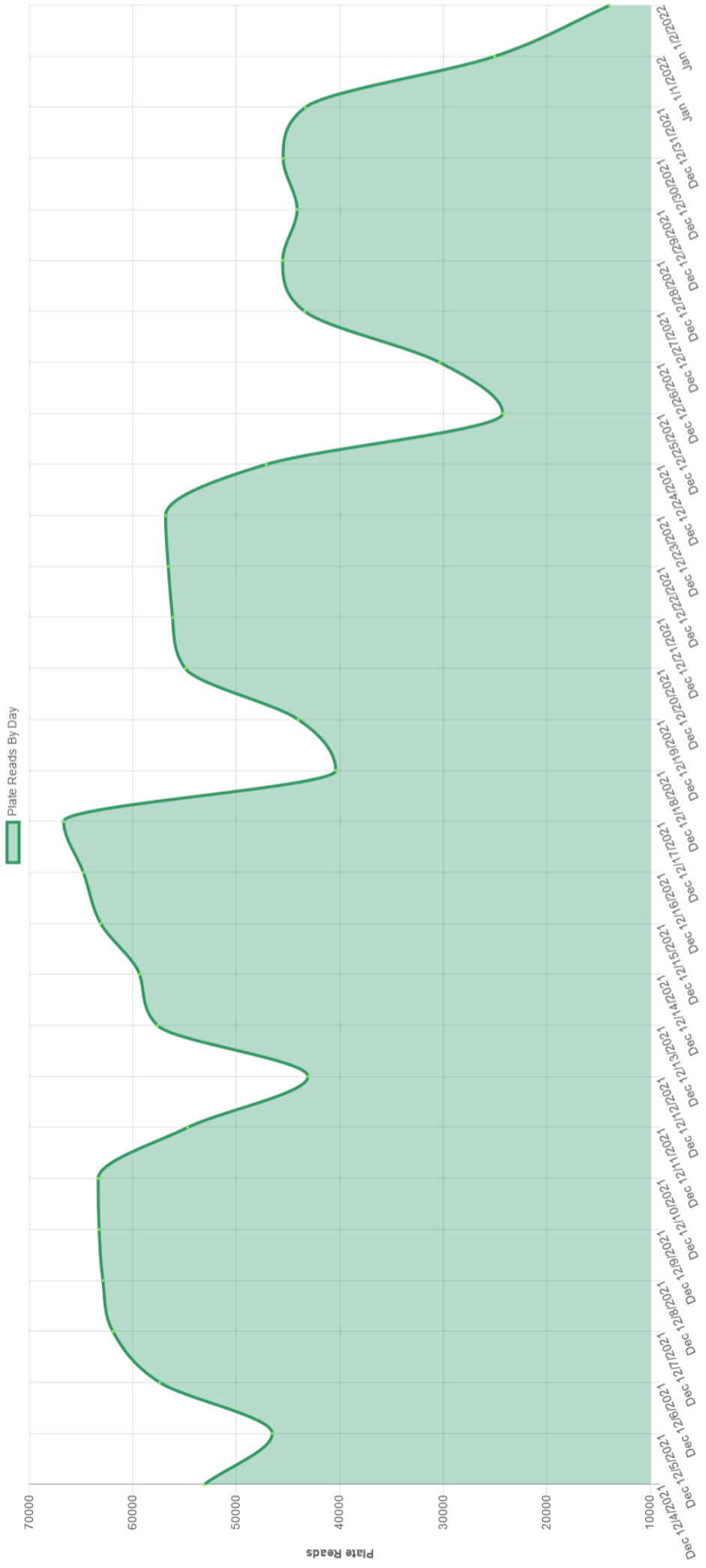
Total Unique Plate Reads:
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Export  CSV

Dec 4 - Jan 2

Search

Cameras (30) ▾



Hits Report

Total Hits:
190

All Categories

Export

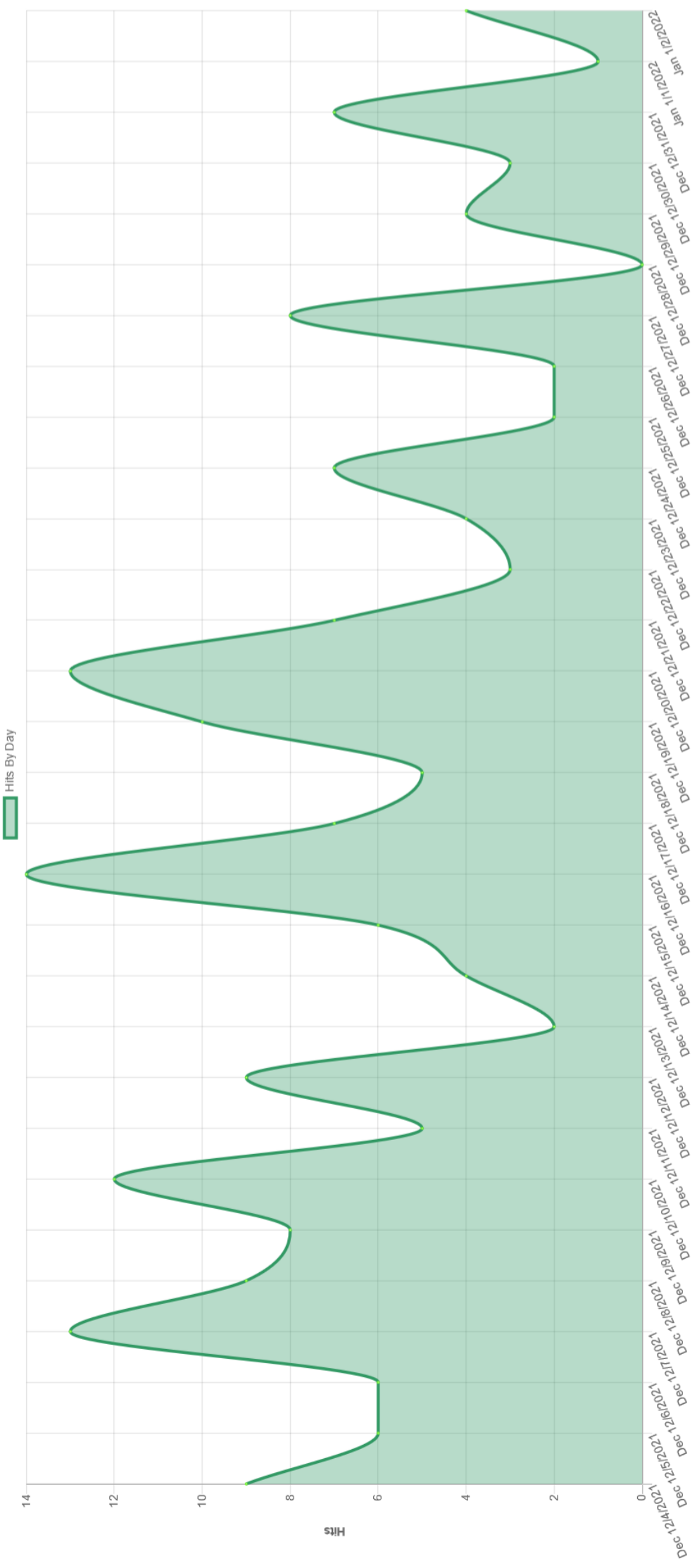


Dec 5 - Jan 3

Topics (14)

Cameras (30)

Search



Hits Report

Total Hits: **Top 6 Categories**
142

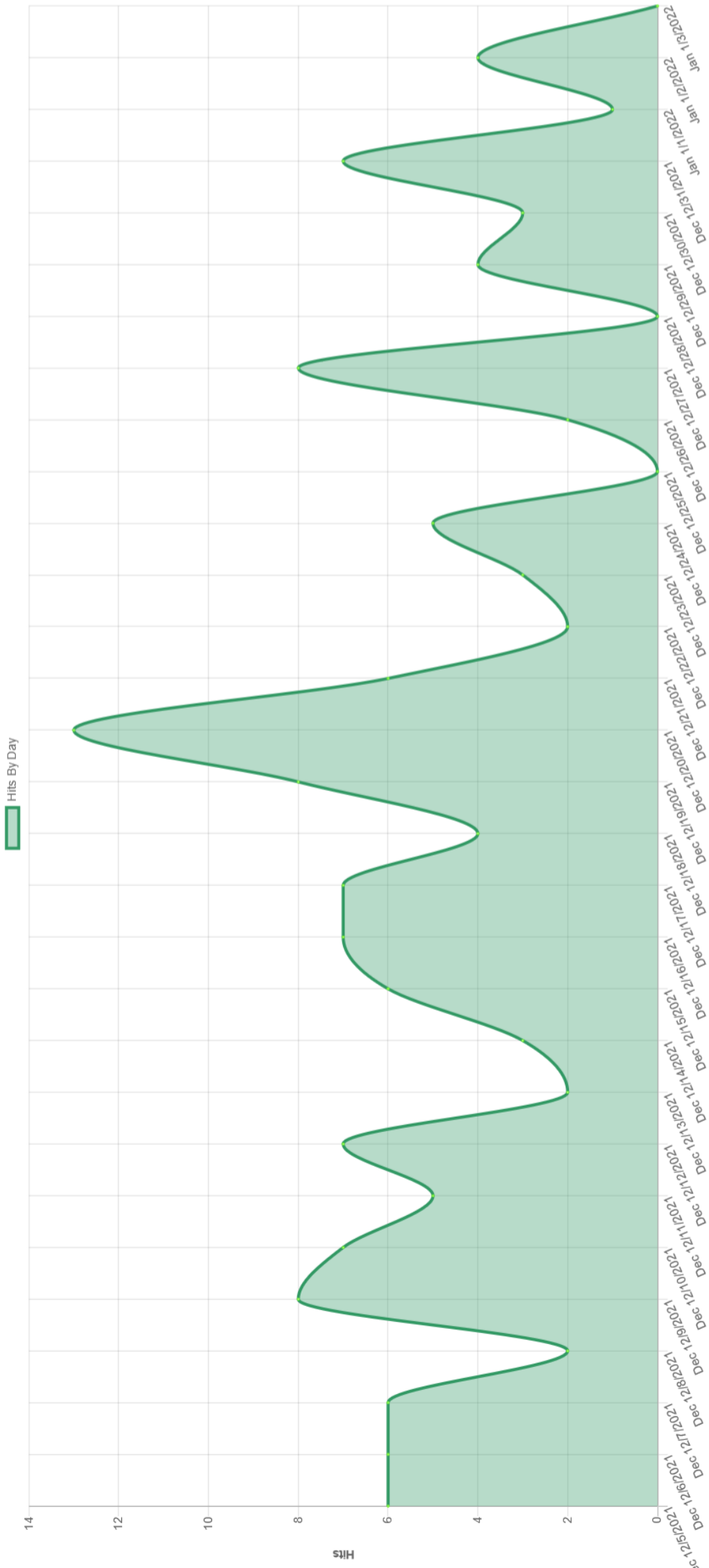
Export 

Dec 5 - Jan 3

Topics (6) ▾

Cameras (30) ▾

Search



Hits Report

Total Hits:
5

Sex Offenders

Export

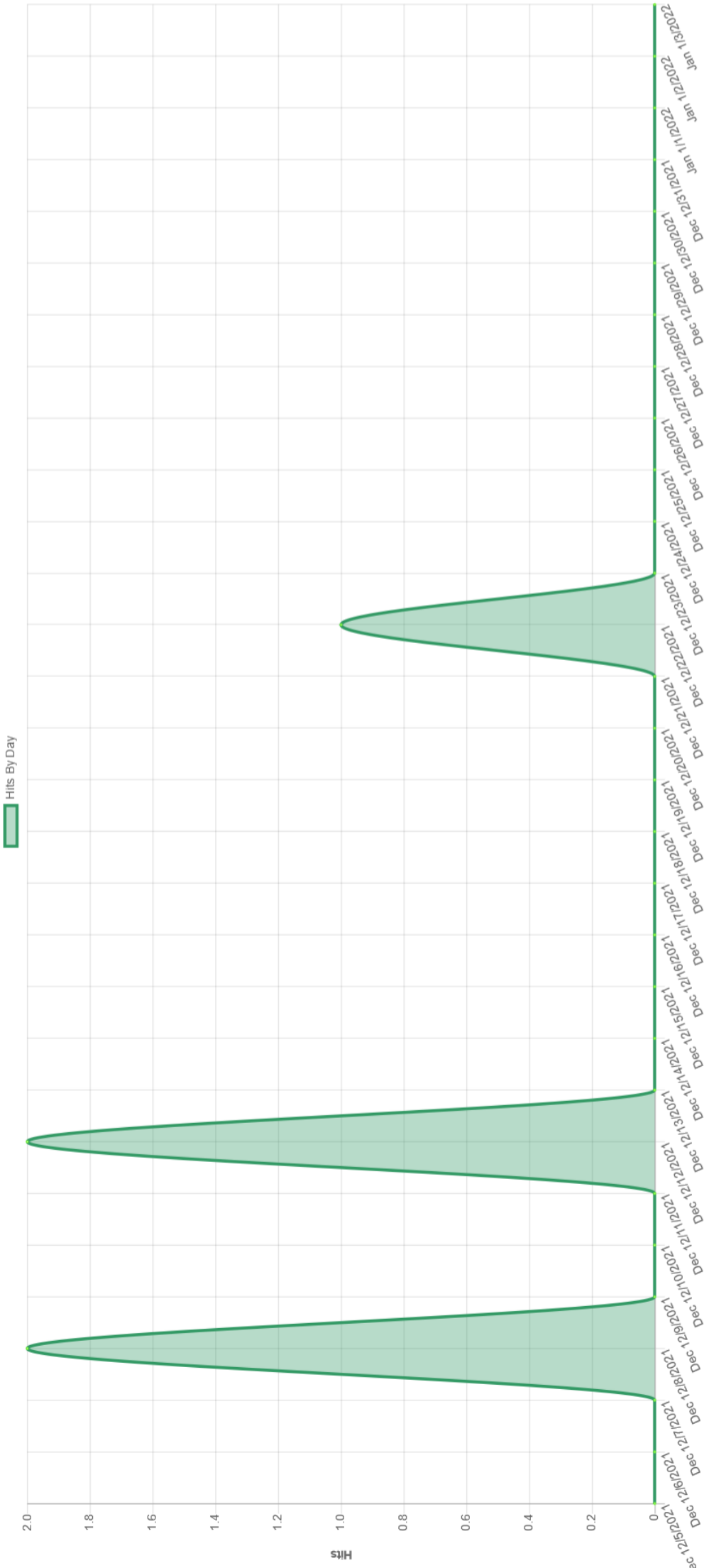


Dec 5 - Jan 3

Topics (1) ▾

Cameras (30) ▾

Search




Hits/Reads By Camera

1 5/230,580
 2 5/205,506
 3 0/0
 4 2/138,774
 5 2/75,453
 6 4/63,418
 7 7/243,556
 8 13/221,259
 9 2/52,932
 10 5/98,622
 11 0/28,262
 12 1/68,397
 13 0/0
 14 0/77,989
 15 0/6,602
 16 4/99,778

17 7/133,940
 18 4/127,380
 19 9/246,030
 20 9/352,032
 21 22/247,631
 22 22/299,534
 23 7/211,401
 24 5/96,262
 25 0/59,736
 26 0/27,069
 29 Riverbend 0/4,617
 Station 4/123,700
 #172 0/9,331
 Trailer 2/91,588
 Strey 1/44,595

Total Reads – 3,676,310
 Unique Reads – 1,489,056
 Hits- 190 - 6 Hit List- 142

1	Total Number of Incidents 2021																																									
	2			3			4			5			6			7			8			9			10			11			12			13			14			15		
	Fire	EMS	Total	# LT EMS	Natl Stand. 6:30	1st Resp. Time	Natl Stand. 6:30	of 90%	ALS Resp Time	Natl. Stand 10:30	of 90%	# LT Fire	Natl Stand. 6:50	Response Time	of 90%	Fire	EMS	Fire Alarms	% of Fire Calls																							
																																										
Bunker Hill Village	232	123	355	50	3:50	100%	100%	6:13	100%	100%	16	4:55	100%	65%	35%	86	37%																									
Hedwig Village	225	247	472	135	3:14	100%	100%	3:16	100%	100%	37	3:18	100%	48%	52%	108	48%																									
Hilshire Village	37	53	90	31	2:58	100%	100%	5:08	100%	100%	7	4:54	100%	41%	59%	11	0%																									
Hunters Creek Village	391	197	588	82	4:01	100%	100%	5:35	100%	100%	35	5:27	100%	66%	34%	179	46%																									
Piney Point Village	295	153	448	64	4:16	100%	100%	5:14	100%	100%	26	5:17	100%	66%	34%	136	46%																									
Spring Valley Village	272	210	482	96	2:52	100%	100%	4:15	100%	100%	26	4:16	100%	56%	44%	74	27%																									
Houston	110	0	110																																							
Totals	1562	983	2545	458	3:32	100%	100%	4:57	100%	100%	147	4:41	100%	61%	39%	594	34%																									

Notes: ALL Response Time categories include from the receipt of the call at the Primary Dispatch to arrival on location of the responding units.

Column 1: Reflects the cities listed within the chart.

Column 2: Reflects the year to date number of "fire" type calls within each jurisdiction. Includes: fires, vehicle collisions, gas leaks, rescues, tree in roadways, and others.

Column 3: Reflects the year to date number of "EMS" calls within each jurisdiction.

Column 4: Reflects the year to date, total number of all calls within each jurisdiction.

Column 5: Reflects the year to date, number of "life threatening EMS" calls within each jurisdiction. Includes: heart attacks, strokes, seizures, cardiac arrest, seizures and others.

Column 6, Row A: Reflects the "National Standard for total response time for life threatening EMS Calls of 6 minutes 30 seconds.

Column 7: Reflects the year to date, first responder's response times for each jurisdiction.

Column 8, Row A, Reflects the National Standard of the percentage of calls which the national standard should be met: 90%

Column 9: Reflects the year to date, percentage of calls which the national standard is met during life threatening EMS calls.

Column 10 Row A: Reflects the National Standard for total response time for life threatening EMS calls for arrival of Advanced Life Support Equipment and Personnel: 10 minutes 30 seconds.

Column 11: Reflects the year to date, Advanced Life Support equipment and personnel response time for life threatening calls within each jurisdiction.

Column 12 Row A, Reflects the National Standard of the percentage of calls which the ALS standard should be met: 90%

Column 13: Reflects the year to date, number of life threatening "Fire Type" calls within each jurisdiction.

Column 14: Reflects the year to date, average total response time to fire type calls which meet or exceed the National Standard.

Column 15: Reflects the year to date, percentage of life threatening fire type calls which meet or exceed the National Standard.

Column 16: Reflects the year to date, percentage of calls which are "fire type" calls.

Column 17: Reflects the year to date, percentage of call which are "EMS" calls.

Column 18: Reflects the year to date number of Fire Alarms within each jurisdiction.

Column 19: Reflects the percentage of fire type calls which are fire alarms.

Building Official Monthly Report

Prepared January 19, 2022 for the January 25, 2022 meeting.

Mayor and Council,

Please find attached the Building Officials Monthly Report for December 2021.

Thank You,

Jessica Pierce
Permit Administrative Assistant

City of Hunters Creek Village
Permit Activity Report (Issued) - 2019

Month	Building			Electrical		Mech & Plumbing		Total		Valuation
	# Issued	\$ Fees	# New Res	# Issued	\$ Fees	# Issued	\$ Fees	# Issued	\$ Fees	\$
January	19	\$4,633	0	11	\$1,405	15	\$3,730	45	\$9,768	\$702,660
February	17	\$6,188	1	8	\$1,355	30	\$4,080	55	\$11,623	\$2,637,978
March	23	\$13,320	0	10	\$1,170	18	\$2,262	51	\$16,752	\$1,758,240
April	22	\$17,127	1	15	\$3,160	40	\$6,175	77	\$26,462	\$2,931,125
May	26	\$17,786	2	17	\$3,045	29	\$4,295	72	\$25,126	\$2,661,043
June	24	\$12,674	1	6	\$1,150	23	\$4,030	53	\$17,854	\$2,088,440
July	39	\$19,821	1	18	\$2,535	34	\$5,025	91	\$27,381	\$3,760,834
August	27	\$26,431	2	12	\$2,265	33	\$5,145	72	\$33,841	\$5,975,468
September	23	\$26,541	2	12	\$2,095	31	\$5,140	66	\$33,776	\$3,896,872
October	27	\$40,968	3	12	\$1,865	35	\$6,050	74	\$48,883	\$8,384,388
November	20	\$7,283	0	13	\$1,790	22	\$3,235	55	\$12,308	\$1,213,903
December	22	\$14,495	0	10	\$2,020	31	\$4,675	63	\$21,190	\$1,767,497
Total	289	\$207,265	13	144	\$23,855	341	\$53,842	774	\$284,962	\$37,778,448

City of Hunters Creek Village
Permit Activity Report (Issued) - 2020

Month	Building			Electrical		Mech & Plumbing		Total		Valuation
	# Issued	\$ Fees	# New Res	# Issued	\$ Fees	# Issued	\$ Fees	# Issued	\$ Fees	\$
January	17	\$10,267	1	12	\$2,160	18	\$2,510	47	\$14,937	\$1,779,758
February	24	\$17,887	1	10	\$1,455	21	\$3,355	55	\$22,697	\$2,970,153
March	34	\$149,084	0	17	\$3,390	32	\$6,140	83	\$158,614	\$29,896,341
April	18	\$4,866	0	15	\$2,825	29	\$4,030	62	\$11,721	\$13,646,371
May	25	\$5,817	0	13	\$2,340	26	\$4,440	64	\$12,597	\$1,032,779
June	23	\$24,680	2	18	\$3,220	35	\$5,320	76	\$33,220	\$7,849,746
July	15	\$23,330	2	23	\$4,590	29	\$5,700	67	\$33,619	\$5,221,170
August	19	\$27,662	2	14	\$2,965	20	\$4,495	53	\$35,122	\$4,849,719
September	26	\$6,996	0	13	\$2,670	34	\$4,870	73	\$14,536	\$1,362,060
October	27	\$32,322	3	8	\$1,385	24	\$4,795	59	\$38,501	\$5,800,301
November	19	\$4,856	0	13	\$1,900	24	\$4,175	56	\$10,930	\$940,466
December	27	\$4,284	0	6	\$700	12	\$1,215	45	\$6,199	\$1,174,925
Total	274	\$312,050	11	162	\$29,600	304	\$51,045	740	\$392,693	\$76,523,789

City of Hunters Creek Village
Permit Activity Report (Issued) - 2021

Month	Building			Electrical		Mech & Plumbing		Total		Valuation
	# Issued	\$ Fees	# New Res	# Issued	\$ Fees	# Issued	\$ Fees	# Issued	\$ Fees	\$
January	29	\$17,846	1	19	\$3,215	24	\$4,495	72	\$25,556	\$3,108,651
February	15	\$24,327	2	9	\$1,410	18	\$2,420	49	\$28,516	\$4,311,997
March	35	\$14,765	0	19	\$2,615	44	\$6,985	98	\$24,365	\$2,394,000
April	26	\$5,970	0	17	\$3,240	20	\$2,675	63	\$11,885	\$1,229,148
May	21	\$14,620	1	23	\$3,585	43	\$6,630	87	\$24,835	\$3,849,073
June	28	\$26,027	2	14	\$2,810	29	\$4,645	71	\$33,482	\$4,930,737
July	26	\$31,787	3	14	\$2,365	21	\$3,485	61	\$37,367	\$4,347,372
August	27	\$16,496	0	23	\$4,265	54	\$7,960	104	\$28,721	\$3,570,864
September	19	\$34,387	2	21	\$4,025	33	\$6,575	73	\$44,987	\$5,535,127
October	23	\$24,797	1	22	\$4,405	30	\$4,895	75	\$34,097	\$4,061,891
November	31	\$38,585	2	36	\$5,625	16	\$3,325	83	\$47,535	\$5,919,766
December	37	\$53,801	5	21	\$3,035	35	\$7,890	93	\$64,726	\$10,576,710
Total	317	\$303,408	19	238	\$40,595	367	\$61,980	929	\$406,072	\$53,835,336

**City of Hunters Creek Village
Inspection Activity Report - 2020**

	Inspections Performed	Inspections Passed	% Passed	Inspections Failed	% Failed
Month					
January	112	100	89.0	12	11.0
February	161	134	83.2	27	16.8
March	149	137	91.9	12	8.1
April	203	171	84.2	32	15.8
May	199	165	82.9	34	17.1
June	164	138	84.1	26	15.9
July	228	193	84.6	35	15.4
August	159	140	88.1	19	11.9
September	167	138	82.6	29	17.4
October	155	127	81.9	28	18.1
November	108	89	82.4	19	17.6
December	134	110	82.1	24	17.9
Total	1939	1642	84.8	297	15.3

**City of Hunters Creek Village
Inspection Activity Report - 2021**

	Inspections Performed	Inspections Passed	% Passed	Inspections Failed	% Failed
Month					
January	147	124	84.4	23	15.6
February	98	86	87.8	12	12.2
March	172	146	84.9	26	15.1
April	135	118	87.4	17	12.6
May	126	111	88.1	15	11.9
June	165	137	83.0	28	17.0
July	139	113	81.3	26	18.7
August	170	155	91.2	15	8.8
September	186	163	87.6	23	12.4
October	188	164	87.2	24	12.8
November	124	113	91.1	11	8.9
December	188	174	92.6	14	7.4
Total	1838	1604	87.2	234	12.8

Inspections with Odometer Readings, by Inspector and Vehicle

Jan 21, 2022 10:47 AM
 Jessica Hubertus
 City of Hunters Creek Village

Date Range (inclusive): **Wed Dec 01 2021 to Fri Dec 31 2021**
 Inspection Department: **Building Permit Inspections**

BBG Consulting, Inc (BBG)								
Permit #	Address	Insp Type	Date	Reinsp?	Reinsp Fee?	Result	Correction	Notes
Odometer Vehicle ID:								
202100620	209 FLEETWAY DR	H-Strap	12/1/21		No	Pass		
202100692	751 E CREEKSIDE DR	E Final	12/1/21		No	Pass		
202100720	751 E CREEKSIDE DR	P Final	12/1/21		No	Pass		
202100807	715 Storywood Drive	Re-Roof	12/1/21		No	Pass		
202100826	754 Country Lane	FD Steel	12/1/21		No	Pass		
202100346	260 HEDWIG RD	YD Final	12/2/21		No	Pass		
202100515	260 HEDWIG RD	I Trench	12/2/21		No	Pass		
202100515	260 HEDWIG RD	I Final	12/2/21		No	Pass		
202100669	615 SHARTLE CIR	H-Strap	12/2/21		No	Pass		
202100740	114 Willowend Dr	F Final	12/2/21		No	NC	Disapproved; No access	
202100749	272 BRYN MAWR CIR	F Final	12/2/21		No	Pass		
202100780	1000 River Bend Drive	Foundation	12/2/21		No	Pass		
202100791	13 SLEEPY OAKS CIR	M Rough	12/2/21	Y	No	Pass	[Entered 11/22/2021 by BBG]: Second floor not completed.	
202100798	11014 Landon Lane	E Underg	12/2/21		No	Pass		
202100798	11014 Landon Lane	TCI	12/2/21		No	Pass		
202100799	11010 Landon Lane	E Underg	12/2/21		No	Pass		
202100799	11010 Landon Lane	TCI	12/2/21		No	Pass		

		Lane						
202100844	10709 Old Coach Ln	E Underg	12/2/21		No	Pass		
202100844	10709 Old Coach Ln	E Rough	12/2/21		No	Pass		
202100845	640 Wellesley Drive	P UnderG	12/2/21		No	Pass		
202100845	640 Wellesley Drive	P GL & GT	12/2/21		No	Pass		
202100701	261 BRYN MAWR CIR	M Rough	12/3/21		No	NC	Disapproved - secure AC register in family room	
202100822	590 Hedwig Road	E Rough	12/3/21		No	Pass		
202100826	754 Country Lane	E Underg	12/3/21		No	Pass		
202100826	754 Country Lane	TCI	12/3/21		No	Pass		
202100826	754 Country Lane	Bld-Final	12/3/21		No	Pass		
202100826	754 Country Lane	E Final	12/3/21		No	Pass		
202100827	754 Country Lane	P UnderG	12/3/21		No	Pass		
202100827	754 Country Lane	P Final	12/3/21		No	Pass		
202100827	754 Country Lane	P GL & GT	12/3/21		No	Pass		
202100842	906 Flint River Drive	M Rough	12/3/21		No	Pass		
202100843	10529 Beinhorn Rd	Gas Test	12/3/21		No	NC	Disapproved - no gas line or gauge	
202100849	621 Wellesley Dr	I Trench	12/3/21		No	Pass		
202100849	621 Wellesley Dr	I Final	12/3/21		No	Pass		
202100373	4 PINWOOD CIR	H-Strap	12/6/21	Y	No	Pass		
202100793	10910 ROARING BROOK LN	Gas Test	12/6/21		No	Pass		
202100793	10910 ROARING BROOK LN	P TO/Rough	12/6/21	Y	No	Pass		
202100840	852 Kuhlman Rd	ET-Pole	12/6/21		No	Pass		

	202100841	773 PIFER RD	ET-Pole	12/6/21		No	Pass	
	202100856	906 Flint River Drive	P TO/Rough	12/6/21		No	Pass	
	202100007	261 BRYN MAWR CIR	Frame R	12/7/21		No	Pass	Correct and proceed - missing joist hangers in playroom and at attic pulldown stair.
	202100701	261 BRYN MAWR CIR	M Rough	12/7/21	Y	No	Pass	[Entered 12/3/2021 by BBG]: Disapproved - secure AC register in family room
	202100779	700 W Creekside Drive	FD Steel	12/7/21		No	Pass	
	202100808	10826 ROARING BROOK LN	P Final	12/7/21		No	Pass	
	202100815	10819 Roaring Brook Lane	FD Steel	12/7/21		No	NC	Disapproved - Generator pad already poured.
	202100824	630 SADDLEWOOD LN	FD-Piers	12/7/21		No	Pass	
	202100846	10737 MARSHA LN	P UnderG	12/7/21		No	Pass	
	202100848	411 Hunterwood Drive	P UnderG	12/7/21		No	PPass	
	202100621	209 FLEETWAY DR	YD Trench	12/8/21		No	Pass	
	202100637	502 Hunterwood Drive	FD-Piers	12/8/21		No	Pass	
	202100654	11002 Huntwyck Dr	E Final	12/8/21		No	Pass	
	202100716	10910 Wickwild	E Final	12/8/21		No	Pass	
	202100730	10910 Wickwild	P Final	12/8/21		No	Pass	
	202100731	8333 Katy Freeway	Frame R	12/8/21		No	Pass	
	202100739	8333 Katy Freeway	P TO/Rough	12/8/21		No	Pass	
	202100740	114 Willowend Dr	F Final	12/8/21	Y	No	Pass	[Entered 12/2/2021 by BBG]: Disapproved; No access
	202100806	590 Hedwig	M Rough	12/8/21		No	Pass	

		Road						
	202100810	8333 Katy Freeway	E Rough	12/8/21		No	Pass	
	202100811	338 HUNTERS TRAIL ST	I Trench	12/8/21		No	Pass	
	202100811	338 HUNTERS TRAIL ST	I Final	12/8/21		No	Pass	
	202100860	831 Wade Hampton Drive	E Serv/ML	12/8/21		No	Pass	
	202100354	903 Creekwood Way	E Underg	12/9/21		No	Pass	
	202100354	903 Creekwood Way	E Rough	12/9/21		No	Pass	
	202100354	903 Creekwood Way	TCI	12/9/21		No	Pass	
	202100517	621 Wellesley Dr	E Final	12/9/21		No	Pass	
	202100708	6 Callie Court	F Post Hole	12/9/21		No	Pass	
	202100751	418 RIPPLE CREEK DR	Demo F	12/9/21		No	Pass	
	202100753	10607 Tarrington Drive	M Final	12/9/21		No	Pass	
	202100805	10910 ROARING BROOK LN	E Rough	12/9/21	Y	No	Pass	
	202100853	10830 ROARING BROOK LN	ET-Pole	12/9/21		No	Pass	
	202100862	7 Hedwig Shadows Dr	I Trench	12/9/21		No	Pass	
	202100862	7 Hedwig Shadows Dr	I Final	12/9/21		No	Pass	
	202000423	7 Hedwig Shadows Dr	Gas Test	12/10/21		No	Pass	
	202100771	590 Hedwig Road	Frame R	12/10/21		No	Pass	
	202100868	590 Hedwig Road	P TO/Rough	12/10/21		No	Pass	
	202100868	590 Hedwig Road	Shower Pan	12/10/21		No	Pass	
	202100640	10737 MARSHA LN	Foundation	12/13/21		No	Pass	
	202100641	502 Hunterwood Drive	P UnderG	12/13/21	Y	No	Pass	

202100793	10910 ROARING BROOK LN	Shower Pan	12/13/21	No	Pass	
202100354	903 Creekwood Way	E Final	12/14/21	No	Pass	
202100355	903 Creekwood Way	P Final	12/14/21	No	Pass	
202100576	8418 Hunters Creek Dr	P UnderG	12/14/21	No	Pass	
202100576	8418 Hunters Creek Dr	P GL & GT	12/14/21	No	Pass	
202100724	10607 TARRINGTON DR	E Final	12/14/21	No	NC	Disapproved - open ground on master bath GFI
202100873	10915 Kirwick Drive	E Underg	12/14/21	No	Pass	
202100873	10915 Kirwick Drive	E Rough	12/14/21	No	Pass	
202100347	15 INWOOD OAKS DR	E Final	12/15/21	No	Pass	
202100477	10615 Twelve Oaks Drive	P TO/Rough	12/15/21	No	Pass	
202100577	326 Hunters Trail Street	FD Steel	12/15/21	No	Pass	
202100824	630 SADDLEWOOD LN	Foundation	12/15/21	No	Pass	
202100864	11029 Kemwood Drive	E Underg	12/15/21	No	Pass	
202100864	11029 Kemwood Drive	E Rough	12/15/21	No	Pass	
202100881	301 Lindenwood Drive	F Post Hole	12/15/21	No	Pass	
202000405	621 Wellesley Dr	P Final	12/16/21	No	Pass	
202000731	621 Wellesley Dr	M Hood V	12/16/21	No	Pass	
202000731	621 Wellesley Dr	M Final	12/16/21	No	NC	Disapproved mech final - startup on heat has not been completed
202100014	621 Wellesley Dr	E Final	12/16/21	No	Pass	
202100343	7 Hedwig Shadows Dr	YD Final	12/16/21	No	NC	Disapproved; Need approved plans on site.

202100540	7 Hedwig Shadows Dr	DW Final	12/16/21		No	Pass	
202100558	852 Kuhlman Rd	Foundation	12/16/21		No	Pass	
202100604	621 Wellesley Dr	DW Final	12/16/21		No	Pass	
202100605	621 Wellesley Dr	F Final	12/16/21		No	Pass	
202100666	118 Willowend Dr	Shower Pan	12/16/21		No	Pass	
202100715	621 Wellesley Dr	YD Final	12/16/21		No	Pass	
202100724	10607 TARRINGTON DR	E Final	12/16/21	Y	No	Pass	[Entered 12/14/2021 by BBG]: Disapproved - open ground on master bath GFI
202100769	7 Hedwig Shadows Dr	F Post Hole	12/16/21		No	Pass	
202100769	7 Hedwig Shadows Dr	F Final	12/16/21		No	Pass	
202100839	215 VOSS RD	FD-Piers	12/16/21		No	Pass	
202100859	906 Flint River Drive	E Rough	12/16/21		No	Pass	
202100869	10930 Wickwild	FD Steel	12/16/21		No	NC	Disapproved; form not staked and no steel.
202100872	10909 Melody Lane	P Sewer	12/16/21		No	Pass	
202100872	10909 Melody Lane	P Final	12/16/21		No	Pass	
202100887	1 PINEWOOD CIR	Re-Roof	12/16/21		No	Pass	
202000323	621 Wellesley Dr	Bld-Final	12/17/21		No	Pass	
202000731	621 Wellesley Dr	M Final	12/17/21	Y	No	Pass	[Entered 12/16/2021 by BBG]: Disapproved mech final - startup on heat has not been completed
202100061	10733 Old Coach Ln	P Final	12/17/21		No	NC	Disapproved: Install proper door alarms. Gate must self close and latch
202100072	621 Wellesley Dr	M Final	12/17/21		No	Pass	

202100118	621 Wellesley Dr	P Final	12/17/21	No	NC	Disapproved - install gate; install door alarms
202100166	750 E CREEKSIDE DR	E Final	12/17/21	No	Pass	
202100185	10733 Old Coach Ln	E Final	12/17/21	No	Pass	
202100224	1 Bridlewood Ct	E TCI	12/17/21	No	NC	Disapproved - not ready
202100390	422 Thamer Lane	Gas Test	12/17/21	No	Pass	
202100431	723 Storywood Drive	E Final	12/17/21	No	Pass	
202100478	723 Storywood Drive	P Final	12/17/21	No	Pass	
202100526	11002 Huntwyck Dr	P Final	12/17/21	No	Pass	
202100571	621 Wellesley Dr	P Final	12/17/21	No	Pass	
202100571	621 Wellesley Dr	P Rgh/P-T/VCBK	12/17/21	No	Pass	
202100792	10615 Twelve Oaks Drive	E Rough	12/17/21	No	Pass	
202100802	605 Lindenwood Drive	FD-Piers	12/17/21	No	Pass	
202100837	211 Glennville Ct	FD-Piers	12/17/21	No	Pass	
202000437	7 Hedwig Shadows Dr	E Final	12/20/21	No	Pass	
202100007	261 BRYN MAWR CIR	Insulation	12/20/21	No	Pass	
202100138	750 E CREEKSIDE DR	P Final	12/20/21	No	Pass	
202100270	10915 KIRWICK DR	E Underg	12/20/21	No	Pass	
202100485	318 Lindenwood Drive	FD Steel	12/20/21	No	Pass	
202100485	318 Lindenwood Drive	E Underg	12/20/21	No	Pass	
202100690	10607 Tarrington Drive	P Final	12/20/21	No	Pass	
202100819	660 SHARTLE CIR	Demo F	12/20/21	No	Pass	

202100823	906 FLINT RIVER DR	Frame R	12/20/21		No	Pass	
202100823	906 FLINT RIVER DR	Insulation	12/20/21		No	Pass	
202100892	215 VOSS RD	ET-Pole	12/20/21		No	Pass	
202100893	605 Lindenwood Drive	ET-Pole	12/20/21		No	Pass	
202100061	10733 Old Coach Ln	P Final	12/22/21	Y	No	Pass	[Entered 12/17/2021 by BBG]: Disapproved: Install proper door alarms. Gate must self close and latch
202100224	1 Bridlewood Ct	E TCI	12/22/21	Y	No	Pass	[Entered 12/17/2021 by BBG]: Disapproved - not ready
202100467	723 Storywood Drive	Bld-Final	12/22/21		No	Pass	
202100671	10607 TARRINGTON DR	Bld-Final	12/22/21		No	Pass	
202100731	8333 Katy Freeway	Frame R	12/22/21	Y	No	Pass	
202100742	8333 Katy Freeway	M Rough	12/22/21		No	Pass	
202100747	10918 KIRWICK DR	Demo F	12/22/21		No	NC	Not Completed
202100797	640 Wellesley Drive	E Rough	12/22/21		No	Pass	
202100797	640 Wellesley Drive	TCI	12/22/21		No	Pass	
202100810	8333 Katy Freeway	E Rough	12/22/21	Y	No	Pass	
202100838	215 Bryn Mawr Circle	FD-Piers	12/22/21		No	Pass	
202100883	605 Lindenwood Drive	P UnderG	12/22/21		No	Pass	
202100883	605 Lindenwood Drive	P Sewer	12/22/21		No	Pass	
202100898	213 FLEETWAY DR	P UnderG	12/22/21		No	Pass	
202100898	213 FLEETWAY DR	P GL & GT	12/22/21		No	Pass	

202000681	7 Hedwig Shadows Dr	M Final	12/23/21		No	Pass	
202100096	10926 Wickline Dr	Frame R	12/23/21	Y	No	Pass	
202100708	6 Callie Court	F Final	12/23/21		No	Pass	
202100747	10918 KIRWICK DR	Demo F	12/23/21	Y	No	Pass	[Entered 12/22/2021 by BBG]: Not Completed
202100848	411 Hunterwood Drive	P Sewer	12/23/21		No	Pass	
202100848	411 Hunterwood Drive	P UnderG	12/23/21	Y	No	Pass	[Entered 12/7/2021 by BBG]:
202100896	10802 HUNTERS FOREST DR	YD Trench	12/23/21		No	Pass	
202100635	414 Thamer Circle	H-Strap	12/28/21		No	Pass	
202100891	601 Wellesley Dr	FD-Piers	12/28/21		No	Pass	
202100911	410 Thamer Circle	DW Steel	12/28/21		No	Pass	
202000423	7 Hedwig Shadows Dr	P Final	12/29/21		No	Pass	
202100780	1000 River Bend Drive	H-Strap	12/29/21		No	Pass	
202100816	10615 TWELVE OAKS DR	M Rough	12/29/21		No	Pass	
202100856	906 Flint River Drive	Shower Pan	12/29/21		No	Pass	
202100866	311 Shasta Drive	E Final	12/29/21		No	Pass	
202100867	311 Shasta Drive	P Final	12/29/21		No	Pass	
202100900	10813 Long Shadow Ln	P Final	12/29/21		No	Pass	
202100907	10902 WICKWILD ST	P UnderG	12/29/21		No	Pass	
202100907	10902 WICKWILD ST	P Sewer	12/29/21		No	Pass	
202100915	711 Hunters Grove Ln	FD Steel	12/29/21		No	Pass	
202100915	711 Hunters Grove Ln	E Underg	12/29/21		No	Pass	
202100253	614 Hunters	E Final	12/30/21		No	NC	Disapproved - install

		Grove Lane						blank plates at all open fixture outlets
	202100735	615 Shartle Circle	P TO/Rough	12/30/21		No	PPass	Approved partially - for first floor only
	202100739	8333 Katy Freeway	P Final	12/30/21		No	Pass	
	202100835	10922 ROARING BROOK LN	Demo F	12/30/21		No	Pass	
	202100863	10426 Memorial Drive	M Rough	12/30/21		No	NC	Disapproved - no access

Inspections	Begin Odometer	End Odometer	Miles	Avg Miles per Inspection
183			0	0.0

James Stewart (james)

Permit #	Address	Insp Type	Date	Reinsp?	Reinsp Fee?	Result	Correction Notes
----------	---------	-----------	------	---------	-------------	--------	------------------

Vehicle ID:

	202100654	11002 Huntwyck Dr	E Underg	12/8/21		No	Pass	Approved per pictures texted to James. JH
	202100823	906 FLINT RIVER DR	Foundation	12/15/21		No	Pass	Plumbing Trench repour only.
	202100866	311 Shasta Drive	TCI	12/23/21		No	Pass	Released to Centerpoint 12/22/21.
	202100867	311 Shasta Drive	P UnderG	12/23/21		No	Pass	
	202100867	311 Shasta Drive	P GL & GT	12/23/21		No	Pass	Released to Centerpoint 12/22/21

Inspections	Begin Odometer	End Odometer	Miles	Avg Miles per Inspection
5			0	0.0

HUNTERS CREEK VILLAGE - PLAN REVIEW STATUS REPORT

PROJECT ADDRESS	PROJECT TYPE	DATE SUBMITTED	REVIEW STATUS	COMMENTS
8447 Hunters Creek Dr.	New Home	10/22/2021	Plans withdrawn for revisions 11/5/21	
8310 Cheshire Vale St.	Remodel	10/28/2021	Review Completed 11/4/21 - Not Approved	Contractor notified of needed revisions 11/4/21
339 Hunters Trail St.	New Pool	11/15/2021	Review Completed 11/16/21 - Not Approved	Contractor notified of needed revisions. 11/16/21
418 Ripple Creek Dr.	New Home	11/12/2021	Review Completed - 01/07/2022 - Approved	Contractor notified of needed revisions - 12/2/21
10610 N Evers Park	New Home	12/17/2021	In Review	BOA 01/24/2022
889 Country Lane	Remodel	12/22/2021	Review Completed - 01/11/2022 - Not Approved	Contractor notified of needed revisions 01/11/2022

CITY OF HUNTERS CREEK VILLAGE ENGINEER'S REPORT

Prepared January 19, 2022 for the January 25, 2022 Agenda

A. Beinhorn and Voss – Traffic Signal Reconstruction

1. Still waiting on additional flashers to be delivered.

B. 10 Willowend Dr. Outfall

1. Contractor has successfully repaired the sinkhole at the homeowner's front gate.
2. Contractor will begin work in the bayou next week.
3. Still have material supply issue with the CIPP liner.

C. Walwick and Hunters Park Lane.

1. Mechanical cleaning has been performed. There were roots, bricks and debris removed from the lines but nothing substantial.

D. Lindenwood Signal

1. Ready to bid.

E. Voss Curve road system study

1. Consider performing a traffic and geometry study of the issues on the curve.

F. Kuhlman Reconstruction

1. There is an agenda item to consider engineering services for the reconstruction of Kuhlman like the Beinhorn project. Limits include the entire length of the road, regrading ditches where needed.
2. Will be ready for bid around the end of February if authorized.

**CITY OF HUNTERS CREEK VILLAGE, TEXAS
MINUTES OF THE REGULAR
CITY COUNCIL MEETING
December 7, 2021**

The City Council of the City of Hunters Creek Village, Texas held a regular meeting on Tuesday, December 7, 2021, at 6:00 p.m., at #1 Hunters Creek Place, Hunters Creek Village, Texas. Members of the public were invited to attend the meeting in person.

Present:	Mayor:	Jim Pappas
	Councilmembers:	Stuart Marks Fidel Sapien Chip Cowell Jay Carlton
	City Administrator:	Tom Fullen
	City Attorney:	John Hightower
	Assistant to the City Secretary:	Jennifer Namie
	Building Official:	James Stewart
	City Engineer:	Steve Byington

- A. Call to order and the roll of elected and appointed officers will be taken.

With a quorum of the Council Members present, Mayor Jim Pappas called the meeting to order at 6:00 p.m.

- B. **Chief Schultz led Pledge of Allegiance followed by a brief prayer by Mayor Pappas.**

- C. PUBLIC COMMENTS *At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, if a member of the public comments or inquiries about a subject that is not specifically identified on the agenda, a member of council or a staff member may only respond by giving a statement of specific factual information or by reciting existing policy. The City Council may not deliberate or vote on the matter.*

There were no public comments.

- D. REPORTS

1. City Treasurer Monthly Report - **Tom Fullen, City Administrator presented this report.**
2. Police Commissioner Monthly Report – **Steve Reichek, Police Commissioner, presented this report.**

3. Fire Commissioner Monthly Report - **Jay Carlton, Fire Commission Liaison, presented this report.**
4. Building Official Monthly Report - **James Stewart, Building Official, presented this report.**
5. City Engineer Monthly Report – **Steve Byington, City Engineer, presented this report.**
6. City Administrator Report – **Tom Fullen, City Administrator, presented this report.**
7. Mayor and Council Reports and Comments

E. CONSENT AGENDA *The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Councilmember requests, in which event, the item will be removed from the general order of business and considered in its normal sequence on the agenda.*

1. Approval of the Minutes of the Regular Meeting on October 26, 2021.
2. Approval of the Cash Disbursement Journal for October, 2021.
3. Approval of the Cash Disbursement Journal for November, 2021.
4. Approval of the 2021 3rd Quarterly Investment Report.
5. Approval of an agreement with Harris County Sheriff's Office for housing city prisoners effective January 1, 2022.

Councilmember Carlton made a motion to approve the Consent Agenda. Councilmember Marks seconded the motion and the motion carried unanimously.

F. REGULAR AGENDA

1. Discussion and possible action to approve Change Order #3 to the contract with Angel Brothers Enterprises, LTD. - (Close Out) in the amount of (\$80,674.20) for the Beinhorn Road Reconstruction Project.

Councilmember Marks made a motion to approve Change Order #3 to the contract with Angel Brothers Enterprises, LTD. - (Close Out) in the amount of (\$80,674.20) for the Beinhorn Road Reconstruction Project contingent upon receipt of consent assurity. Councilmember Carlton seconded the motion and the motion carried unanimously.

2. Discussion and possible action to approve the Memorial Villages Police Department Budget Amendment for FY2022 to increase the employer contribution of dependent health coverage from 50 percent to 75 percent.

Councilmember Cowell made a motion to approve the Memorial Villages Police Department Budget Amendment for FY2022 to increase the employer contribution of dependent health coverage from 50 percent to 75 percent. Councilmember Sapien seconded the motion and the motion carried unanimously.

3. Discussion and possible action to accept the recommendation from the Village Mutual Insurance Group for the employees' medical, dental, vision, Life/AD&D, and long-term disability insurance coverage for 2022.

Councilmember Sapien made a motion accept the recommendation from the Village Mutual Insurance Group for the employees' medical, dental, vision, Life/AD&D, and long-term disability insurance coverage for 2022. Councilmember Marks seconded the motion and the motion carried unanimously.

4. Discussion and possible action to select the City's municipal depository and to authorize a contract for depository services for the City.

Councilmember Sapien made a motion to designate Allegiance Bank as the City's municipal depository and to authorize a contract for depository services. Councilmember Carlton seconded the motion and the motion carried unanimously.

- G. EXECUTIVE SESSION It is anticipated that all, or a portion of the discussion of the following items, if any, will be conducted in closed executive session under authority of the Texas Open Meetings Act. However, no action will be taken on these items until the City Council reconvenes in open session.

Council convened into Executive Session at 6:49 p.m. in accordance with Section 551.074 of the Texas Government Code.

- H. RECONVENE into Open Session and consider action, if any, on items discussed in Executive Session.

Council reconvened into open session at 7:55 p.m.

At this time Councilmember Carlton made a motion to approve the individual performance-based salary adjustments proposed by the City Administrator plus a one-time 2% COLA adjustment for all employees. Councilmember Sapien seconded the motion and the motion carried unanimously.

- I. ADJOURNMENT

At 7:57 p.m., a motion was made and seconded to adjourn. The motion carried unanimously. The meeting adjourned at 7:57 p.m.

These minutes were approved on the ____ day of January 2022.

Jim Pappas, Mayor

ATTEST:

Tom Fullen, City Administrator
Acting City Secretary

DRAFT



Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP POOLED-AP POOLED						
000866	Angel Brothers Enterprises Ltd	12/01/2021	Regular	0.00	56,777.59	32947
000864	Best Best & Krieger LLP	12/01/2021	Regular	0.00	1,462.50	32948
0045	CARMEN KNEZEAK	12/01/2021	Regular	0.00	1,382.50	32949
000808	CenterPoint Energy (S)	12/01/2021	Regular	0.00	29.10	32950
0228	CITY OF BUNKER HILL VILLAGE	12/01/2021	Regular	0.00	1,800.06	32951
0012	COBB FENDLEY	12/01/2021	Regular	0.00	6,462.04	32952
0023	GORMAN UNIFORM SERVICE	12/01/2021	Regular	0.00	105.18	32953
000851	Government Finance Officers Association of Texas	12/01/2021	Regular	0.00	60.00	32954
0028	HARRIS COUNTY APPRAISAL DISTRICT	12/01/2021	Regular	0.00	10,772.00	32955
0035	HOUSTON CHRONICLE	12/01/2021	Regular	0.00	189.54	32956
0641	Mark E. Easley	12/01/2021	Regular	0.00	300.00	32957
0053	MEMORIAL VILLAGES WATER AUTHORITY	12/01/2021	Regular	0.00	4,878.62	32958
000871	MUNICODE	12/01/2021	Regular	0.00	250.00	32959
000715	Newton Nurseries West	12/01/2021	Regular	0.00	350.68	32960
0062	NORTHWEST PEST PATROL	12/01/2021	Regular	0.00	4,400.00	32961
0135	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	12/01/2021	Regular	0.00	246.21	32962
0420	PREMIER TREE SERVICE	12/01/2021	Regular	0.00	4,500.00	32963
0648	Shane's Fence Company	12/01/2021	Regular	0.00	4,400.00	32964
0103	TEXAS MUNICIPAL RETIREMENT SYSTEM - TMRS	12/01/2021	Regular	0.00	11,240.57	32965
0103	TEXAS MUNICIPAL RETIREMENT SYSTEM - TMRS	12/01/2021	Regular	0.00	-11,240.57	32965
0362	VERIZON WIRELESS	12/01/2021	Regular	0.00	38.07	32966
0105	VILLAGE FIRE DEPARTMENT	12/01/2021	Regular	0.00	64,537.18	32967
0107	VILLAGES MUTUAL INSURANCE COOPERATIVE	12/01/2021	Regular	0.00	8,654.38	32968
000874	Daniel's Erosion Control & Maintenance	12/01/2021	Regular	0.00	2,400.00	32969
0674	Jim Pappas	12/01/2021	Regular	0.00	2,100.00	32970
0103	TEXAS MUNICIPAL RETIREMENT SYSTEM - TMRS	12/01/2021	Regular	0.00	11,240.87	32971
0647	Aflac Worldwide Headquarters	12/15/2021	Regular	0.00	358.80	32972
0005	AT&T (5001)	12/15/2021	Regular	0.00	459.87	32973
0458	AT&T (5019)	12/15/2021	Regular	0.00	714.66	32974
000815	BBG Consulting, Inc.	12/15/2021	Regular	0.00	4,000.00	32975
000864	Best Best & Krieger LLP	12/15/2021	Regular	0.00	253.50	32976
0607	Bownds Wholesale Nursey	12/15/2021	Regular	0.00	4,800.00	32977
0628	BRADFORD GENE HENDRICKS	12/15/2021	Regular	0.00	1,260.00	32978
0669	C & D Janitor Service, Inc.	12/15/2021	Regular	0.00	795.86	32979
0045	CARMEN KNEZEAK	12/15/2021	Regular	0.00	1,172.50	32980
000847	CenterPoint Energy Distribution	12/15/2021	Regular	0.00	6,608.00	32981
0012	COBB FENDLEY	12/15/2021	Regular	0.00	10,491.20	32982
000796	Engie Resources	12/15/2021	Regular	0.00	302.51	32983
0150	GARY B MADDIX	12/15/2021	Regular	0.00	500.00	32984
0023	GORMAN UNIFORM SERVICE	12/15/2021	Regular	0.00	210.36	32985
0034	HOME SECURITY SYSTEMS INC	12/15/2021	Regular	0.00	561.10	32986
0662	Jackie Delgadillo	12/15/2021	Regular	0.00	393.49	32987
0066	OLSON & OLSON LLP	12/15/2021	Regular	0.00	3,429.00	32988
000753	Patagonia Grill and Cafe	12/15/2021	Regular	0.00	1,500.00	32989
0434	SHERRY L. LOTT	12/15/2021	Regular	0.00	750.00	32990
0101	TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL	12/15/2021	Regular	0.00	284.00	32991
0260	THOMAS G FULLEN JR	12/15/2021	Regular	0.00	83.00	32992
000789	Van Sant Landscape Management	12/15/2021	Regular	0.00	4,078.00	32993
0530	xlrINT LLC	12/15/2021	Regular	0.00	442.50	32994
000774	Adam Voyles	12/31/2021	Regular	0.00	300.00	32995
0647	Aflac Worldwide Headquarters	12/31/2021	Regular	0.00	538.20	32996
0458	AT&T (5019)	12/31/2021	Regular	0.00	714.66	32997
0045	CARMEN KNEZEAK	12/31/2021	Regular	0.00	1,120.00	32998
0010	CENTERPOINT ENERGY	12/31/2021	Regular	0.00	47.33	32999

Check Report

Date Range: 12/01/2021 - 12/31/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
0012	COBB FENDLEY	12/31/2021	Regular	0.00	7,240.00	33000
000796	Engie Resources	12/31/2021	Regular	0.00	82.76	33001
0020	EWING, HOUSTON	12/31/2021	Regular	0.00	493.49	33002
0150	GARY B MADDOX	12/31/2021	Regular	0.00	500.00	33003
0023	GORMAN UNIFORM SERVICE	12/31/2021	Regular	0.00	157.77	33004
0537	Green For Life	12/31/2021	Regular	0.00	42,769.42	33005
0030	HARRIS COUNTY MAYORS' & COUNCILS' ASSOCIA	12/31/2021	Regular	0.00	40.00	33006
0035	HOUSTON CHRONICLE	12/31/2021	Regular	0.00	334.08	33007
0654	Lora Jean D. Lenzsch	12/31/2021	Regular	0.00	2,050.00	33008
0641	Mark E. Easley	12/31/2021	Regular	0.00	300.00	33009
0052	MEMORIAL VILLAGES POLICE DEPT - MAIN	12/31/2021	Regular	0.00	6,000.00	33010
0052	MEMORIAL VILLAGES POLICE DEPT - MAIN	12/31/2021	Regular	0.00	340,077.00	33011
0052	MEMORIAL VILLAGES POLICE DEPT - MAIN	12/31/2021	Regular	0.00	8,888.00	33012
0053	MEMORIAL VILLAGES WATER AUTHORITY	12/31/2021	Regular	0.00	1,664.09	33013
0065	OFFICE DEPOT CREDIT PLAN	12/31/2021	Regular	0.00	241.99	33014
0420	PREMIER TREE SERVICE	12/31/2021	Regular	0.00	3,850.00	33015
0434	SHERRY L. LOTT	12/31/2021	Regular	0.00	475.00	33016
0092	TEXAS SOCIAL SECURITY PROGRAM	12/31/2021	Regular	0.00	35.00	33017
000852	Texas Municipal Human Resources Association	12/31/2021	Regular	0.00	75.00	33018
0103	TEXAS MUNICIPAL RETIREMENT SYSTEM - TMRS	12/31/2021	Regular	0.00	18,157.39	33019
0362	VERIZON WIRELESS	12/31/2021	Regular	0.00	38.09	33020
0105	VILLAGE FIRE DEPARTMENT	12/31/2021	Regular	0.00	207,299.00	33021
0107	VILLAGES MUTUAL INSURANCE COOPERATIVE	12/31/2021	Regular	0.00	9,049.80	33022
0108	WILSON FIRE EQUIPMENT & SERVICE CO INC	12/31/2021	Regular	0.00	231.00	33023
0530	xlrINT LLC	12/31/2021	Regular	0.00	675.00	33024
0638-JS	Payment Remittance Center	12/20/2021	Bank Draft	0.00	593.33	DFT0000322
0517-TF	PAYMENT REMITTANCE CENTER	12/20/2021	Bank Draft	0.00	1,014.86	DFT0000323
0127-EA	PAYMENT REMITTANCE CENTER	12/20/2021	Bank Draft	0.00	1,030.26	DFT0000324

Bank Code AP POOLED Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	100	78	0.00	895,469.51
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-11,240.57
Bank Drafts	3	3	0.00	2,638.45
EFT's	0	0	0.00	0.00
	103	82	0.00	886,867.39

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	100	78	0.00	895,469.51
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-11,240.57
Bank Drafts	3	3	0.00	2,638.45
EFT's	0	0	0.00	0.00
	103	82	0.00	886,867.39

Fund Summary

Fund	Name	Period	Amount
999	POOL	12/2021	886,867.39
			886,867.39



**CITY OF HUNTERS CREEK VILLAGE
AGENDA DISCUSSION FORM**

AGENDA DATE: January 25, 2022
AGENDA SUBJECT: Discussion and possible action to approve Anita Broderick James as an associate municipal court prosecutor.
EXHIBITS: Resumé

ANITA BRODERICK JAMES

P.O. Box 300806, Houston, Texas 77230
a_jameslaw@yahoo.com • (832) 771-8812

EXPERIENCE

City of Houston, Municipal Courts Department, Houston, Texas

Associate Judge, August 2013 – Present

- Preside over cases involving Class “C” misdemeanor offenses
- Issue magistrate warnings pursuant to Article 15.17 of the Texas Code of Criminal Procedure
- Review and issue search warrants pursuant to Chapter 18 of the Texas Code of Criminal Procedure
- Preside over bench trials
- Perform marriage ceremonies
- Research, review and analyze changes in criminal and traffic laws

City of Spring Valley Village, Municipal Courts Department, Houston, Texas

Prosecutor, February 2016 – Present

- Prosecute criminal and traffic charges filed in the City of Spring Valley Village Municipal Court
- Arraign defendants and negotiate plea agreements for disposition of cases

City of Hedwig Village, Municipal Courts Department, Houston, Texas

Prosecutor, September 2019 – Present

- Prosecute criminal and traffic charges filed in the City of Hedwig Village Municipal Court
- Arraign defendants and negotiate plea agreements for disposition of cases

City of Sugar Land, Municipal Courts Department, Sugar Land, Texas

Substitute Prosecutor, October 2014 – September 2019

- Prosecuted criminal and traffic charges filed in the City of Sugar Land Municipal Court
- Arraigned defendants and negotiated plea agreements for disposition of cases

Henry McDonald & James, P.C., Houston, Texas

Partner, November 2007 – December 2015

- Managed the collections section of a boutique law firm
- Implemented policies and procedures that complied with the Texas and Federal Fair Debt Collection Practices Acts
- Oversaw litigation through judgment, appeared at trial settings and handled post-judgment enforcement proceedings

Law Office of Anita Broderick James, Houston, Texas

Solo Practitioner, March 1996 – October 2007

- Managed and operated a general law practice with an emphasis on real estate law, family law and criminal defense law for both adult and juvenile clients
- Served as *guardian ad litem* for children involved in cases with the Texas Department of Family and Protective Services
- Obtained substantial experience in pre-trial negotiations, representation of minors, and adult supervision procedures

Harris County Attorney’s Office, Federal Trial Division, Houston, Texas

Legal Intern, August 1995 – December 1995

- Drafted preparatory memoranda and motions for cases involving civil rights, employment discrimination, wrongful discharge, habeas corpus and state-law tort claims
- Operated under the direct supervision of the Division Chief and coordinated with six trial attorneys

Harris County Attorney's Office, Appraisal District, Houston, Texas

Legal Intern, June 1994 – August 1994

- Conducted legal research and drafted memoranda regarding ad valorem tax issues for properties existing within Harris County
- Drafted legal documents for review by the Texas Attorney General

EDUCATION

Texas Southern University, Thurgood Marshall School of Law, Houston, Texas

J.D., May 1995

Howard University, Washington, District of Columbia

B.B.A., May 1992

BAR ADMISSIONS

- Admitted to the State Bar of Texas, November 1995
- Admitted to the United States District Court, Southern District of Texas, 1996



**CITY OF HUNTERS CREEK VILLAGE
AGENDA DISCUSSION FORM**

AGENDA DATE: January 25, 2022
AGENDA SUBJECT: Discussion and possible action to approve an amendment to the Interlocal Agreement for Fire and Emergency Services between the cities of Bunker Hill Village, Texas, Hilshire Village, Texas, Hedwig Village, Texas, Hunters Creek Village, Texas, Piney Point Village, Texas and Spring Valley Village, Texas and the Village Fire Department dated October 2019 as part of the process of allowing the City of Bunker Hill Village to rejoin the Department as a full member.

EXHIBITS: Bunker Hill Letter, & Agreement Amendment

City of
BUNKER HILL VILLAGE
WWW.BUNKERHILLTX.GOV

January 13, 2022

The Honorable Tom Jinks & Members of the City Council
Mayor and City Council, City of Hedwig Village

The Honorable Russell Herron & Members of the City Council
Mayor and City Council, City of Hilshire Village

The Honorable Jim Pappas & Members of the City Council
Mayor and City Council, City of Hunters Creek Village

The Honorable Mark Kobelan & Members of the City Council
Mayor and City Council, City of Piney Point Village

The Honorable Marcus Vajdos & Members of the City Council
Mayor and City Council, City of Spring Valley

Chairman Jay Carlton & Members of the Village Fire Commission
Village Fire Department

RE: *City of Bunker Hill Village ("City") reentry to Village Fire Department ("VFD")*

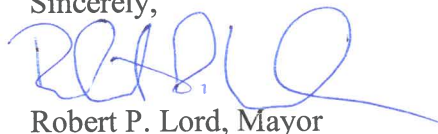
Dear Mayors, Members of the City Councils, Chairman Carlton and Members of the Village Fire Commission:

Thank you for the letter from Mr. Brandon D. Morris with Randle Law Officer dated January 4, 2022 outlining the opportunity and process for Bunker Hill Village to reenter the VFD.

On behalf of the City Council, I am writing to inform you of the City's interest in becoming a full member of the Village Fire Department with early entry as noted in Mr. Morris' letter. Action was taken to authorize this letter at a Special City Council Meeting held on Thursday, January 6, 2022. In addition, upon re-entry, the City respectfully requests immediate reimbursement of the escrow funds contributed for 2019, 2020 and 2021 in accordance with the October 2019 Agreement as well as any other actions as required.

We appreciate this opportunity and look forward to working with all parties involved to see this accomplished.

Sincerely,


Robert P. Lord, Mayor

cc: Bunker Hill City Council



PHONE: (713) 467-9762 | 11977 MEMORIAL DRIVE, HOUSTON, TEXAS 77024 | FAX: (713) 827-8752



Memorial City Plaza II
820 Gessner, Suite 1570
Houston, TX 77024-4494

January 20, 2022

The Honorable Mayor Jinks & Members of the City Council, City of Hedwig Village

The Honorable Mayor Herron & Members of the City Council, City of Hilshire Village

The Honorable Mayor Pappas & Members of the City Council, City of Hunters Creek Village

The Honorable Mayor Kobelan & Members of the City Council, City of Piney Point Village

The Honorable Mayor Vajdos & Members of the City Council, City of Spring Valley

RE: City of Bunker Hill Village ("Bunker Hill") reentry to Village Fire Department ("VFD")

Dear Mayors & Council Members,

As you all are aware, the City of Bunker Hill Village ("Bunker Hill") submitted a letter dated January 13, 2022, expressing their interest in becoming a full member of the Village Fire Department ("VFD") effective April 1, 2022. By this letter, the VFD Board of Commissioners requests that each of the member cities place an item on the agenda for your next city council meeting to discuss readmitting Bunker Hill Village as a full participating member of the Village Fire Department, effective April 1, 2022. This ensures that there will be ample time to discuss and resolve any potential issues prior to our target effective date of April 1, 2022.

In order to readmit Bunker Hill by April 1, 2022, each of the Member Cities must execute an amendment to the 1983 Interlocal Agreement which originally established the Village Fire Department. Within the same amendment, the existing Services Agreement between Bunker Hill Village and the VFD will be extinguished. The proposed amendment which would accomplish each of these goals is attached to this letter as Exhibit A. Further Discussion of the current relationship between Bunker Hill Village and the Village Fire Department, along with the implications of reentry can be found in the memorandum dated December 13, 2021 attached as Exhibit B. On behalf of the Village Fire Department thank you for your cooperation and attention to this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Brandon D. Morris".

Brandon D. Morris

Randle Law Office LTD., L.L.P

Enclosures

(281) 657-2000
brandon@jgradyrandlepc.com

Exhibit – A

Village Fire Department Interlocal Cooperation Agreement Amendment #6

Village Fire Department Interlocal Cooperation Agreement Amendment #6

Pursuant to Article 16A. of the Village Fire Department Interlocal Cooperation Agreement, all contracting cities hereby approve the following amendment to Article 1 thereof:

Article 1.

“1.00. Notwithstanding any other article or provision herein, Bunker Hill Village is a “Contracting City” under this Agreement. The Interlocal Agreement for Fire Protection and Emergency Services executed November 13, 2019, is hereby extinguished by agreement of all Parties thereto.

(Amend #6 - 4/1/2022)”

This Amendment may be executed in any number of counterparts, and each such counterpart hereof shall be deemed to be an original instrument, but all such counterparts together shall constitute but one Amendment agreement.

HEDWIG VILLAGE:

By: _____
Mayor

Date: _____

ATTESTED:

City Secretary

HILSHIRE VILLAGE:

By: _____
Mayor

Date: _____

ATTESTED:

City Secretary

PINEY POINT VILLAGE:

By: _____
Mayor

Date: _____

ATTESTED:

City Secretary

SPRING VALLEY VILLAGE:

By: _____
Mayor

Date: _____

ATTESTED:

City Secretary

HUNTERS CREEK VILLAGE:

By: _____
Mayor

Date: _____

ATTESTED:

City Secretary

BUNKER HILL VILLAGE:

By: _____
Mayor

Date: _____

ATTESTED:

City Secretary

Exhibit – B

Memorandum Dated December 13, 2021
Re: Readmission Procedure and Implications



Memorial City Plaza II
820 Gessner, Suite 1570
Houston, TX 77024-4494

MEMORANDUM

FROM: Brandon Morris
TO: Chief Foster and the Village Fire Department Board of Commissioners
RE: Bunker Hill Village Admission Procedure and Implications
DATE: December 13, 2021

In October of 2019, the Village Fire Department (“VFD”) along with each of its member Cities, and Bunker Hill Village (“Bunker Hill”) entered into an Agreement for Fire Protection and Emergency Services (“Service Agreement”). Bunker Hill acknowledged in the Services Agreement that their prior actions had constituted a unilateral withdrawal from the VFD. Accordingly, Bunker Hill is not currently a member of the Village Fire Department. This memorandum addresses the procedures for readmission of Bunker Hill as a member of VFD as well as some of the implications of admitting Bunker Hill as a member.

I. Current Relationship of VFD and Bunker Hill

The Village Fire Department was created through an Interlocal Agreement in 1983 by its member Cities (the “1983 Interlocal”). VFD currently has an active Services Agreement with Bunker Hill Village under which VFD provides fire suppression and EMS services to Bunker Hill (the “Services Agreement”). The Services Agreement has a term of 4 years from January 1, 2020 through December 31, 2023. Under the Services Agreement, Bunker Hill is a customer of the Village Fire Department with no voting rights. Pursuant to the Services Agreement, VFD provides Fire suppression and Emergency services to Bunker Hill at the same level and in the same manner as Fire and Emergency Services are provided to the member cities of the VFD. In return, Bunker Hill pays a proportionate share in an amount equal to 19% of the annual budget of the VFD.

II. Readmission Procedure

The Services Agreement specifically provides that Bunker Hill may become a full member of VFD effective January 1, 2024, provided that Bunker Hill is in good standing under the Agreement and Bunker Hill provides written notice of their intent to become a member by May 1, 2022. This is the only method of re-entry which is specifically addressed in the Services Agreement. In order for Bunker Hill to be admitted as a member of VFD earlier than January 1, 2024, written approval of all member cities is required under either the Services Agreement or the 1983 Interlocal. Since Bunker Hill is no longer a party to the 1983 Interlocal Agreement, the quickest and cleanest method of re-entry would be to



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Houston, TX 77024-4494

amend the 1983 Interlocal Agreement, making Bunker Hill a member of the VFD once again and extinguishing the existing Services Agreement.

III. Implications of Readmitting Bunker Hill

If Bunker Hill were admitted as a member of the VFD, the Board of Commissioners would consist of six (6) members rather than the current five (5) members. This would mean that a quorum of the Board of Commissioners would now require four (4) Commissioners to be present, rather than the current requirement of three (3). There are a number of practical implications of allowing Bunker Hill to be readmitted as a member of the VFD. Generally speaking, Bunker Hill would resume their ability to vote on any official business of the VFD including budget approval. Other important implications are specifically outlined below:

- Under the Services Agreement, Bunker Hill is required to pay a proportionate share in an amount equal to 19% of the approved VFD budget as well as an amount equal to 19% of the total for funds and expenditures approved by VFD in excess of the adopted Annual Budget at the conclusion of each closed fiscal year. Bunker Hill pays these amounts without having any vote regarding the budget or other approved expenditures.
- During the term of the Services Agreement, Bunker Hill assumes any civil liability that may arise from all services provided to Bunker Hill by VFD under the Agreement. Upon re-entry, VFD would assume any potential civil liability for Fire and EMS services provided to Bunker Hill going forward.
- Under the Services Agreement, Bunker Hill must pay a portion of VFD's current post retirement pension liability to be held by VFD. The post retirement liability totaling \$223,668.00 is to be paid to VFD in 1/3 increments (\$74,556.00) on January 1 of each year from 2020-2022. Bunker Hill must additionally make payments for increases to the VFD employee post-retirement liability in arrears on January 1 of each calendar year under the Services Agreement. While re-entry would not relieve Bunker Hill of their proportionate share of these liabilities, these amounts currently held by VFD and any interest earned thereon would have to be immediately repaid to Bunker Hill.
- Terminating the Services Agreement does not relieve Bunker Hill of any obligation or liability of VFD which occurred prior to termination of the Agreement, including any such post retirement pension liability.



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- Under the current Services Agreement, Bunker Hill is not entitled to any return of ambulance revenues since they are a customer of VFD rather than a member. Once readmitted, Bunker Hill would be entitled to their share of the ambulance funds going forward in the same manner as any other member city.
- Under the Services Agreement, Bunker Hill does not acquire any equity or ownership interest in any equipment assets of VFD. Upon re-entry, Bunker Hill would acquire a proportionate ownership interest in these assets going forward.
- The Services Agreement provides that even if Bunker Hill is readmitted prior to January 1, 2024, Bunker Hill's representatives may not serve as the Chairman or Vice Chairman of VFD until after January 1, 2024.

IV. Conclusion

If readmitted, Bunker Hill would once again be a voting member of the VFD. Under the 1983 ILA, this would affect quorum requirements, budget approval, and the decisions of the VFD going forward. Bunker Hill would be able to appoint a Commissioner and an Alternate to serve on the VFD Board of Commissioners and Bunker Hill's Commissioner would have the right to vote on all official business of the VFD.



**CITY OF HUNTERS CREEK VILLAGE
AGENDA DISCUSSION FORM**

AGENDA DATE: January 25, 2022

AGENDA SUBJECT: Public hearing, discussion and possible action to adopt an ordinance amending Chapter 10, Building Regulations, of the Code of Ordinances by adopting the 2021 editions of the following International codes, as published by the International Code Council: Fire, Building, Residential, Property Maintenance, Plumbing, Energy Conservation, Mechanical, Fuel Gas, Existing Building, Swimming Pool and Spa; adopting the 2020 edition of the National Electrical Code, as published by the National Fire Protection Association; adopting local amendments to the adopted codes; amending the city's flood prevention regulations; providing a penalty not to exceed \$2,000 per day per occurrence; providing an effective date; and making other provisions related to the subject.

EXHIBITS: Draft Ordinance for Adopting New Codes

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS, AMENDING CHAPTER 10, BUILDING REGULATIONS, OF THE CODE OF ORDINANCES BY ADOPTING THE 2021 EDITIONS OF THE FOLLOWING INTERNATIONAL CODES, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL: FIRE, BUILDING, RESIDENTIAL, PROPERTY MAINTENANCE, PLUMBING, ENERGY CONSERVATION, MECHANICAL, FUEL GAS, EXISTING BUILDING, SWIMMING POOL AND SPA; ADOPTING THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE, AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION; ADOPTING LOCAL AMENDMENTS TO THE ADOPTED CODES; AMENDING THE CITY'S FLOOD PREVENTION REGULATIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000 PER DAY PER OCCURRENCE; PROVIDING AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the Texas Legislature has adopted the 2012 International Residential Code, the 2012 International Building Code, the 2018 International Swimming Pool and Spa Code, the 2020 National Electrical Code, and the International Energy Conservation Code as required by Chapter 388 of the Texas Health and Safety Code, as the municipal building codes of the state (Tex. Loc. Gov't Code §§ 214.212, 214.214 & 214.216; Tex. Health & Safety Code §§ 388.003 & 341.0645; Tex. Occ. Code §1305.101(a)); and

WHEREAS, the City of Hunters Creek Village ("City") may adopt more recent editions and local amendments to the municipal building codes; and

WHEREAS, the City finds minor updates to its building regulations are needed to comply with SB 877, HB 738 and HB 2205 recently adopted by the Texas Legislature; and

WHEREAS, a public hearing was held on January __ 2022 to consider newer editions of the City's municipal building codes and proposed local amendments to these codes in accordance with Chapter 214 of the Texas Local Government Code (as recently amended by HB 738);

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS:

Section 1. That Chapter 10, Building Regulations, of the City of Hunters Creek Village Code of Ordinances ("City Code") is hereby amended to read as follows:

“ARTICLE I. IN GENERAL

Sec. 10-1. Permits for construction activity.

- (a) *Expiration of permits.* Except as otherwise provided in this chapter, any building or other permit that authorizes construction activity in the city shall expire on the second anniversary of the date of its issuance, regardless of the date construction activity was actually commenced and the building official shall have no authority to renew or extend an expired permit.
- (b) *Renewal of expired permits.* An expired permit may be renewed or extended by the city council if the applicant pays the applicable fees and demonstrates that: a) good cause exists for extending or renewing the permit; and b) appropriate measures will be taken to mitigate any negative effect of continued construction on nearby property owners or the public.
- (c) *Commencement of work.* No building or other permit that authorizes construction activity in the city shall be issued unless the applicant for the permit warrants to the city that the proposed work will commence within 90 days after the date of issuance of the permit, notwithstanding any provision to the contrary in any code adopted by this chapter.
- (d) *Fees and charges.* The city council shall establish the fees and charges for building, plumbing, mechanical, electrical and other permits and inspections. The fees and charges may be amended from time to time by city council. A copy of the schedule of fees and charges shall be maintained in the office of the city secretary.
- (e) *Other codes.* The provisions of this section shall govern the issuance of permits under the International Building Code, the International Residential Code, the International Plumbing Code, the International Mechanical Code, and any other building or construction codes adopted by the city.

Sec. 10-2. Building moving.

- (a) Moving or causing to be moved any building, whether residential or otherwise, within, into, out of or through the city is prohibited without written permission of the city.
- (b) Each day that a building moved into the City without written permission remains within the city without written permission of the City shall constitute a separate violation.
- (c) For purposes of this Section, a building permit shall constitute written permission of the City for buildings that do not require a commercial vehicle to be moved.

- (d) This Section shall not apply to residential accessory structures that are exempt from permitting requirements; provided, however, all residential accessory structures shall comply with all City regulations, including but not limited to zoning regulations.

Sec. 10-3. Construction site regulations.

Any person who engages in construction activity, or who is in control of a construction site, within the city shall comply with the following requirements:

- (a) *Permit boxes.* All construction permits and any other documents required to be posted at the construction site shall be displayed in a secure, weather-proofed "DOCBOX" or equivalent form of container. The container shall be placed in a location that is easily identifiable and accessible at all times.
- (b) *Waste containers.* The site shall be equipped with a commercial solid waste container of adequate size to collect and store any solid waste generated by the construction activity. The container shall be placed in a location that is easily accessible and, if possible, screened from the neighbors. The container must be placed, removed, serviced, and emptied only during legal work hours as provided below in subsection (o) and only within the construction site.
- (c) *Policing of site.* All construction related material scraps, trash, rubble, debris, food packages, or any other form of waste located on the construction site or on nearby public or private property must be picked up immediately and placed in a waste container or removed from the site.
- (d) *Storage of materials and tools.* All building materials, equipment, and tools that are not in actual use shall be stacked or otherwise secured in an orderly manner. The contractor in charge of the site shall secure building materials, equipment, and tools prior to predicted high wind or storm events.
- (e) *Policing of adjacent rights-of-way.* All sidewalks and streets and other public rights-of-way adjoining the construction site shall be kept free of dirt and other construction generated debris and shall be swept on a daily basis if necessary.
- (f) *Disposal of garbage.* Garbage, food waste, and similar rapidly biodegradable materials shall be contained in closed, covered containers and the containers shall be emptied no less than twice weekly.
- (g) *Construction hazards.* All excavations and holes shall be filled or covered as soon as possible. Any construction site hazards shall be marked and barricaded. Newly poured concrete or similar materials shall be properly secured.

- (h) *Portable toilets.* At least one clean and properly serviced portable toilet shall be provided at each construction site. The portable toilet shall be placed on the site no closer than 35 feet from the front property line or 25 feet from any side or rear property line unless otherwise approved by the building official and shall be screened from public view by a wood enclosure at least as tall as the portable toilet. The door to the portable toilet shall face away from street and neighboring property views. The portable toilet shall be serviced regularly to prevent health hazards and offensive odors.
- (i) *Site parking.* All vehicles, trailers, or mobile equipment associated with the construction site shall be parked on the site where possible. Otherwise, they shall be parked on the same side of the street as the construction site and in front of or as close to the site as possible. In no event shall any vehicle, trailer, or mobile equipment be parked on a street in such manner as to leave less than 15 feet of street clearance for other traffic.
- (j) *Property damage.* The contractor in charge of the site and the owner of the site shall be jointly liable for any damage to public property or rights-of-way that occurs because of construction activity. Any damage must be repaired immediately. A construction project will not be eligible for final inspection until all necessary repairs are completed.
- (k) *Noise.* Radios and other sound amplifying equipment shall not be operated on a construction site.
- (l) *Deliveries.* Construction materials may be placed in the public right-of-way only during unloading activities during work hours as provided in subsection (o) and must be relocated to the construction site within two hours.
- (m) *Erosion control.* The contractor in charge of the site and the owner of the site shall take whatever measures are necessary to prevent soil or other materials from washing off the site. Stormwater runoff shall be controlled so that silt, earth, topsoil, and other materials are not washed onto city streets or into storm drains, drainage easements, ditches or other drainage facilities.
- (n) *Security.* The construction site shall be secured by fencing the perimeter of all areas where construction activity is to occur. The fencing must be maintained in place until all exterior construction activity, other than landscaping, is complete, the structure has been secured against entry, and all on-site materials have been installed or secured within the structure. The fence must be at least six feet in height and constructed of chain-link, wood, or other sturdy materials. No fencing shall be required where the construction activity is on the site of an occupied single-family residence.
- (o) *Work hours.* All construction work shall be performed between the hours of 8:00 a.m. and 7:00 p.m. on weekdays, or between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays, except as provided below. No construction work

shall be performed on Sundays or on holidays on which the city's offices are closed. On days on which construction work is permitted indoor work may continue until 9:00 p.m. provided that all such work is conducted in an enclosed structure, and is not visible or audible from surrounding properties. The city's building official may permit construction work to be performed at other times if necessary because of emergency conditions. The provisions of this subsection shall control over any contrary provision in any of the construction codes adopted by the city.

- (p) **Access.** An all-weather means of access for the site shall be provided at all times. When a new or replacement driveway is included in the approved plans and is not installed prior to or contemporaneous with other construction work, a temporary means of access for the site must be submitted to the building official and approved. Temporary means of access must be established in a manner that: (i) does not damage City right-of-way, such as curbs, gutters and sidewalks; and (ii) does not interfere with stormwater drainage.

Sec. 10-4. Entry by police on construction sites.

- (a) Any property owner who applies, directly or through authorized agents, for a building permit from the city authorizing construction on property located within the city shall be deemed to have consented, subject to the limitations provided below, to the entry on the property where the construction is to occur of police officers employed by the Memorial Villages Police Department or other police agencies for the purpose of deterring or investigating criminal activity.
- (b) The consent referenced in subsection (a):
 - (1) Shall not extend to remodeling, expansion, or renovation projects where the structure being remodeled, expanded, or renovated remains occupied during the construction process; and
 - (2) Shall not be construed as authorizing a police officer to enter a structure that has been locked or otherwise secured against unauthorized entry.
- (c) The city's building official is directed to provide, to all persons receiving building permits, written notice of this section.

Sec. 10-5. Conflicts.

If any provision of this Chapter or any provision of a construction code adopted by this chapter or the fire code adopted by chapter 20 conflicts with any other provision of the Code of Ordinances, the most restrictive provision shall prevail. A specific requirement shall control over a general requirement. A local

amendment to a construction code shall control over a conflicting provision in a construction code published by International Code Council or National Fire Protection Association.

Sec. 10-6. Enforcement and Code Official Designation.

Any reference in this Chapter, or any construction code adopted by this Chapter, to a code official, building official or plumbing official shall refer to the City's Building Official and deputy building officials, if one or more deputies have been employed by the City.

Sec. 10-7. Inspections During Declared Disaster.

Inspections may be performed in conformance with this section during the period the City is subject to a disaster declaration by the Governor or the Mayor under Chapter 418 of the Texas Local Government Code, pursuant to Section 214.220 of the Texas Local Government Code. Inspections performed by a person other than the City's designated code official while a disaster declaration is in effect shall be accepted by the City in place of a required building inspection only if all of the following requirements are met:

- (a) The person performing the inspection is not the owner of the building or a person whose work is the subject of the inspection;
- (b) The person performing the inspection is certified to inspect buildings by the International Code Council, or a licensed engineer;
- (c) The inspection is performed at the point in the construction process that it is required by the City to be performed under this Section;
- (d) The person performing the inspection certifies that they have complied with the City's building inspection regulations and policies; and
- (e) not later than the 30th day after the date of the inspection, the person performing the inspection provides a completed City building inspection form and certification of compliance with the City's building inspection regulations and policies to the City Building Official.

Sec. 10-8. Procedures for Adopting Local Amendments.

Proposed local amendments to the City's construction codes shall be presented in the form of an ordinance, which may include an exhibit to the ordinance. The proposed ordinance shall be publicly available at the public hearing held prior to adoption of the ordinance, on the City website at least 72 hours prior to a meeting on the subject, or by contacting the City Secretary.

Sec. 10-9. Effective Date.

The editions of the construction codes adopted by this Chapter shall apply to all construction, remodeling, alteration, enlargement, or repair that begins on or after March 1, 2022; provided, however, construction, remodeling, alteration, enlargement, or repair that begins under an agreement or unexpired building permit made or issued before March 1, 2022 is governed by the law in effect when the agreement was made or permit issued, as appropriate, and that law is continued in effect for that purpose.

Sec. 10-10. References.

Any reference in the Code of Ordinances to the City's "building code", "construction codes", or "building regulations" shall refer to this Chapter and the fire code adopted in chapter 20, including all local amendments to those codes provided in this Chapter and Chapter 20, and all other requirements in this Chapter. Any reference in a code adopted by this Chapter to "this code" shall include all amendments and applicable requirements of this Chapter.

Sec. 10-11. Offense and Penalties.

(a) *Offense.* It shall be unlawful for any person to:

- (1) erect, construct, enlarge, add to, alter, repair, replace, move, improve, remove, install, convert, demolish, equip, operate, use, occupy, or maintain any part of a structure, building or service equipment;
- (2) excavate or maintain an excavation;
- (3) pave or grade on a property;
- (4) cause any work, activity or condition described in the above sections (1)-(3) to be done;
- (5) if the person is the property owner or a person given custody and control of the property by the property owner, allow any work, activity or condition described in the above sections (1)-(3) to be done;

in a manner that does not comply with Chapter 10 of the City Code of Ordinances, each code adopted in Chapter 10 of the City Code of Ordinances, written notices and orders of the building official, approved construction documents and technical specifications, issued construction permits, and all other city, state and federal laws and regulations, including but not limited to state licensing regulations.

Affirmative Defense: It is an affirmative defense to an offense under this section that the person is: (i) a lawful tenant on the property, (ii) party to a current written agreement requiring the property owner or agent of the property owner to maintain the property, and (iii) unable to correct or stop

the noncompliant work, activity or condition without action on the part of the property owner or agent of the property owner.

- (b) *Penalty.* Any person, firm, corporation or organization that commits an offense under this Section 10-11 shall, upon conviction, be deemed guilty of a misdemeanor and shall be fined in an amount not to exceed \$2,000 per day per occurrence of the violation. Each day in which a violation shall occur or continue shall constitute a separate offense. This penalty shall be in addition to any other remedy provided at law or equity.
- (c) *Responsible parties.* For the purpose of this Chapter, unless a particular section, subsection, or clause places compliance responsibility upon a different person, the owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, or tenant of the premises and the person, firm, organization or corporation performing the work have the duty to comply with all applicable code requirements. The owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, or tenant of the premises and the person, firm, organization or corporation performing the work shall provide for the applicable materials, methods of construction, standards and specifications required by the codes. The failure of the owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, or tenant and the person, firm, organization or corporation performing the work to so provide, subjects the owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, tenant, and the person, firm, organization or corporation to the criminal and civil penalties prescribed by this section.
- (d) *Civil action.* In addition to imposing the criminal penalty prescribed under this Section, the City may, in accordance with Texas Local Government Code Chapter 54, bring a civil action against a person violating a provision of this chapter or the codes. The civil action may include, but is not limited to, a suit to recover a civil penalty not to exceed \$1,000 for each day during which a violation occurs or continues.

ARTICLE II. RESIDENTIAL CODE

Sec. 10-20. International Residential Code adopted.

The International Residential Code, 2021 Edition, including appendices AH, AJ, AK, AM, AO, and AP, as published by the International Code Council, Inc., as amended in section 10-21, is adopted and made applicable within the city. A copy of the code shall be maintained on file in the office of the city secretary. This

code is also publicly available on the International Code Council website (iccsafe.org).

Sec. 10-21. Amendments.

- (a) Section R101.1 of the residential code adopted in this article is amended by inserting "City of Hunters Creek Village."
- (b) Section R101.2 is amended by deleting the exception.
- (c) Section R103 of the residential code is deleted in its entirety, including all subsections, and a new section R103 is substituted as follows:

R103. Department of building safety. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall have such duties, and shall be selected and serve in the position at the pleasure of the city council and may be removed without cause by city council. The building official may appoint deputies to assist him/her, subject to city council approval. Such deputies shall serve at the pleasure of the city council and may be removed without cause by city council.

- (d) Section R104.8 of the residential code is deleted in its entirety.
- (e) Section R104.10.1 of the residential code is amended to add a new subsection "6" to Section R104.10.1 as follows:

6. the appeal board has granted a variance in accordance with Article XII of Chapter 10 of the City of Hunters Creek Code of Ordinances.

- (f) Section R105.2 of the residential code is amended by deleting the exemptions listed 1 through 10 under "Building" and replacing such list as follows:

105.2. Work exempt from permit.

Building:

- (1) One-story detached accessory structures to be used as tool or storage sheds, playhouse and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²) and does not contain electrical, gas, plumbing, or mechanical installations.
- (2) Sidewalks and decks.
- (3) Painting, papering, tiling, carpeting, cabinets, countertops or similar finish work.
- (4) Prefabricated swimming pools that are: less than 24 inches deep, do not exceed 5,000 gallons, and are installed above ground.

(5) Swings and other playground equipment.

Note: Structures exempt from permitting must still comply with all City regulations, including but not limited to zoning regulations, which may impact the placement, height, construction, etc. of patios, decks, sidewalks, accessory structures and playground equipment.

(g) Section R105.3 of the residential code is amended by replacing requirement 5. With the following language:

5. State the square footage or other information necessary to determine the extent of the work in comparison to the existing structure and the amount of the permit fees; provided, however, valuation or cost information for the work shall be provided as required by the Federal Emergency Management Agency for the City's participation in the National Flood Insurance Program.

(h) Section R105 of the residential code is amended by adding a new section R105.10, which provides as follows:

R105.10. Liability insurance. The person or entity that will actually perform the work or services covered by a permit shall provide to the city evidence of comprehensive general liability insurance, issued by a company licensed to do business in the state, in the amounts, for the duration of the permit, and shall furnish certificates of insurance to the city as evidence thereof. The certificates shall provide that the insurance shall not be canceled, reduced or changed without 30 days' advance notice to the city.

Comprehensive general liability insurance covering all risks associated with the work, with a minimum bodily injury limit of \$100,000.00, \$300,000.00 per occurrence, and a property damage limit of \$400,000.00, or a property damage limit equal to or exceeding the amount of the contract amount, whichever is greater.

(i) Section R108.2 of the residential code is amended by adding the following language to the existing provision:

Fees for permits as well as fees for the extension of expired permits shall be charged as set by resolution or ordinance of the city council from time to time and shall be maintained on file in the office of the city secretary.

(j) Section R108.3 of residential code is deleted in its entirety.

(k) Section R112 of the residential code is deleted, including all subsections, and new section R112 is substituted as follows:

R112.1. Appeals. Appeals of orders, decisions or determinations made by the city's building official in interpreting or applying this code shall be to the city council. The city council may obtain the assistance of persons who

are qualified by experience and training on a particular subject under consideration.

- (l) Section R113 of the residential code is amended by adding a new Section 113.5 that shall read as follows:

R113.5 Offenses and Penalties Governed by City Code. Notwithstanding any other provision to the contrary, offenses and penalties under this code shall be governed by Section 10-11 of the City of Hunters Creek Code of Ordinances.

- (m) Table R301.2(1) is amended by inserting the following design criteria in the table:

Ground Snow Load: 0

Wind Design

Speed: 134

Topographic Effects: low hills

Special Wind Region: No

Windborne Debris Zone: NA

Seismic Design Category: A

Subject to damage from

Weathering: Negligible

Frost line depth: 0

Termite: Very heavy

Ice Barrier Underlayment Required: No

Flood hazards: See Article XII

Air Freezing Index: 25

Manual J Design Criteria: (Climate Zone 2A, Radon Zone 3)*

- (n) Amendments to the energy conservation provisions of the residential code are contained in Article VIII of this Chapter.
- (o) Section P2603.5.1 of the residential code is amended by inserting six inches (6") and six inches (6"), respectively.

Sec. 10-22. Automatic sprinkler systems.

Automatic sprinkler systems are required as provided by section 20-22 of the Code of Ordinances.

Sec. 10-23. Limit on front yard paving.

No part of the front yard of a residential lot shall be paved, or otherwise improved as a surface for the parking of motor vehicles, unless connected to a single interconnected driveway system.

ARTICLE III. BUILDING CODE

Sec. 10-30. International Building Code adopted.

The International Building Code, 2021 Edition, including appendices C, E, F, G, H and J, as published by the International Code Council, Inc., as amended in section 10-31, is adopted and made applicable within the city. A copy of the code shall be maintained on file in the office of the city secretary. This code is also publicly available on the International Code Council website (iccsafe.org).

Sec. 10-31. Amendments.

(a) Section 101.1 of the building code is amended by inserting "City of Hunters Creek Village."

(b) Section 103, including all subsections, of the building code adopted in this article is deleted and a new section 103 is substituted as follows:

103. Department of building safety. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall have such duties, and shall be selected and serve in the position at the pleasure of the city council and may be removed without cause by city council. The building official may appoint deputies to assist him/her, subject to city council approval. Said deputies shall serve at the pleasure of the city council and may be removed without cause by city council.

(c) Section 105.2 of the building code is amended by deleting the exemptions listed 1 through 13 under "Building" and replacing that list as follows:

105.2. Work exempt from permit.

Building:

- (1) One-story detached accessory structures to be used as tool or storage sheds, playhouse and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²) and does not contain electrical, gas, plumbing, or mechanical installations.
- (2) Sidewalks and decks.
- (3) Painting, papering, tiling, carpeting, cabinets, countertops or similar finish work.

- (4) Prefabricated swimming pools accessory to a group R-3 occupancy, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed above ground.
- (5) Swings and other playground equipment accessory to one- and two-family dwellings.

Note: Structures exempt from permitting must still comply with all City regulations, including but not limited to zoning regulations.

- (d) Section 105.3 of the building code is amended by adding a new paragraph 8, that shall read as follows:

8. The site plan shall show the proposed method of handling stormwater runoff within the boundaries of the subject site, lot, or tract of land and also showing the disposition of such stormwater runoff therefrom in accordance with the location and capacity of the then-existing storm drainage system of the city.

- (e) Section 105 of the building code is amended by adding a new section 105.8, which provides as follows:

105.8. Liability insurance.

- (1) The person or entity that will actually perform the work or services covered by a permit shall acquire, and maintain in force for the duration of the work covered by the permit, comprehensive general liability insurance coverage covering all risks associated with the work, with a minimum bodily injury limit of \$100,000.00 per injured person and \$300,000.00 per occurrence, and a minimum property damage limit of \$400,000.00, or a property damage limit equal to or exceeding the amount of the contract amount, whichever is greater.
 - (2) The permit applicant shall provide to the city a certificate of insurance, issued by a company licensed to do business in the state, demonstrating that the applicant has the required insurance coverage. The certificate shall provide that the insurance shall not be canceled, reduced, or changed without 30 days' advance notice to the city.
 - (3) A homeowner who acts as general contractor on a construction project on the homeowner's residence is not required to meet the liability insurance requirement if the total value of the work to be performed is \$50,000.00 or less.
- (f) Section 109.2 of the building code is deleted and a new section 109.2 is substituted as follows:

109.2. Schedule of permit fees. For buildings, structures or electrical, gas, mechanical and plumbing systems or alterations thereof requiring a permit, a fee for each permit shall be paid as required, as set by resolution or ordinance of the city council from time to time and shall be maintained on file in the office of the city secretary.

- (g) Section 113 of the building code, including all subsections, is amended to read as follows:

113. Appeals. Appeals of orders, decisions or determinations made by the city's building official in interpreting or applying this code shall be to the city council. The city council may obtain the assistance of persons who are qualified by experience and training on a particular subject under consideration.

- (h) Section R114 of the building code is amended by adding a new Section 114.5 that shall read as follows:

114.5 Offenses and Penalties Governed by City Code. Notwithstanding any other provision to the contrary, offenses and penalties under this code shall be governed by Section 10-11 of the City of Hunters Creek Code of Ordinances.

- (i) Section 503 of the building code, entitled "General height and area limitations," is deleted in its entirety. *Note: Additional limitations on building height and area may be imposed by the City's zoning regulations.*
- (j) Section 504.2 of the building code is amended by deleting the following sentence:

For Group R buildings equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.2, the value specified in table 503 for maximum height is increased by 20 feet (6,096 mm) and the maximum number of stories is increased by one story, but shall not exceed four stories or 60 feet (18,288 mm), respectively.

- (k) Section 903, entitled "Automatic sprinkler systems" is amended to provide that automatic sprinkler systems are required as provided by section 20-22 of the Code of Ordinances.
- (l) Section 1612.3 of the building code is amended by replacing Section 1612.3 (not to effect subsections) with the following.

1612.3. Establishment of flood hazard areas. Flood hazard areas shall be as shown on the FEMA Effective Flood Insurance Rate Map effective at the date of submittal of plans or construction documents. The FEMA effective models are incorporated by reference.

- (m) Section 3303 of the building code is amended by adding a new section 3303.8 to provide as follows:

3303.8. Demolition time. The maximum time period for a demolition permit shall be 45 days after the date of issuance of the permit, and thereafter a new permit must be obtained and the permit fees paid.

When demolition is commenced it shall be completed within seven days. The permit may be renewed only once.

ARTICLE IV. ELECTRICAL CODE.

Sec. 10-40. National Electric Code adopted.

The National Electrical Code of 2017/2020, as recommended by the National Fire Protection Association, is adopted in full, except for portions that are deleted, modified or amended by Sections 10-41 through 10-46. A copy of the code is on file in the office of the city secretary.

Sec. 10-41. Amendments.

The following amendments, modifications and deletions to the electrical code are made as follows:

- (a) All services shall be installed in rigid metal conduit or electrical metallic tubing, except that underground services or feeders may be run in approved duct and, except where overhead services or feeders run between two buildings within six feet of each other, shall be run in rigid metal conduit, electrical metallic tubing or approved busways. Where underground services or feeders are run in approved duct, a continuous grounding wire or cable shall be installed in this duct from metal to metal to make a continuous ground and the minimum size of this wire or cable shall be that required for grounding the alternating current circuits and service equipment or interior raceway and equipment, as the case may be. Where duct is used, it shall in no case be smaller than two inches inside diameter. Where duct is used, it shall be buried at least 18 inches below the ground surface. The portion of the service ahead of the meter cabinet shall not run through attic spaces. Where conduit fittings are used ahead of meter cabinets, the same shall be of sealable type and shall be plainly visible. In no case will the use of electrical metallic tubing or aluminum rigid conduit, be permitted within 12 inches of the ground.
- (b) Where meters are installed in inaccessible places in houses or buildings and the electric public service company desires to relocate such meter loops for convenience in the rendering of its service, it may upon request to the chief electrical inspector have a licensed master electrician reinstall meter loops to

a point where the same would be located if the house or building were having a new system of wiring installed, and all such work so done at the request of the electric public service company shall be performed without cost to the owner; unless such relocation is the result of such wiring having been condemned by the chief electrical inspector for practices in violation of the provisions of this or any other ordinance of the city.

- (c) The meter cabinets and electrical metering equipment through which service is rendered by the electric public service company to domestic establishments and buildings combining domestic establishments with commercial or industrial usage shall be installed where readily accessible on the exterior of the building. Fireproof meter cabinets or meter sockets shall be supplied by the electric public service company and installed by the electrician performing the work, such meter cabinets to be located so the center of the opening for the meter dial shall be not less than five feet nor more than six feet above mean ground level and to be readily accessible to the electric public service company service. All service outlets shall be located so as to permit placing the electric public service company's wires on the wall of the building next to the supply and in no case should be lower than ten feet from the ground level.
- (d) The electric public service company shall never require the placing of meters on the front or street side of a building without the written consent of the owner; and where it is not practical, in the opinion of the electrical inspector, to place metering devices on the exterior of the building, such location shall be at a point convenient to the electric public service company's service as determined by the electrical inspector.
- (e) Only insulated copper conductors may be used as the wiring method.

Sec. 10-42. Enforcement generally.

The provisions of this article shall apply to and govern the supply of electricity and all sales, rentals, leases, uses, installations, alterations, repairs, removals, renewals, replacements, distributions, connections, disconnections and maintenance of all electrical equipment. For the purpose of this article, the term "electrical equipment" means all materials, wiring, conductors, fittings, devices, appliances, fixtures, signs and apparatus or parts thereof.

The following activities are exempt from the provisions of this article:

- (a) The installation, alteration or repair of electrical generation, transmission or distribution equipment, but not utilization equipment, owned and operated by an electrical public utility company or the city.
- (b) Any work in connection with electrical equipment used for radio and television.

- (c) Any work associated with:
 - (1) The repair of any plug-connected electrical appliances or devices; or
 - (2) The repair of permanently connected electrical appliances or devices that have been electrically and mechanically disconnected and separated from all sources of electrical supply by a licensed electrician. The opening of switches or blowing or removal of fuses shall not be considered an electrical or mechanical disconnection or separation.
- (d) The installation or replacement of approved fuses.
- (e) The installation or replacement of pin-type lamps, screw-base lamps or plug-connected portable appliances,

Sec. 10-43. Registration of electricians.

Any person doing electrical work in the city shall register their statewide license with the city secretary.

Sec. 10-44. Outdoor lighting restrictions.

- (a) It shall be unlawful for any person to cause or permit to be energized on property under his possession or control any outdoor lighting including but not limited to spotlights, floodlights or similar illuminating devices which project a glare or brightness, directly or indirectly, upon any lot, tract or parcel of land, other than that upon which such outdoor lighting is situated which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city.
- (b) All outdoor lighting in the city consisting of spotlights, floodlights or similar illuminating devices shall be installed, hooded, regulated, and maintained by the owner or person in control thereof in such a manner that the direct beam of any such light shall be cast downward so that it will not glare upon any lot, tract or parcel of land other than that upon which it is situated and so that it will not cause or permit any illumination from indirect lighting in excess of 0.5 footcandle in, on, or over the ground at or beyond the boundary of the lot, parcel or tract.

Sec. 10-45. Outdoor lighting permit and inspection—required.

Any person desiring to install any outdoor lighting capable of illuminating, either by direct beam or spilled light on any property, shall first obtain any and all construction and installation permits required by other ordinances of the city and in addition shall obtain from the city building official or his designate an outdoor lighting permit to make such installation. The installation shall be made by a qualified electrician. Upon completion of such outdoor lighting installation for which the permit was granted, the electrician shall call for an inspection by the

city building official to be made during hours of darkness with an accurate light meter, that shall be furnished by the electrician who made such installation. Both the building official and such electrician shall be present at the time such inspection is made. The fee for such inspection shall be as provided by the City's adopted fee schedule.

Sec. 10-46. Game court lighting.

Notwithstanding any other provision of this article, it shall be unlawful for any person to construct, install or maintain any outdoor lighting designed or used for the illumination of a tennis court, paddleball court or other type game court unless all of the area occupied by such court is at least 100 feet from all boundary lines of the property upon which such court is situated.

All outdoor lighting designed or used for the purpose of illuminating tennis courts, paddleball courts or other type game courts shall be extinguished not later than 10:00 p.m. and shall not be again turned on until after 8:00 a.m. of the following day.

Sec. 10-47. Exception.

Sections 10-44 through 10-46 shall not apply to streetlights operated by or under the direction of the city.

ARTICLE V. PLUMBING CODE

Sec. 10-50. International Plumbing Code adopted.

The International Plumbing Code, 2021 Edition, including appendices C and E, as published by the International Code Council, Inc., as amended in section 10-51, is adopted and made applicable within the city. A copy of the code shall be maintained on file in the office of the city secretary. This code is also publicly available on the International Code Council website (iccsafe.org).

Sec. 10-51. Amendments.

- (a) Section 101.1 of the plumbing code adopted in this article is amended by inserting "City of Hunters Creek Village."
- (b) Section 103 of the plumbing code is deleted in its entirety, including all subsections, and a new section 103 substituted as follows:

103. Department of plumbing inspection. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall be selected and serve in the position at the pleasure of the city council and may be removed without cause by city council. The building official may appoint deputies to assist him/her, subject

to city council approval. Such deputies shall serve at the pleasure of the city council and may be removed without cause by the city council.

- (c) Section 105 of the plumbing code is deleted in its entirety.
- (d) Section 106.4 of the plumbing code is amended by adding a new section 106.4.1, which provides as follows:
 - 106.4.1. State license. All persons performing work in the city governed by this code shall be licensed by the state, and shall submit to the city proof of insurance as required by state regulations or by statute.
- (e) Section 106.5.3 of the plumbing code is amended by adding a new section 106.5.3.1, which provides as follows:
 - 106.5.3.1. Demolition time. The maximum time period for a demolition permit shall be 45 days after the date of issuance of the permit, and thereafter a new permit must be obtained and the permit fees paid. When demolition is commenced it shall be completed within seven days. The permit may be renewed only once.
- (f) Section 114 of the plumbing code is deleted in its entirety, including all subsections, and a new section 114 substituted as follows:
 - 114. Means of appeal. Appeals of orders, decisions or determinations made by the building official in interpreting or applying the code shall be to the city council. The city council may obtain the assistance of persons who are qualified by experience and training on the particular subject under consideration.
- (g) Section 115.4 of the plumbing code is amended to read as follows:
 - 115.4 Offenses and Penalties Governed by City Code. Notwithstanding any other provision to the contrary, offenses and penalties under this code shall be governed by Section 10-11 of the City of Hunters Creek Code of Ordinances.
- (h) Section 115.6 of the plumbing code is amended by adding the following sentence at the end of the section: Any action by the code official to disconnect utilities or abate unsafe conditions shall be performed pursuant to the requirements of Section 214.0011 of the Texas Local Government Code. Compliance with Section 214.0011 of the Texas Local Government Code shall be deemed to satisfy any notice requirement of this Section.
- (i) Section 305.4.1 of the plumbing code is amended by inserting six inches (6") and six inches (6"), respectively.
- (j) Section 903.1.1 of the plumbing code is amended by inserting six inches (6").

ARTICLE VI. MECHANICAL CODE

Sec. 10-60. International Mechanical Code adopted.

The International Mechanical Code, 2021 Edition, including Appendix A, as published by the International Code Council, Inc., as amended in section 10-61, is adopted and made applicable within the city. A copy of the code shall be maintained on file in the office of the city secretary. This code is also publicly available on the International Code Council website.

Sec. 10-61. Amendments.

(a) Section 101.1 of the mechanical code adopted by this article is amended by inserting "City of Hunters Creek Village."

(b) Section 103 of the mechanical code is deleted in its entirety, including all subsections, and a new section 103 substituted as follows:

103. Department of building safety. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall be selected and serve in the position at the pleasure of the city council and may be removed without cause by city council. The building official may appoint deputies to assist him/her, subject to city council approval. Such deputies shall serve at the pleasure of the city council and may be removed without cause by the city council.

(c) Section 104.8 of the mechanical code is deleted in its entirety.

(d) Section 105 of the mechanical code is deleted in its entirety.

(e) Section 106.3 of the mechanical code is amended by adding a new section 106.3.3, which provides as follows:

106.3.3. State license. All persons performing work within the city governed by this code shall be licensed by the state, and shall submit to the city proof of insurance as required by state regulations or by statute.

(f) Section 114 of the mechanical code, including all subsections, is deleted in its entirety and a new section 114 substituted as follows:

114. Means of appeal. Appeals of orders, decisions, or determinations made by the building official in interpreting or applying this code shall be to the city council. The city council may obtain the assistance of persons who are qualified by experience and training on the particular subject under consideration.

(g) Section 115.4 of the mechanical code is amended to read as follows:

115.4 Offenses and Penalties Governed by City Code. Notwithstanding any other provision to the contrary, offenses and penalties under this code

shall be governed by Section 10-11 of the City of Hunters Creek Code of Ordinances.

- (h) Section 115.6 of the mechanical code is amended by adding the following sentence at the end of the section: Any action by the code official to disconnect energy sources or abate unsafe conditions shall be performed pursuant to the requirements of Section 214.0011 of the Texas Local Government Code. Compliance with Section 214.0011 of the Texas Local Government Code shall be deemed to satisfy any notice requirement of this Section.

ARTICLE VII. FUEL GAS CODE

Sec. 10-70. International Fuel Gas Code adopted.

The International Fuel Gas Code, 2021 Edition, as published by the International Code Council, Inc., as amended in section 10-71, is adopted and made applicable within the city. A copy of the code shall be maintained on file in the office of the city secretary. This code is also publicly available on the International Code Council website.

Sec. 10-71. Amendments.

- (a) Section 101.1 of the fuel gas code adopted by this article is amended by inserting "City of Hunters Creek Village."
- (b) Section 101.2 of the fuel gas code is amended by adding the following additional exception:

Exception for regulation by state law: To the extent any provision of this code relates any aspect or phase of the liquefied petroleum gas industry, Chapter 113 of the Texas Natural Resources Code and the rules adopted by the Texas Railroad Commission pursuant to that Chapter shall preempt and supersede the provisions of this code to the extent and only to the extent of Section 113.054 of the Texas Natural Resources Code.

- (c) Section 103 of the fuel gas code, including all subsections, is deleted in its entirety and a new section 103 substituted as follows:

103. Department of building safety. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall be selected and serve in the position at the pleasure of the city council and may be removed without cause by city council. The building official may appoint deputies to assist him/her, subject to city council approval. Such deputies shall serve at the pleasure of the city council and may be removed without cause by the city council.

- (d) Section 104.8 of the fuel gas code is deleted in its entirety.
- (e) Section 105 of the fuel gas code is deleted in its entirety.
- (f) Section 106.3 of the fuel gas code is amended by adding a new section 106.3.2, which provides as follows:
 - 106.3.2. State license. All persons performing work within the city governed by this code shall be licensed by the state, and shall submit to the city proof of insurance as required by the state or by statute.
- (g) Section 113 of the fuel gas code, including all subsections, is deleted in its entirety and a new section 113 substituted as follows:
 - 113. Means of appeal. Appeals of orders, decisions, or determinations made by the building official in interpreting or applying this code shall be to the city council. The city council may obtain the assistance of persons who are qualified by experience and training on the particular subject under consideration.
- (h) Section 114 of the fuel gas code, including all subsections, is deleted in its entirety.
- (i) Section 115.4 of the fuel gas code is amended to read as follows:
 - 115.4 Offenses and Penalties Governed by City Code. Notwithstanding any other provision to the contrary, offenses and penalties under this code shall be governed by Section 10-11 of the City of Hunters Creek Code of Ordinances.
- (j) Section 115.6 of the fuel gas code is amended by adding the following sentence at the end of the section: Any action by the code official to disconnect utilities or abate unsafe conditions shall be performed pursuant to the requirements of Section 214.0011 of the Texas Local Government Code. Compliance with Section 214.0011 of the Texas Local Government Code shall be deemed to satisfy any notice requirement of this Section.

ARTICLE VIII. ENERGY CONSERVATION CODE

Sec. 10-80. International Energy Conservation Code adopted.

The International Conservation Energy Code, 2021 Edition, as published by the International Code Council, Inc., as amended in section 10-81, is adopted and made applicable within the city. A copy of the code shall be maintained on file in the office of the city secretary. This code is also publicly available on the International Code Council website.

Sec. 10-81. Amendments.

- (a) Sections C101.1 and R101.1 of the energy code adopted by this article are amended by inserting "City of Hunters Creek Village."
- (b) Section C102/R102 of the energy code are amended by adding new Sections C102.1.2 and R102.1.2 (N1101.4.1) to read as follows:

C102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

R102.1.2 (N1101.4.1) Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance. Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be tested for air and duct leakage as prescribed in Section R402.4.1.2 (N1102.4.1.2) and R403.3.3 (N1103.3.3) respectively.

- (c) Section C110 of the energy code, including all subsections, is deleted in its entirety and replaced with the following Section C110:

C110 State adoption of energy code.

C110.1 Conflict. To the extent any local amendment of this code is found to be in conflict with, or less restrictive than, the requirements of this code as adopted under state law, the state law shall control.

- (d) Section R202 (N1101.6) is amended by adding the following definitions:

Projection Factor. The ratio of the horizontal depth of the overhang, eave or permanently attached shading device, divided by the distance measured vertically from the bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached shading device.

Dynamic Glazing. Any fenestration product that has the fully reversible ability to change its performance properties, including U-factor, solar heat gain coefficient (SHGC), or visible transmittance (VT).

- (e) Table R402.1.2 (N1102.1.4) EQUIVALENT U-FACTORS; the Fenestration and Ceiling U-factors for Climate Zone 2 are amended as follows:

CLIMATE ZONE	FENESTRATION U-FACTOR	CEILING U-FACTOR
2	0.45	0.030

- (f) Table R402.1.3 (N1102.1.2) INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT; the Fenestration and Ceiling U-factors for Climate Zone 2 are amended as follows:

CLIMATE ZONE	FENESTRATION U-FACTOR	CEILING R-VALUE
2	0.45	38

- (g) Section R402.3.2 (N1102.3.2) of the energy code is amended by adding a paragraph and table following the exception to read as follows:

Where vertical fenestration is shaded by an overhang, eave, or permanently attached shading device, the SHGC required in Table R402.1.2 shall be reduced by using the multipliers in Table R402.3.2 SHGC Multipliers for Permanent Projections.

Table R402.3.2 SHGC Multipliers for Permanent Projections^a

Projection Factor	SHGC Multiplier (all Other Orientation)	SHGC Multiplier (North Oriented)
0 - 0.10	1.00	1.00
>0.10 – 0.20	0.91	0.95
>0.20 – 0.30	0.82	0.91
>0.30 – 0.40	0.74	0.87
>0.40 – 0.50	0.67	0.84
>0.50 – 0.60	0.61	0.81
>0.60 – 0.70	0.56	0.78
>0.70 – 0.80	0.51	0.76
>0.80 – 0.90	0.47	0.75
>0.90 – 1.00	0.44	0.73

^a North oriented means within 45 degrees of true north.

- (h) Section R402.4 (N1102.4) Air leakage (Mandatory); add a new section and table to read as follows:

R402.4.1.3 (N1102.4.1.3) Testing option – ACH tradeoff. As an option to the air leakage rate set out in Section R402.4.1.2 (N1102.4.1.2), 1- and 2-family homes meeting all of the listed criteria below and the thermal envelope requirements in Table R402.4.1.3 (N1102.4.1.3) will be considered compliant when tested and verified as having an air leakage rate to not less than or

equal to four air changes per hour when tested and reported in accordance with the testing standards and reporting criteria listed in Section R402.4.1.2 (N1102.4.1.2).

The compliance equivalency is limited as follows:

1. Limited to a conditioned floor area between 1,000 and 6,000 square feet,
2. Limited to between 2 to 6 bedrooms,
3. Assumes all ductwork and mechanical equipment is located in the unconditioned attic,
4. Assumes typical wood framing in the walls and roof, and
5. Assumes one of the following heating/cooling systems:
 - a. All electric system with a heat pump for heating, or
 - b. A system with electric cooling and natural gas heating.

Dwellings using electric resistance strip heating do not qualify for this tradeoff.

TABLE R402.4.1.3 (N1102.4.1.3)^a

Envelope Component	Option #1	Option #2
R402.4 Air Leakage	< 4 ACH50	< 4 ACH50
Wall Insulation <i>R</i> -value	R13 + R3 ^b	R13 + R3 ^b
Fenestration <i>U</i> -factor	< 0.32	< 0.32
Fenestration SHGC	< 0.25	< 0.25
Ceiling <i>R</i> -value	> R49	> R49
Duct Insulation <i>R</i> -value	R8	R6
Radiant Barrier Required	No	Yes

^a Except for the values listed in the table, all other mandatory code provisions are applicable.

^b The first value listed is the *R*-value of cavity insulation, the second value is the *R*-value of the continuous insulation or insulated siding.

(i) Section R403.3.2 is amended by replacing the requirement in subsection 3.3 for R-19 insulation with R-10.

(j) Section C403.7.4 of the energy code is amended by adding a new exception #12 to read as follows:

12. Individual ventilation systems that serve an individual dwelling unit or sleeping unit.

(k) Section C403.11.1 of the energy code is amended by adding a second paragraph to read as follows:

Environmental ducts and plenums installed in vertical chases, both supply and exhaust, where the ducts or plenums will not be accessible after construction completion, shall be leak tested in accordance with the SMACNA HVAC Air Leakage Test Manual to the installed ductwork class and pressure requirements. Documentation shall be furnished demonstrating

that representative sections totaling not less than 25 percent of the duct area have been tested and that all tested sections comply with the requirements of this section.

- (l) Section R404.1 (N1104.1) of the energy code is amended to read as follows:

R404.1 (N1104.1) Lighting equipment (Mandatory). Not less than 75 percent of the lamps in permanently installed lighting fixtures or not less than 75 percent of the permanently installed lighting fixtures shall contain only high-efficacy lamps.

- (m) Section 405.2 (N1105.2) of the energy code is amended by adding a new exception to read as follows:

Section 405.2 (N1105.2) Mandatory requirements. Compliance with the section requires that the mandatory provisions identified in Section 401.2 be met. Supply and return ducts not completely inside the building thermal envelope shall be insulated to an R-value of not less than R-6.

Exceptions:

1. For one and two family dwellings the maximum envelope leakage of 4 ACH50 is permitted provided the envelope leakage in the Standard Reference Design is 3 ACH50 and all other requirements of Section R405 are met, including all other mandatory measures. The annual energy cost or source energy usage of the Proposed Design must be equal to or less than that of the Standard Reference Design.
2. For multifamily or townhomes and buildings classified as Group R2 and Group R4 of three stories or less the maximum envelope leakage of less than 5 ACH50 is permitted provided the envelope leakage in the Standard Reference Design is 3 ACH50 and all other requirements of Section R405 are met, including all other mandatory measures. The annual energy cost or source energy usage of the Proposed Design must be equal to or less than that of the Standard Reference Design.

- (n) Section R405.6.2 (N1105.6.2) is amended by adding the following sentence to the end of paragraph: “Acceptable performance software simulation tools may include, but are not limited to, REM Rate™; Energy Gauge®; ICF International Beacon Residential; Ekotrope, HERS Module; Right-Energy HERS and IC3. Other performance software programs as listed by RESNET® and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the building official.”

- (o) TABLE R406.4 (N1106.4) MAXIMUM ENERGY RATING INDEX is amended to read as follows:

**TABLE R406.4 (N1106.4) ¹
MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
2	63

¹ The table is effective from September 1, 2019 to August 31, 2022.

TABLE R406.4 (N1106.4)²
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
2	59

² This table is effective from September 1, 2022 to August 31, 2025. After September 1, 2025, the Energy Rating Index for Climate Zone 2 shall be 57, unless a different ERI is adopted by the Texas legislature prior to this date.

ARTICLE IX. SWIMMING POOL AND SPA CODE

Sec. 10-90. International Swimming Pool and Spa Code adopted.

The International Swimming Pool and Spa Code, 2021 Edition, as published by the International Code Council, Inc., as amended in section 10-91, is adopted and made applicable within the city. A copy of the code shall be maintained on file in the office of the city secretary. This code is also publicly available on the International Code Council website (iccsafe.org).

Sec. 10-91. Amendments.

- (a) Section 101.1 of the swimming pool and spa code adopted in this article is amended by inserting "City of Hunters Creek Village."
- (b) Section 103 of the swimming pool and spa code, including all subsections, is deleted in its entirety and a new section 103 substituted as follows:

103. Department of building safety. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall be selected and serve in the position at the pleasure of the city council and may be removed without cause by city council. The building official may appoint deputies to assist him/her, subject to city council approval. Such deputies shall serve at the pleasure of the city council and may be removed without cause by the city council,

- (c) Section 104.8 of the swimming pool and spa code is deleted in its entirety.
- (d) Section 104 of the swimming pool and spa code is amended by adding a new Section 104.14 to read as follows:

104.14 Conflict with State Law. To the extent a provision of this code, as adopted or amended, conflicts with a State law or regulation on pool operation and management, water quality, safety standards unrelated to design and construction, signage, or enclosures, the law or regulation controls. Further, this code does not affect requirements for pool yard

enclosure imposed under State law, including but not limited to Texas Health and Safety Code, Chapter 757.

- (e) Section 105.1 of the swimming pool and spa code is amended by adding the following exception to read as follows:

Exception: A person may use, maintain, and repair a pool or spa that was in compliance with the laws of the State and City on August 31, 2021, and related mechanical, electrical, and plumbing systems in accordance with the laws applicable to the pool or system on that date.

- (f) Section 105 of the swimming pool and spa code is amended by adding a new section 105.4.6, which provides as follows:

105.4.6. State license. All persons performing work in the city governed by this code for which a state license is required shall submit to the city proof of state license and insurance as required by state regulations or by statute.

- (g) Section 111 of the swimming pool and spa code, including all subsections, is deleted in its entirety and a new section 111 substituted as follows:

111. Means of appeal. Appeals of orders, decisions, or determinations made by the building official in interpreting or applying this code shall be to the city council. The city council may obtain the assistance of persons who are qualified by experience and training on the particular subject under consideration.

- (h) Section 112 of the swimming pool and spa code is deleted in its entirety.
- (i) Section 113.4 of the swimming pool and spa code is amended to read as follows:

113.4 Offenses and Penalties Governed by City Code. Notwithstanding any other provision to the contrary, offenses and penalties under this code shall be governed by Section 10-11 of the City of Hunters Creek Code of Ordinances.

- (j) Section 113.6 of the swimming pool and spa code is amended by adding the following sentence at the end of the section: Any action by the code official to disconnect energy sources or abate unsafe conditions shall be performed pursuant to the requirements of Section 214.0011 or 214.101 of the Texas Local Government Code. Compliance with Section 214.0011 or 214.101 of the Texas Local Government Code shall be deemed to satisfy any notice requirement of this Section.

ARTICLE X. EXISTING BUILDING CODE

Sec. 10-100. International Existing Building Code adopted.

The International Existing Building Code, 2021 Edition, as published by the International Code Council, Inc., as amended in section 10-101, is adopted and made applicable within the city. A copy of the code shall be maintained on file in the office of the city secretary. This code is also publicly available on the International Code Council website.

Sec. 10-101. Amendments.

- (a) Section 101.1 of the existing building code adopted in this article is amended by inserting "City of Hunters Creek Village."
- (b) Section 103 of the existing building code, including all subsections, is deleted in its entirety and a new section 103 substituted as follows:

103. Department of building safety. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall be selected and serve in the position at the pleasure of the city council and may be removed without cause by city council. The building official may appoint deputies to assist him/her, subject to city council approval. Such deputies shall serve at the pleasure of the city council and may be removed without cause by the city council.

- (c) Section 104.8 of the existing building code is deleted in its entirety.
- (d) Section 105.3 of the existing building code is amended by replacing requirement 5. With the following language:

5. For non-residential structures, state the valuation of the work; for residential structures, state the square footage or other information necessary to determine the extent of the work in comparison to the existing structure and the amount of the permit fees; provided, however, valuation or cost information for the work on residential structures shall be provided as required by the Federal Emergency Management Agency for the City's participation in the National Flood Insurance Program.

- (e) Section 105.3 of the existing building code is amended by adding new sections 105.3.3. and 105.3.4 which provides as follows:

105.3.3. Liability insurance. The person or entity that will actually perform the work or services covered by a permit shall provide to the city evidence of comprehensive general liability insurance, issued by a company licensed to do business in the state, in the amounts, for the duration of the permit, and shall furnish certificates of insurance to the city as evidence thereof. The

certificates shall provide that the insurance shall not be canceled, reduced or changed without 30 days' advance notice to the city.

Comprehensive general liability insurance covering all risks associated with the work, with a minimum bodily injury limit of \$100,000.00, \$300,000.00 per occurrence, and a property damage limit of \$400,000.00, or a property damage limit equal to or exceeding the amount of the contract amount, whichever is greater.

105.3.4. State license. All persons performing work in the city governed by this code for which a state license is required shall submit to the city proof of state license and insurance as required by state regulations or by statute.

- (f) Section 108.3 of the existing building code is deleted in its entirety.
- (g) Section 112 of the existing building code, including all subsections, is deleted in its entirety and a new section 112 substituted as follows:

112. Means of appeal. Appeals of orders, decisions, or determinations made by the building official in interpreting or applying this code shall be to the city council. The city council may obtain the assistance of persons who are qualified by experience and training on the particular subject under consideration.

- (h) Section 113 of the existing building code is amended by adding a new Section 113.5 that shall read as follows:

113.5 Offenses and Penalties Governed by City Code. Notwithstanding any other provision to the contrary, offenses and penalties under this code shall be governed by Section 10-11 of the City of Hunters Creek Code of Ordinances.

ARTICLE XI. PROPERTY MAINTENANCE CODE

Sec. 10-110. International Property Maintenance Code adopted.

The International Property Maintenance Code, 2021 Edition, as published by the International Code Council, Inc., as amended in section 10-111, is adopted and made applicable within the city. A copy of the code shall be maintained on file in the office of the city secretary. This code is also publicly available on the International Code Council website.

Sec. 10-111. Amendments.

- (a) Section 101.1 of the property maintenance code adopted in this article is amended by inserting "City of Hunters Creek Village minimum standards pursuant to Section 214.001(b)(1) of the Texas Local Government Code."

- (b) Section 102.1 of the property maintenance code is amended to add the a new subsection 102.1.1 to read as follows:

102.1.1 Treatment of Apartment Complexes For the purposes of this code, an apartment complex shall be treated as a single structure if common areas fail to be maintained in violation of the International Property Maintenance Code, as adopted and amended by the city. All other buildings on the same premises of an apartment complex shall be treated as a single structure. Common stairwells and walkways of each building shall be common areas for purposes of this code.

- (c) Section 103 of the property maintenance code is deleted in its entirety, including all subsections, and a new section 103 is substituted as follows:

103. Department of building safety. The enforcement of this code shall be under the administrative and operational control of the building official. The building official shall have such duties, and shall be selected and serve in the position at the pleasure of the city council and may be removed without cause by city council. The building official may appoint deputies to assist him/her, subject to city council approval. Such deputies shall serve at the pleasure of the city council and may be removed without cause by city council.

- (d) Section 105.7 of the property maintenance code is deleted in its entirety.

- (e) Section 107 of the property maintenance code is deleted, including all subsections, and new section 107 is substituted and shall read as follows:

107 Means of Appeal

107.1. Appeals. Appeals of orders, decisions or determinations made by the city's building official in interpreting or applying this code shall be to the City's Zoning Board of Adjustment. The City's Zoning Board of Adjustment may obtain the assistance of persons who are qualified by experience and training on a particular subject under consideration. Any reference to the board of appeals in this code shall be the City's Zoning Board of Adjustment.

107.2 Application for appeal; deadline. Any person directly affected by a decision of the building official or a notice or order issued under this code shall have the right to appeal, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served.

107.3 Court review. An application for appeal is an administrative remedy and shall not preclude an appeal for court review of an order by the City's Zoning Board of Adjustment.

- (f) Section 108 of the property maintenance code is deleted in its entirety.

- (g) Section 109 Of the property maintenance code is amended by adding a new Section 109.6 that shall read as follows:

109.6 Offenses and Penalties Governed by City Code. Notwithstanding any other provision to the contrary, offenses and penalties under this code shall be governed by Section 10-11 of the City of Hunters Creek Code of Ordinances.

- (h) Section 111.1 of the property maintenance code is amended to read as follows:

111.1 Unsafe Structure. An unsafe structure is one that is found to be a hazard to the public health, safety, and welfare, in accordance with Chapters 54 or 214 of the Texas Local Government Code, due to one or more of the following conditions:

1. the structure is unfit for human habitation as defined by section 111.1.3 (herein referred to under this code as “unfit for human occupancy”), dilapidated as defined by section 111.1.4 (herein referred to under this code as “unlawful”, or substandard as defined by section 111.1.5 (herein referred to under this code as “dangerous”);
2. the structure is, regardless of its structural condition, unoccupied by its owners, lessees, or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or
3. the structure is boarded up, fenced, or otherwise secured in any manner that constitutes a danger to the public even though secured from entry; or the means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection 2, above.

- (i) Section 111.1 of the property maintenance code is amended by adding a new Section 111.1.6 that shall read as follows:

111.1.6 Procedure for Abatement of Unsafe Structures. Notwithstanding any provision of this code to the contrary, including but not limited to any conflict clause, abatement or actions taken in regard to a structure identified as “unsafe” shall comply with Chapters 54 and/or 214 of the Texas Local Government Code. Actions taken in compliance with Chapters 54 and/or 214 of the Texas Local Government Code shall be deemed to comply with the requirements of this code. Subject to the foregoing, if a structure has been identified as unsafe, the building official shall:

1. schedule a public hearing with the board of appeals to determine whether the structure is unsafe and to order the structure vacated, secured,

- repaired, removed, or demolished by the owner and the occupants relocated within a reasonable time if such a determination is made;
2. send notice in accordance with section 111.4 that the building official has identified an unsafe structure on the premises, including the specific conditions that render the structure unsafe and the date of the scheduled public hearing;
 3. file or cause to be filed a copy of the notice in the real property records of the county in which the unsafe structure is located;
 4. verify and document the condition of the unsafe structure within 48 hours prior to the scheduled public hearing;
 5. report the condition of the unsafe structure to the board of appeals at the public hearing and recommend the vacation, relocation of occupants, securing, repair, removal, or demolition of the unsafe structure within 30 days; provided, the board of appeals or municipal court may allow the owner up to 90 days to repair, remove, or demolish the unsafe structure, or to submit at the hearing a detailed plan and time schedule for the work if the owner establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work;
 6. send notice in accordance with section 111.4 of the board's determination and order within 10 days after the order is issued;
 7. to the extent required by law, publish or cause to be published in a newspaper of general circulation in the city in which the unsafe structure is located a notice containing: the street address or legal description of the property; the date the public hearing was held; a brief statement indicating the results of the order; and instructions stating where a complete copy of the order may be obtained;
 8. verify and document the condition of the unsafe structure following the date specified by the order;
 9. to the extent required by law, take no action nor cause any action to be taken until 20 days has elapsed from the date of the order with no appeal filed in accordance with section 107.2; 30 days has elapsed from the date of the order with no appeal for court review filed in accordance with section 107.3; and the condition of the unsafe structure remains unsafe; provided, if an appeal has been filed, the appeal shall stay all enforcement, other than emergency measures taken to secure the structure under section 111.2, until the appeal is heard; and
 10. provided no appeal has been filed and the deadline for such appeal has elapsed, timely commence the vacation, relocation of occupants,

securing, repair, removal, or demolition of the unsafe structure pursuant to the order of the board of appeals or municipal court and document all actions taken.

- (j) Section 111.2 of the property maintenance code, including subsection 111.2.1, is amended to read as follows:

111.2 Securing of vacant structures. Pursuant to Section 214.0011 of the Texas Local Government Code, if an unsafe structure is vacant, the Building Official may secure the structure that is unoccupied or is occupied only by persons who do not have a right of possession to the Structure. The Building Official, after securing the unsafe structure, shall give notice to the owner before the 11th day after the date the unsafe structure is secured by the notice methods provided for an unsafe structure in Section 111.4. The notice must contain: (i) an identification, which is not required to be a legal description, of the structure and the property on which it is located; (ii) a description of the violations of City Code that result in the structure being deemed unsafe; (iii) a statement that the City will secure or has secured, as the case may be, the structure; and (iv) an explanation of the owner's entitlement to request a hearing about any matter relating to the City's actions in securing of the structure. The Building Official shall schedule and send notice of a hearing at which the owner may testify or present witnesses or written information about any matter relating to the City's actions in securing the structure if, within 30 days after the date the structure is secured, the owner files with the Building Official or City Secretary a written request for the hearing. The City shall conduct the hearing within 20 days after the date the request is filed.

111.2.1 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection or prevent connection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.8 where necessary to enforce this code or where such utility connection has been made without approval. The building official shall notify the serving utility and, whenever possible, the owner or owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner, owner's authorized agent or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

- (k) Section 111.4 of the property maintenance code is amended by adding the following language to the end of the section: "Notices for unsafe structures shall also comply with Section 111.4.3."

Section 111.4 is further amended by adding a new Section 111.4.3 that shall read as follows:

111.4.3 Unsafe Structure Notices. In addition to the form and method prescribed in Section 111.4.2, notice of an *unsafe structure* shall comply with this Section.

111.4.3.1 Diligent Search Required for Owner. All notices regarding an unsafe structure shall be sent to the owner of the affected premises or structure, who shall be identified by a diligent search of the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

111.4.3.2 Notice contents. In addition to the form prescribed in Section 111.4.2, notice of an unsafe structure shall include:

1. the date of the scheduled public hearing; or a copy of the board of appeals or municipal court determination and order;
2. a statement that the owner will be required to submit at the hearing proof of the scope of any work that may be required to comply with this code and city ordinances and the time it will take to reasonably perform the work; and
3. a statement that the city may take the actions ordered if the owner does not complete those actions prior to the deadline imposed at the public hearing, which may be 30 days from the date of the public hearing.

- (l) Section 111.7 of the property maintenance code is amended to read as follows:

111.7 Placarding. The building official may post on the unsafe structure a placard bearing the words "This structure has been deemed unsafe by the City's building official; use or occupancy of this building may be hazardous to your health and safety" or similar language, together with a copy of the notice of public hearing.

- (m) Section 112 of the property maintenance code is deleted in its entirety. Emergency measures shall be taken pursuant to Section 111.2 of this code.
- (n) Section 302.4 of the property maintenance code is amended by inserting eighteen inches (18").

- (o) Section 303.1 of the property maintenance code is amended to read as follows:

Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. Swimming pools containing water that is black or green in color, or that contain algae or other plants shall be deemed unsanitary.

- (p) Section 303 of the property maintenance code is amended by adding a new Section 303.4 that shall read as follows:

303.4. Treatment of stagnant water. All swimming pools, spas, hot tubs, ponds or other aesthetic or recreational areas designed to contain water more than 24 inches in depth shall be treated, continuously circulated or emptied when not in use to prevent creation of breeding grounds for mosquitos.

- (q) Section 304.14 of the property maintenance code is amended to require ventilation screens year round.
- (r) Section 602.3 of the property maintenance code is amended by inserting "November 1" and "February 28", respectively.
- (s) Section 602.4 of the property maintenance code is amended by inserting "November 1" and "February 28", respectively."

ARTICLE XII. FLOOD PLAIN ADMINISTRATION

Sec. 10-120. Generally.

- (a) *Statutory authorization.* The legislature of the state has, in Texas Water Code § 16.311 *et seq.*, delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses.
- (b) Findings of fact.

(1) The flood hazard areas of the city are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services and extraordinary public expenditures for flood protection and relief, all of which adversely affect public health, safety and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

- (c) *Statement of purpose.* It is the purpose of this article to promote public health, safety and general welfare and to minimize public and private loss due to flood conditions in specific areas by provisions designed to:
- (1) Protect human life and health;
 - (2) Minimize expenditure of public money for costly flood control projects;
 - (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 - (4) Minimize prolonged business interruptions;
 - (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
 - (6) Help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas; and
 - (7) Ensure that potential buyers are notified that property is in a flood area.
- (d) *Methods of reducing flood losses.* In order to accomplish its purposes, this article uses the following methods:
- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
 - (2) Require that uses vulnerable to floods, including facilities which serve such uses, are protected against flood damage at the time of initial construction;
 - (3) Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters;
 - (4) Control filling, grading, dredging and other development which may increase flood damage; and
 - (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

Sec. 10-121. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Area of shallow flooding means a designated AO, AH or VO zone on the City's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Areas of special flood hazard means the land in the floodplain within the City subject to a one percent or greater chance of flooding in any given year, as more specifically defined in Section 10-122(b). The area may be designated as zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation means the regulatory elevation associated with building elevation, floodproofing, protection of building systems and utilities, and other flood protection provisions as identified in current FEMA flood insurance rate map (FIRM) panels. This elevation shall not be less than 1 ft. NGVD (1 ft. NAVD) in the City.

Basement means any area of a building having its floor subgrade (below ground level) on all sides.

Development means any manmade change in or to improved or unimproved real estate, including but not limited to the construction or alteration of buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets and either final site grading, or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the city.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which manufactured homes are to be affixed, including the installation of

utilities, the construction of streets and either final site grading or the pouring of concrete pads.

Flood or *flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) means the official map of the City on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazard and the risk premium zones applicable to the city.

Flood Insurance Study means the official report, identified as such, provided by FEMA. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

Floodplain or *floodprone area* means any land area susceptible to being inundated by water from any source. See definition of flooding.

Floodplain administrator means that person designated administer and implement the provisions of this article, as further defined in Section 10-123(a).

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain management regulations means regulations contained in zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing means any combination of structural and nonstructural additions, changes or adjustments that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and/or their contents.

Floodway or *regulatory floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. The floodway is depicted on the FIRM as amended by the most recent amendment, letter of map revision, or other similar document.

Functionally dependent use means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;

(3) Individually listed on the inventory of historic places by a state historic preservation program which has been approved by the Secretary of Interior; or

(4) Individually listed on an inventory of historic places by the county or the city, pursuant to a historic preservation program that has been certified either:

- a. By a state program approved by the Secretary of the Interior; or
- b. Directly by the Secretary of the Interior.

Lowest floor means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, suitable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of section 60.3 of the National Flood Insurance Program regulations (44 C.F.R. § 60.3).

Manufactured home means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a recreational vehicle.

Manufactured home park or subdivision means a parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.

Mean sea level means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum to which base flood elevations shown on the City's FIRM are referenced.

NAVD means North American Vertical Datum of 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

New construction means, for the purpose of determining insurance rates, structures for which the start of construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, the term "new construction" shall mean structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by the city and includes any subsequent improvements to such structures.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the city.

NGVD means National Geodetic Vertical Datum, a vertical control used as a reference for establishing varying elevations within the floodplain.

Reasonably safe from flooding means base flood waters will not inundate the land or damage structures and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

Recreational vehicle means a vehicle which is:

- (1) Built on a single chassis;
- (2) Four hundred square feet or less when measured at the largest horizontal projections;
- (3) Assigned to be self-propelled or permanently towable by a light duty truck; and
- (4) Designed primarily for use not as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act [Pub. L. 97-348]) includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The term "actual start" means either the first placement of

permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building, including a gas or liquid storage tank that is principally above ground as well as a manufactured home.

Subdivision, when used alone, has the meaning assigned in Section 36-22 of the City Code.

Substantial damage means damage of any origin sustained by a structure [where the] cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before start of construction of the improvement. This includes structures that have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for the improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions; or
- (2) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Variance means a grant of relief to a person from the requirement of this article when specific enforcement would result in unnecessary hardship. A variance permits construction or development in a manner otherwise prohibited by this article. For full requirements, see section 60.65 of the National Flood Insurance Program regulations.

Violation means the failure of a structure or other development to be fully compliant with the City's floodplain management regulations. A structure or other

development without the elevation certificate, registered professional engineer or architect certification, other certifications or other evidence of compliance required in sections 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4) or (e)(5) of the National Flood Insurance Program regulations is presumed to be in violation until such time as that documentation is provided.

Water surface elevation means the height, in relation to the North American Vertical Datum (NAVD 88), as adjusted by the Tropical Storm Allison Recovery Project (TSARP), or other datum where specified, of floods of various magnitude and frequencies in the floodplains of coastal or riverine areas.

Sec. 10-122. General provisions.

- (a) *Land to which this article applies.* This article shall apply to all areas of special flood hazard within the corporate limits of the city.
- (b) *Basis for establishing areas of special flood hazard.* The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled "Flood Insurance Study - Harris County and Incorporated Areas," dated June 9, 2014, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and any revisions are adopted by reference and incorporated into this article.
- (c) *Development permit.* It shall be unlawful for any person to cause or allow any new construction, substantial improvements or any other development to or on any tract of land owned or occupied by such person, within the corporate limits of the city, without having first received a development permit or variance from the requirements of a development permit issued in accordance with this article to ensure conformance with the provisions of this article, including but not limited to Sections 10-123(c) and (d).
- (d) *Compliance.* No structure or land shall hereafter be located, extended, converted, or structurally altered or have its use changed without full compliance with the terms of this article and other applicable regulations.
- (e) *Abrogation and greater restrictions.* This article is not intended to repeal, abrogate or impair any existing easement, covenant or deed restriction. However, where this article and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- (f) *Interpretation.* In the interpretation and application of this article, all provisions shall be:
 - (1) Considered as minimum requirements;
 - (2) Liberally construed in favor of the city council; and

(3) Deemed neither to limit nor repeal any other powers granted under state statutes.

- (g) *Warning and disclaimer of liability.* The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur, and flood heights may be increased by manmade or natural causes. This article shall not create liability on the part of the City or any official or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

Sec. 10-123. Administration.

- (a) *Designation of city building official as administrative officer.* The City's building official is appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management, in consultation with the City's engineer.
- (b) *Duties and responsibilities of the administrative officer.* Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:
- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this article.
 - (2) Review permit applications to determine whether a proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.
 - (3) Review, approve or deny all applications for development permits required by adoption of the ordinance from which this article is derived.
 - (4) Review permits for proposed development to ensure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 505404 or the Federal Water Pollution Control Act Amendments of 1972, 33 USC 13341344) from which prior approval is required.
 - (5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
 - (6) Notify, in riverine situations, adjacent communities and the state coordinating agency prior to any alteration or relocation of a watercourse,

and submit evidence of such notification to the Federal Emergency Management Agency.

(7) Ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided in accordance with section 10-122(b) obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source to administer the provisions of section 10-123.

(9) When a regulatory floodway has not been designated, require that no new construction, substantial improvement or other development (including fill) shall be permitted within zones A1-30 and AE on the City's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the City.

(10) Issue or deny development permits in accordance with Section 10-123(c).

(11) Maintain a record of all actions involving appeals and variances and shall report variances to the Federal Emergency Management Agency upon request.

(12) Provide notice to recipients of variances required by Section 10-123(d)(8).c.

(c) Permit procedures. The following requirements apply to any permit required by Section 10-122(c):

(1) Application for a development permit shall be presented to the floodplain administrator on forms furnished by him/her and shall include but not be limited to plans in duplicate drawn to scale showing the location, dimensions and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information shall be required:

- a. Elevation, in relation to mean sea level, of the lowest floor (including basement) of all new and substantially improved structures;
- b. Elevation, in relation to mean sea level, to which any nonresidential structure shall be floodproofed;
- c. A certificate from a registered professional engineer or architect that the structure shall meet the floodproofing criteria of section 10-223124(b)(1) and (2);

- d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;
- e. The floodplain administrator shall maintain a record of all such information in accordance with subsection (b)(1) of this section.

(2) No development permit shall be issued and an application for a development permit shall be denied unless the applicant has demonstrated compliance with all requirements of this article or the appeal board has issued a variance from the requirements of this article in accordance with Section 10-123(d). The floodplain administrator may approve or deny a development permit required by Section 10-122 if all provisions of this article are met and such approval or denial is warranted after a consideration of the following relevant factors for consistency with the statutory authorization, findings of fact, statement of purpose, and methods of reducing flood losses set forth in Section 10-120:

- a. The danger to life and property due to flooding or erosion;
- b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner,
- c. The danger that materials, including but not limited to debris and pollutants, may be swept onto other lands to the injury of the natural or built environment or humans;
- d. The compatibility of the proposed use with existing and anticipated development;
- e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- f. The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges and public utilities and facilities such as sewer, gas, electrical and water systems;
- g. The expected height, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- h. The necessity to the facility of a waterfront location, where applicable;
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- j. The relationship of the proposed use to the comprehensive plan for that area;
- k. The impact to adjacent and neighboring properties, as it relates to drainage, flood levels and flood damage potential, reasonably expected as a result of the proposed development.

(3) The floodplain administrator may issue a development permit without an applicant submitting all or any part of the information required in subsection (c)(1) of this section, if the application is for a development

located wholly outside an area of special flood hazard, and such administrator determines that there exists sufficient available data relating to the information being waived.

- (d) Variance procedures. The requirements in this subdivision apply to any application for a variance from the development permit requirements of Section 10-122(c):

(1) The appeal board shall be the City's Zoning Board of Adjustment and shall hear and render judgment on requests for variances from the requirements of this article through the consideration and application of the prerequisites set forth in Section 10-123(d)(8).

(2) The appeal board may grant a variance from the development permit requirements of Section 10-123(c) for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this article.

(3) The appeal board may grant a variance from the development permit requirements of Section 10-123(c) for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided the relevant factors in subsections (c)(2) and (d)(8) of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance shall be increased proportionately.

(74) Upon consideration of the factors noted in this section and the intent of this article, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this article (see section 10-120(c)).

(5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(6) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(7) Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use, provided that: (i) the criteria outlined in subsections (d)(6), (d)(8), and (d)(8) are met; and (ii) the structure or other

development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(8) Prerequisites for granting variances:

- a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- b. Variances shall only be issued upon:
 1. Showing a good and sufficient cause;
 2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
- c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(e) Appeal Board. In addition to the responsibilities for considering variances set forth in subsection (d), the appeal board shall also have the following responsibilities:

(1) Hear appeals from the floodplain administrator decisions. Any person who is aggrieved by the decision of the floodplain administrator to approve or deny a development permit may appeal the action of the floodplain administrator to the appeal board established in subdivision (d). An appeal to the appeal board under this subdivision shall be limited to the issues of whether there is an error in any factual requirement, factual decision or factual determination made by the floodplain administrator and whether the floodplain administrator engaged in an abuse of discretion in interpreting the statutory authorization, findings of fact, statement of purpose, or methods of reducing flood losses.

(2) Appoint a hearing officer to consider and decide appeals of stop orders issued under Section 10.125(a).

(3) Hear appeals from the hearing officer's decisions under Section 10.125(a). An appeal to the appeal board under this subdivision shall be limited to the issues of whether the stop order recipients are proper recipients of the stop order and whether the facts on which the stop order is based are accurate

(f) Any person aggrieved by the decision of the appeal board may appeal such decision to a court of competent jurisdiction.

Sec. 10-124. Provisions for flood hazard reduction.

(a) General standards.

(1) All new construction or substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

(6) All new and replacement sanitary sewage systems shall be designed to eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters; and

(7) Installation of on-site waste disposal systems is prohibited in the City. Any legally existing on-site waste disposal system, septic tank or cesspool in the City shall be modified on notice from the City to avoid impairment or contamination during flooding.

(b) *Specific standards.* In all areas of special flood hazards where base flood elevation data has been provided as set forth in section 10-122(b), section 10-223(b)(8), or subsection (c)(3) of this section, the following provisions shall apply:

(1) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation. A registered professional engineer, architect or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection, as proposed in section 10-123(c)(1)c., is satisfied.

(2) *Nonresidential construction.* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications and plans for the new construction or substantial improvement, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification must be submitted with any application for a development permit required by this article, which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed. The floodplain administrator shall maintain such record.

(3) *Enclosures.* New construction and substantial improvements with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- b. The bottom of all openings shall be no higher than one foot above grade.
- c. Openings shall not be equipped with screens, louvers, valves or other coverings or devices unless they permit the automatic entry and exit of floodwaters.

(4) *Manufactured homes.*

- a. All manufactured homes to be placed within zone A on the City's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include but are not limited to use of over-the-top or frame ties to ground anchors.

This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

- b. Manufactured homes that are placed or substantially improved within zones A1-30, AH and AE on the City's FIRM on any of the following sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation, and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement:
 - 1. Outside of a manufactured home park or subdivision;
 - 2. In a new manufactured home park or subdivision;
 - 3. In an expansion to an existing manufactured home park or subdivision; or
 - 4. In an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of a flood.
- c. Manufactured homes placed or substantially improved on sites within an existing manufactured home park or subdivision within zones A1-30, AH and AE on the City's FIRM that are not subject to the provisions of subsection (4) shall be elevated so that either:
 - 1. The lowest floor of the manufactured home is at or above the base flood elevation; or
 - 2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(5) *Recreational vehicles*. Recreational vehicles placed on sites within zones A1-30, AH and AE on the City's FIRM shall either:

- a. Be on the site for fewer than 180 consecutive days;
- b. Be fully licensed and ready for highway use; or
- c. Obtain and meet the permit requirements of section 10-122(c), and the elevation and anchoring requirements for manufactured homes in subsection (b)(4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect-type utilities and security devices, and has no permanently attached additions.

(c) Standards for subdivision proposals.

(1) All subdivisions shall be consistent with section 10-120(b), (c) and (d).

(2) All proposals for the development of subdivisions, including manufactured home parks and subdivisions, shall obtain and meet the development permit requirements of section 10-122(c) and section 10-222123(c), and the provisions of this section.

(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development, including manufactured home parks and subdivisions, which is greater than 50 lots or five acres, whichever is less, if not otherwise provided pursuant to section 10-122(b) or section 10-223(b)(8).

(4) All subdivision proposals including manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(5) All subdivision proposals including manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(d) *Standards for areas of shallow flooding, AO/AH zones.* Located within the areas of special flood hazard established in section 10-122(b) are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; the following provisions apply:

(1) All new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the City's FIRM (at least two feet if no depth number is specified).

(2) All new construction and substantial improvements of nonresidential structures shall:

- a. Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the City's FIRM (at least two feet if no depth number is specified); or
- b. Together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, as proposed in section 10-123(c)(1)c are satisfied.

(4) Adequate drainage paths shall be provided and maintained at all times around structures on slopes, to guide floodwaters around and away from structures.

(e) *Floodways*. Located within areas of special flood hazard established in section 10-122(b) are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

(1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development, within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment will not result in any increase in flood levels within the city or adjacent areas during the occurrence of the base flood discharge.

(2) If subsection (e)(1) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.”

Sec. 10-125. Enforcement.

(a) *Administrative Remedies*. Whenever any condition of property violates any provision of this article or any work authorized by a development permit is being performed contrary to the provisions of this article or other pertinent laws or ordinances implemented through the enforcement of this article, the floodplain administrator is authorized to take any or all of the following actions:

(1) Provide a written notice to the person(s) owning the property or performing the work or to the permittee that the work is being conducted or the property is in a condition that is in violation of this article.

(2) Order the work (other than work to cure a violation) stopped by notice in writing served on any persons performing the work or causing the work to be performed. Any such persons shall forthwith stop the work until authorized by the floodplain administrator to proceed with the work. At the time a stop order is issued, the person performing the work and the permittee shall be given notice of a right to request a hearing before a hearing officer, which shall be the City’s building official unless a different hearing officer is designated by the appeal board established under Section 10-123. A request for a hearing must be made within 5 days of the service of the stop order and, if timely requested, a hearing shall be held within five business days after the request unless the permittee or person who was performing the work requests an extension of time. Any stop order that has been issued shall remain in effect pending any hearing that has been requested unless the stop order is withdrawn by the floodplain administrator.

(3) File a certificate of non-compliance in the county deed records for properties the floodplain administrator determines to be in violation of the provisions of this article, for which a substantial damage determination persists for six months or more.

(4) File a certificate of compliance in the county deed records for properties which have resolved a floodplain violation, obtained a permit to replace a damaged structure, or appealed or otherwise resolved a substantial damage determination.

(5) As authorized by Section 1316 of the National Flood Insurance Act of 1968, as amended, request that FEMA deny flood insurance coverage for any property that has been determined to be in violation of the provisions of this article.

(b) Civil Action. The city, acting through the city attorney or any other attorney representing the city, is hereby authorized to file an action in a court of competent jurisdiction to:

(1) Enjoin any person from violating the terms, conditions and restrictions of any development permit issued under this article;

(2) Enjoin the violation of the provisions of this article;

(3) Recover civil penalties for violation of the terms, conditions and restrictions of any development permit issued under this article;

(4) Recover civil penalties for violation for the provisions of this article;
or

(5) Recover damages from the owner of a site in an amount adequate for the city to undertake any construction or other activity necessary to bring about compliance with this article.

(c) Settlement Agreement. The city, acting through the city attorney or any other attorney representing the city, is hereby authorized to enter into an agreement in lieu of litigation to achieve compliance with the terms, conditions and restrictions of any development permit issued under this article or the provisions of this article.

(d) Criminal Action. Any person who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense. This penalty shall be in addition to any other remedy provided at law or equity.

(e) Each and every remedy available for the enforcement of this article shall be nonexclusive.”

Section 2. Article II, Fire Code, of Chapter 20, Fire Prevention, of the City of Hunters Creek Village City is hereby amended to read as follows:

“ARTICLE II. FIRE CODE

Sec. 20-21. International Fire Code adopted.

The International Fire Code, 2021 Edition, with appendices B through H, as published by the International Code Council, Inc., and as amended in Section 20-22, is adopted and made applicable within the city. A copy of the code shall be maintained on file in the office of the city secretary. This code is also publicly available on the International Code Council website (iccsafe.org).

Sec. 20-22. Amendments.

- (a) Section 101.1 of the fire code is amended by inserting "City of Hunters Creek Village."
- (b) Section 101.2 of the fire code is amended by adding the following additional exception:

Exception for regulation by state law: To the extent any provision of this code relates any aspect or phase of the liquefied petroleum gas industry, Chapter 113 of the Texas Natural Resources Code and the rules adopted by the Texas Railroad Commission pursuant to that Chapter shall preempt and supersede the provisions of this code to the extent and only to the extent of Section 113.054 of the Texas Natural Resources Code. Further, to the extent any requirement of this code is more stringent than a similar state or federal requirement and the state or federal law provides for express preemption of the City's requirements, the requirement of this code shall not apply to the extent and only to the extent of the preemption.

- (c) Section 103, Code Compliance Agency, of the fire code adopted by this article is deleted, including all subsections, and replaced with the following:

103.1 Enforcement and Code Official Designation. Any reference in this code, or local amendments to this code, to a code official, building official, or fire code official shall refer to the City's Building Official and/or the Memorial Villages Fire Marshal, and any member of the Memorial Villages Police Department, all of which are authorized to enforce this code. In the case of a conflict between those officials authorized to enforce this code regarding interpretation or application of a requirement, the determination of the City's Building Official shall prevail.

- (d) Section 104.7 of the fire code is deleted in its entirety.

- (e) Section 105.2 of the fire code is amended by adding a new Section 105.2.5 that shall read as follows:

105.2.5. State license. All persons performing work in the city governed by this code for which a state license is required shall submit to the city proof of insurance as required by state regulations or by statute.

- (f) Section 111 of the fire code is deleted in its entirety, including all subsections, and a new section 111 substituted as follows:

111. Means of appeal. Appeals of orders, decisions, or determinations made by the fire code official or building official in interpreting or applying this code shall be to the City's Zoning Board of Adjustment. The City's Zoning Board of Adjustment may obtain the assistance of persons who are qualified by experience and training on the particular subject under consideration.

- (g) Section 112 of the fire code is amended by adding a new Section 112 that shall read as follows:

112.5 Offenses and Penalties. Notwithstanding any other provision to the contrary, offenses and penalties under this code shall be governed as follows:

112.5.1 *Offense*. It shall be unlawful for any person to:

- (a) erect, construct, enlarge, add to, alter, repair, replace, move, improve, remove, install, convert, demolish, equip, operate, use, occupy, or maintain any part of a structure, building or service equipment, including but not limited to a fire sprinkler system or fire alarm system;
- (b) excavate or maintain an excavation;
- (c) pave or grade on a property;
- (d) cause any work, activity or condition described in the above sections (a)-(c) to be done;
- (e) if the person is the property owner or a person given custody and control of the property by the property owner, allow any work, activity or condition described in the above sections (a)-(c) to be done;

in a manner that does not comply with this code as adopted and amended by the City, the requirements of Article III Chapter 20 of the City Code of Ordinances, written notices and orders of the building official and fire marshal, approved construction documents and technical specifications, issued construction permits, and all other city, state and federal laws and regulations, including but not limited to state licensing regulations.

Affirmative Defense: It is an affirmative defense to an offense under this section that the person is: (i) a lawful tenant on the property, (ii) party to a current written agreement requiring the property owner or agent of the property owner to maintain the property, and (iii) unable to correct or stop the noncompliant work, activity or condition without action on the part of the property owner or agent of the property owner.

112.5.2 *Penalty.* Any person, firm, corporation or organization that commits an offense under Section 112.5.1 of this code shall, upon conviction, be deemed guilty of a misdemeanor and shall be fined in an amount not to exceed \$2,000 per day per occurrence of the violation. Each day in which a violation shall occur or continue shall constitute a separate offense. This penalty shall be in addition to any other remedy provided at law or equity.

112.5.3 *Responsible parties.* For the purpose of this Chapter, unless a particular section, subsection, or clause places compliance responsibility upon a different person, the owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, or tenant of the premises and the person, firm, organization or corporation performing the work have the duty to comply with all applicable code requirements. The owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, or tenant of the premises and the person, firm, organization or corporation performing the work shall provide for the applicable materials, methods of construction, standards and specifications required by the codes. The failure of the owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, or tenant and the person, firm, organization or corporation performing the work to so provide, subjects the owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, tenant, and the person, firm, organization or corporation to the criminal and civil penalties prescribed by this section.

112.5.4 *Civil action.* In addition to imposing the criminal penalty prescribed under this Section, the City may, in accordance with Texas Local Government Code Chapter 54, bring a civil action against a person violating a provision of this chapter or the codes. The civil action may include, but is not limited to, a suit to recover a civil penalty not to exceed \$1,000 for each day during which a violation occurs or continues.

(h) Section 307.1.1 of the fire code is amended to provide as follows:

307.1.1 Prohibited open burning. Open burning of rubbish, combustible vegetation and other waste is prohibited.

- (i) Section 903.2 of the International Fire Code is amended to read as follows:

903.2 Where required. An automatic sprinkler system shall be installed, and maintained in operating condition, in all new and existing buildings and structures containing an enclosed area of 1,000 square feet or more and built for, or to be utilized as, any of the occupancy classifications defined by the International Fire Code, including Group R, except Miscellaneous Group U; Provided however, that an automatic sprinkler system shall not be required for an existing building or structure unless and until:

(1) The enclosed floor area of the building or structure, as it existed on the effective date of the ordinance from which this section is derived is increased by 50 percent or more;

(2) For a non-residential occupancy classification, 50 percent or more of the existing enclosed floor area of the building is renovated, remodeled or restored; or

(3) For a residential occupancy classification, 50 percent or more of the space within the dwelling used for living, sleeping, eating, cooking, bathing, washing, and sanitation purposes is renovated, remodeled, or restored.

And provided further that an automatic sprinkler system shall not be required in spaces or areas in telecommunication buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries, and standby engines, if those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by a wall with a fire- resistance rating of not less than one hour and floor/ceiling assembly with a fire- resistance rating of not less than two hours.

- (j) Section 903.3 of the code is amended to provide as follows:

903.3. Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with sections 903.3.2 through 903.3.7.

- (k) Sections 903.3.1 through 903.3.1.3 of the code are amended to provide as follows:

903.3.1.1 NFPA 13 Sprinkler systems. NFPA 13R and 13D automatic sprinkler systems shall not be allowed.

- (l) Section 905.3 of the code is amended to provide as follows:

905.3. Required installations. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.8 and this section. Standpipe systems are allowed to be combined with *automatic sprinkler systems*.

Exception: Standpipe systems are not required in R-3 occupancies, except that Class I standpipe systems shall be installed at all Residential Group R

occupancies located on flag lots, the location of that shall be approved by the Memorial Villages Fire Chief or Fire Marshal; otherwise, standpipe systems shall be provided as set forth in sections 905.3.1 through 905.12.

(m) Section 907.2.3 of the code is amended to provide as follows:

907.2.3 Group E. Educational Group E Occupancies, including day nurseries, day care centers and preschool centers having an occupancy load of six or more persons shall be required to install an automatic fire alarm system to include an approved manual pull-down station. Each system shall incorporate smoke detection devices in each occupiable area, with all detectors interconnected in such a way that activation of any required detector shall automatically activate all detectors.”

Section 3. Publication and Effective Date. This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with Chapter 52 of the Texas Local Government Code.

Section 4. Repeal. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 5. Severability. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of Hunters Creek Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 6. Penalty Any person who violates any provision of this Ordinance shall be subject to the penalties provided in City Code Section 10-11, including, if convicted, being found guilty of a misdemeanor and fined in an amount not to exceed \$2,000 per occurrence. Each day of violation shall constitute a separate offense. This penalty shall be in addition to any other remedy provided at law or equity.

Section 7. Existing Law Continued. The adoption of the provisions in this Ordinance that are substantively the same as existing ordinances relating to the same subject are restatements and continuations of existing ordinances and not new enactments or amendments. The adoption of this Ordinance is not intended to affect or disrupt the continuity of the City's business or administration of its law, including but not limited to actions and proceedings that began before the effective date of this Ordinance, and prosecution for ordinance violations committed before the effective date of this Ordinance.

PASSED, APPROVED and ADOPTED this, the ____ day of January, 2022.

Jim Pappas
Mayor

ATTEST:

Tom Fullen, City Administrator
and acting City Secretary



**CITY OF HUNTERS CREEK VILLAGE
AGENDA DISCUSSION FORM**

AGENDA DATE: January 25, 2022
AGENDA SUBJECT: Discussion and possible action to approve an Ordinance of the City of Hunters Creek Village, Texas, providing for the holding of a General Election on May 7, 2022, for the purpose of electing three (3) Council Members (Position Nos. 1, 2, and 3); and providing details relating to the holding of the election.

EXHIBITS: Draft Ordinance for calling the Election

ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS, ORDERING THE HOLDING OF A GENERAL ELECTION ON MAY 7, 2022, FOR THE PURPOSE OF ELECTING THREE CITY COUNCIL MEMBERS (POSITIONS NO. 1, 2 AND 3), FOR TWO-YEAR TERMS; PROVIDING DETAILS RELATING TO THE HOLDING OF THE ELECTION; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS:

Section 1. Election called. A General Municipal Election is called and ordered for May 7, 2022 (the first Saturday in May), at which election the qualified voters of the City may vote for the purpose of electing the following officials of the City for full two-year terms:

- Councilmember, Position No. 1
- Councilmember, Position No. 2
- Councilmember, Position No. 3

Section 2. Candidate applications. No person's name shall be placed upon the official ballot as a candidate for any of the referenced positions unless that person shall have filed his or her written, signed, and sworn application with the City Secretary of the City at City Hall, at #1 Hunters Creek Place, Hunters Creek Village, Texas 77024, not later than 5:00 p.m. on the 78th day before the date of such election, as provided by Sections 141.031 and 143.007(c) of the Texas Election Code (the "Election Code"). The City Secretary shall note on the face of each application the date and time of its filing. All applications shall include a clear reference to the office the candidate is seeking and, if applicable, the position number.

Section 3. Polling place and voting hours on election day. The present boundaries of the City shall constitute one election precinct. The polls shall be open for voting on Election Day from 7:00 a.m. to 7:00 p.m. at the following polling place:

maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent, in accordance with the provisions of the Election Code. The roster shall be maintained in a form approved by the Secretary of State.

Section 6. Early voting ballot board. Bill Rankin is hereby appointed as Presiding Judge and _____ as Alternate Presiding Judge of the Early Voting Ballot Board. In accordance with the Election Code, the Presiding Judge shall appoint at least one other member of the Board, and the Board shall process early voting results in accordance with the Election Code.

Section 7. Voting systems. Paper ballots shall be used for the election, both in early voting and for voting on election day, in accordance with the Election Code. The use of the AutoMark Voting System, Version 1.1, is hereby authorized for use to comply with Section 61.012 of the Election Code consistent with the requirements of the Help America Vote Act of 2002 to provide at least one voting system accessible to voters with disabilities in each polling place. All expenditures necessary for the conduct of the election, the purchase of materials, and the employment of all election officials are hereby authorized in accordance with the Election Code.

Section 8. Central counting station. A central counting station is established at the place designated as the polling place in Section 3 hereof. The Acting City Secretary, Tom Fullen, is appointed counting station manager and tabulation supervisor. Bill Rankin is appointed presiding judge of the central counting station. The City Secretary may appoint such clerks to serve at the central counting station as he or she may deem necessary.

Section 9. Election supplies. The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct the election.

Section 10. Drawing for ballot position. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary, as provided by in Section 52.094 of the Election Code. The City Secretary shall post a notice in their office, at least seventy-two (72) hours prior to the date on which the drawing is to be held, of the time and place of the drawing, and shall also give personal notice to each candidate as required by Section 52.094(d) of the Election Code. Each candidate involved in the drawing, or a representative designated by such candidate, shall have a right to be present and observe the drawing.

Section 11. Plurality vote. The candidate receiving the highest number of votes for a position to be filled at the election shall be declared elected to that position.

Section 12. Election notices and return. Notice of this election shall be given in accordance with the provisions of the Election Code and returns of the notice shall be made as provided for in the Code. The Mayor shall issue all necessary orders and writs for the election. Returns of the election shall be made to the City Secretary immediately after the closing of the polls.

Section 13. Controlling law. The election shall be held in accordance with the applicable requirements of the Election Code and the Federal Voting Rights Act of 1965, as amended. If any provision of this ordinance conflicts with a mandatory provision of the Election Code, it is the intention of the City Council that the provision of the Election Code shall control.

Section 14. Required languages for election materials. All election materials shall be printed in English and Spanish as required by Section 272.001 of the Texas Election Code.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2022.

Jim Pappas
Mayor

ATTEST:

Tom Fullen
Acting City Secretary



**CITY OF HUNTERS CREEK VILLAGE
AGENDA DISCUSSION FORM**

AGENDA DATE: January 25, 2022
AGENDA SUBJECT: Discussion and possible action to abandon
drainage easement on the rear of the property at
601 Wellesley Drive.

EXHIBITS: Survey showing 2.5ft drainage easement

S.A.D.R. 0

(call South - 130.00')
N 00° 10' 20" E 129.84'

10" UMB
(Vol. 37, P. 6)

5" X 20" A
(Vol. 37, P. 1)

WILLES L.
(Vol. 37, P. 12)

LOT 6

35' Building
(Vol. 37, P. 6)
(Vol. 2361, Pg. 1)

Frnd. 1 1/2" IR
W/Cap
(Precision)

Power Pole

WATER
FILL
SITE

5' Water Line Easement
(Vol. 2361, Pg. 190 HCDR)

5' Utility Easement
& adjoining
5' X 20" Aerial Easement
(Vol. 37, Pg. 68 HCDR)

1
15' Side Setback Line
(Vol. 2361, Pg. 190 HCDR)

2
65' Setback Line
(Vol. 2361, Pg. 190 HCDR)
(Accessory Buildings)

LOT 8

138.39'

(call West - 138.00')
N 89° 56' 00" W

5' wood fence

AC units

2-Story Brick

2-1/2" Drainage Easement
(Vol. 2361, Pg. 190 HCDR)

Frnd. 5/8" Iron Rod

120.0'

concrete drive

garage

Frnd. 5/8" Iron Rod

130.00'

76 03.52

FL 24' RCP E 03.35

76 03.27

FL 24' RCP E 04.00

Frnd. 5/8" Iron Rod

130.0'

76 03.27

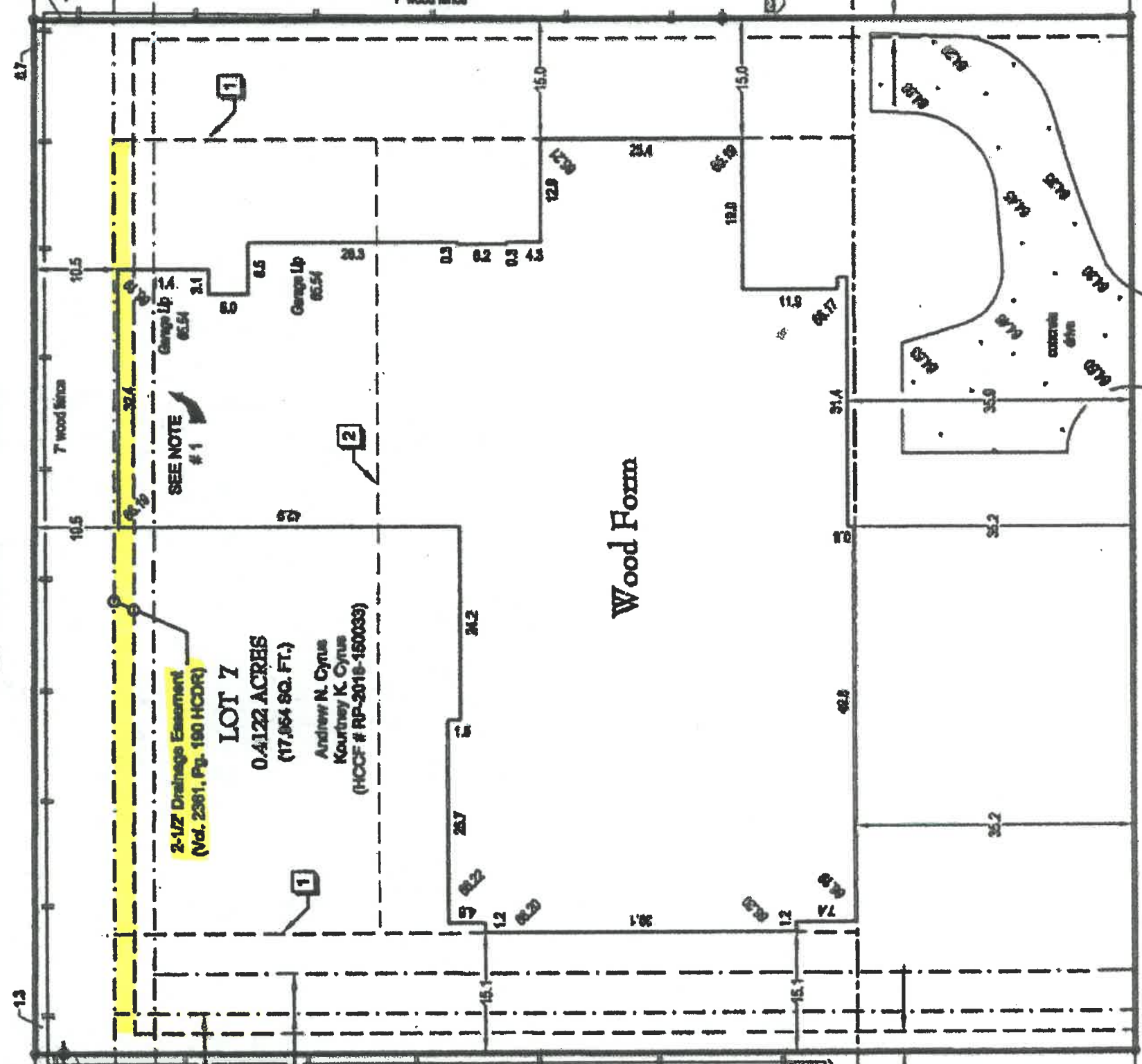
FL 24' RCP E 04.00

Frnd. 5/8" Iron Rod

130.0'

76 03.27

FL 24' RCP E 04.00





**CITY OF HUNTERS CREEK VILLAGE
AGENDA DISCUSSION FORM**

AGENDA DATE: January 25, 2022
AGENDA SUBJECT: Discussion and possible action to approve Amendment No. 70 to the engineering contract with Cobb Fendley in the amount of \$55,250.00 for Engineering Services associated with the Kuhlman Road Reconstruction Project

EXHIBITS: Amendment No. 70

**CITY OF HUNTERS CREEK VILLAGE
STANDARD AMENDMENT TO
CONSULTANT SERVICES AGREEMENT**

AMENDMENT NO. 70

This Amendment (hereinafter "Amendment") is made between the City of Hunters Creek Village, Texas (hereinafter "City"), and Cobb, Fendley & Associates, Inc. (hereinafter "Consultant") to amend that consultant services (the "Contract") between the City and Consultant for services associated with the City Engineer Contract.

1. Amended Terms. The City and Consultant hereby agree that the Contract is amended as follows:

A. Add new task order for the **Engineering Services associated with the Kuhlman Road Reconstruction project** in the amount of **\$55,250**.

B. See Attached Exhibit A for Scope of Services for this project.

2. Contract to Remain in Force. Other than the provisions of the Contract expressly amended herein, the Contract shall remain in full force, and its enforceability shall be unaffected by this Amendment.

EXECUTED and EFFECTIVE as of the ____ day of _____, 20__.

CITY OF HUNTERS CREEK VILLAGE

Signature: _____

Name/Title: Honorable Jim Pappas/ Mayor

CONSULTANT



Signature: _____

Name/Title: Stephen L. Byington, P.E., Principal

EXHIBIT A
SCOPE OF SERVICES & COMPENSATION
Cobb, Fendley & Associates, Inc.
Proposal for Professional Engineering Services for
Kuhlman Road Reconstruction

Project Limits and Background

The project area is the full length of Kuhlman Road, approximately 2,600 linear feet. The project scope is limited to street reconstruction utilizing partial reclaimed cold recycle with cement stabilization, and ditch regrading where needed. The project will retain all existing drainage pipes and structures, no drainage improvements or modifications will be completed. Driveway aprons will be reconstructed to the ROW.

General

Cobb, Fendley & Associates, Inc. (CobbFendley) will assist the City in procuring street reconstruction services for Kuhlman Road.

BASIC SERVICES

CobbFendley will provide the following engineering services as part of its basic services. The specific items of service include:

Topographic Survey

1. Only centerline elevation survey will be completed. All other surveying is excluded. Latest aerial imagery and record drawings will be used to prepare schematic layout of existing conditions within ROW.

Final Design:

1. Coordination, data collection and review
 - a. Collect record drawings from utilities.
 - b. Identify any gaps in this data and make arrangements to supplement through other sources, specifically:
 - i. Record Drawings
 - c. Perform preliminary site visits.
 - d. Perform centerline survey.
2. CobbFendley will provide typical sections sheets prepared for the existing and proposed roadway. Typical section information will include:
 - a. Station Limits
 - b. Profile Grade Line Location
 - c. Centerline and Baseline Locations
 - d. Pavement Section
 - e. Pavement Cross Slopes
 - f. Curbs
 - g. Sidewalks
 - h. Green Space (Mow Strips)
3. Identify utility conflicts with private and other public utilities, submit plans to all affected entities and coordinate relocation schedule and efforts.

4. CobbFendley will provide roadway plan drawings. The drawings will consist of a plan view of existing features and proposed improvements.
Plan view will include:
 - a. Roadway centerlines and baselines
 - b. Pavement edges for all improvements
 - c. Lane and pavement width dimensions
 - d. Existing utilities and structures
 - e. Benchmark and TBM information
 - f. Radius callouts
 - g. Curb locations
 - h. Pavement Details
5. No Geotechnical investigation will be performed. Existing data from Beinhorn will be used.
6. Provide construction plan drawings. The plans will include, at a minimum, the following.
 - Cover Sheet
 - Overall Project Layout
 - Typical Cross Sections
 - SWPP Plan
 - Demolition Plan
 - General Notes and Details
 - Plan Sheet
 - Traffic Control Plan
7. CobbFendley will prepare Storm Water Pollution Prevention Plan (SW3P) sheets and details based on the latest NPDES to minimize the potential impact to receiving waterways.
8. CobbFendley will prepare Traffic Control Plan (TCP) sheets in accordance with the Texas Manual on Uniform Traffic Control Devices (TMUTCD) for Streets and Highways (latest edition).
9. Fully develop engineer's construction cost estimate for each item of work including plan quantities.

Bid Phase Services:

1. Provide Notice to Bidders (NTB) to the City and setup a CivCast project bid profile.
2. Reproduce and disseminate bid sets to the City and interested bidders
3. Chair pre-bid meeting and attend the Bid Opening
4. Respond in writing to questions from bidders and prepare addenda as necessary.
5. Prepare Engineer's Recommendation of Award Letter.
6. Produce and transmit to selected contractor five (4) sets of project manuals ready for execution with City's Notice of Intent to Award (NOI)

Construction Phase Services:

1. Construction Administration
 - a. Attend pre-construction meeting to provide information & answer questions
 - b. Attend monthly progress meetings with Construction Manager, Contractor and City.
 - c. Review/approve & comment on Contractor's submittals, RFIs, Contractor Proposals, Request for Change Orders including coordination with Construction Manager on Proposals & Change Orders.
 - d. Provide interpretive guidance for Contractor, Construction Manager in resolution of problems
 - e. Conduct Substantial Completion Inspection to:
 - i. review progress of work for Substantial Completion walk through
 - ii. generate a punch list of items for correction
 - iii. substantiate items that are completed
 - iv. issue both Certificate of Substantial Completion (signed/sealed from Design Engineer) & Final Acceptance or 2nd walk through.
2. Construction Management and Inspection
 - a. CobbFendley shall provide management on behalf of the City and will act as the liaison between the City and the Contractor.
 - b. CobbFendley shall conduct monthly construction meetings at City Hall.
 - c. CobbFendley shall monitor the construction schedule and advise the City of any changes to the schedule.
 - d. CobbFendley shall provide limited on-site inspection services throughout the contract. **(4 hours of inspection time per day is included in this budget)**
3. Construction Materials Testing
 - a. CobbFendley shall subcontract construction materials testing services to ensure that all roadway subgrade, and pavement have limited testing.

Construction Phase Services:

2. Construction Administration
 - a. Attend pre-construction meeting to provide information & answer questions
 - b. Review/approve & comment on Contractor's submittals, RFIs, Contractor Proposals, Request for Change Orders
 - c. Review contractor pay applications and make recommendation to City.
4. Construction Manager Visits
 - i. Attend monthly progress meetings with Contractor and City.
 - ii. Attend site visits as needed to resolve onsite issues, provide technical onsite observation when requested.
5. Inspector Observation

- i. Provide onsite representation on an occasional basis. When on site act as city representation, record decisions, actions and activities of the contractor.
 - ii. **(4 hours of inspection time per day is included in this budget 2 months of construction planned).**
 - iii. Perform a substantial completion walkthrough and develop a punch list of final items for project completion.
6. Construction Material Testing
- i. Third party material testing of a portion of the work to occur at the beginning of the project. At least one test for each component of the pavement section up to the amount budgeted.

Exclusions for the Scope of Services:

The services described above are the identified **BASIC AND ADDITIONAL SERVICES** for this assignment. Other items that may arise during the course of the project that the City may wish to add to the scope of services shall be deemed as **SUPPLEMENTAL ADDITIONAL SERVICES**. CobbFendley shall undertake such supplemental additional services as assigned by the City upon written direction from the City. Examples of such items are as follows:

1. Drainage study to evaluate the existing conditions or detailed hydraulics or hydrology analysis.
2. Geotechnical Engineering.
3. Profile views
4. TDLR coordination, review or permitting.
5. Urban Forestry Services – Tree Preservation Plan.
6. Any other services not specifically included within the description of the Basic Services and Additional Services as described above.

If supplemental services are requested by the City, CobbFendley will provide the City with a separate proposal for the supplemental work.

EXHIBIT B

BASIS OF COMPENSATION

BASIC SERVICES

The Compensation to be paid to CobbFendley for providing the BASIC SERVICES rendered under this agreement shall be based units of the work as shown below. Reimbursable items and subconsultant invoices will be subject to a 10% administration charge.

A. DESIGN PHASE

1. Bid Package Production (Lump Sum) \$18,500

B. BID PHASE

2. Bid Phase Services (Lump Sum) \$2,000

C. CONSTRUCTION PHASE

3. Construction Administration Services (Lump Sum) \$7,600

4. Construction observation (NTE 4 hrs per day for 2 months)..... \$20,800

5. Construction Materials Testing (Budget amount, provided by third party) ... \$5,000

ADDITIONAL SERVICES

6. Advertising for bidding \$1,100

7. Reprography Costs of Plans and Construction Contracts Cost +10%

8. Deliveries Cost +10%

Reimbursable Expenses

1. mileage..... \$250

TOTAL, Basic & Additional Services incl. Reimbursables \$55,250

ADDITIONAL SERVICES

The Compensation to be paid to CobbFendley for providing any ADDITIONAL SERVICES under this agreement shall be based on the rate schedule included in the Agreement. Reimbursable items and subconsultant invoices will be subject to a 10% administration charge. Services will be charged according to those personnel directly involved in providing the service, and will be rounded to the nearest half hour.

Lump sum fees will be negotiated for particular, defined assignments at the request of the City. When an occasion arises which the City desires to be covered by a lump sum fee, CobbFendley will negotiate an acceptable fee with the City and prepare an addendum to this Agreement which describes the scope of services to be provided and the fee. The addendum will be effective only after its signature by both parties.

Direct Personnel Expense means salaries and wages paid to CobbFendley's employees plus payroll related costs and benefits such as payroll taxes, worker's compensation, health and retirement benefits, bonuses, sick leave, vacation, and holiday pay applicable hereto. Reimbursable Direct Expenses shall be those costs incurred on or directly for the CLIENT'S project, including but not limited to necessary transportation costs including mileage at the current IRS rate, meals and lodging, laboratory tests and analyses, and printing and binding charges.

**2022 - Kuhlman Road
Engineer's Opinion of Probable Cost**

Item No.	Paving Improvements	Unit	Quantity	Unit Price	Extended Price
General Items					
1	Mobilization (No Greater than 5% of Total Bid)	LS	1	\$15,000.00	\$ 15,000.00
2	Traffic Control	LS	1	\$20,000.00	\$ 20,000.00
3	In Place Full Depth Pavement Recycling	SY	5,778	\$12.50	\$ 72,225.00
4	Tru-Bln 70-30 Material	TON	146	\$210.00	\$ 30,660.00
5	2-Inch Thick Type D HMAC Overlay	TON	628	\$125.00	\$ 78,500.00
6	Mill and Overlay Driveways and Transitions (2-Inch Thick)	SY	200	\$35.00	\$ 7,000.00
7	Sodding	SY	1,150	\$5.00	\$ 5,750.00
8	Ditch Regrading	LF	1,150	\$10.00	\$ 11,500.00
SUBTOTAL					\$ 240,635.00
ENGINEERING COST (20%)					\$ 48,127.00
CONTINGENCY (20%)					\$ 48,127.00
CONSTRUCTION COST					\$ 336,889.00

Notes:

1. All Unit Prices derived from Beinhorn avg bid price on Beinhorn Project
2. Avg bid cost from all bidders of Beinhorn Road Including the \$50,000 Bonus: \$636,666.85
3. Actual contract price for Beinhorn and Wade Hampton: \$530,410.70
4. Total Length of Beinhorn and Wade Hampton: 6,100 LF +/- 100
5. Total Length of Kuhlman: 2600 LF
6. Kuhlman Road is 43% as long as Beinhorn + Wade Hampton
7. From this Cost Estimate: Kuhlman Road will cost 60% of the actual Beinhorn Contract