

MINUTES OF THE REGULAR COUNCIL MEETING
CITY OF SPRING VALLEY, TEXAS
TUESDAY, MAY 22, 2007 AT 6:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
1025 CAMPBELL ROAD, HOUSTON, TEXAS

1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT

Mayor Michael Andrews called the meeting to order at 6:00 p.m.

Betty Lusk, City Secretary, called the roll:

Councilman Timothy Glanzman
Councilman Dennis Griffith - arrived at 6:10 p.m.
Councilman Gregory Herbst
Councilman Bruce Spain
Councilman Jerry Turner - arrived at 6:25 p.m.

EXECUTIVE SESSION - 6:00 P.M.

2. AN EXECUTIVE SESSION WILL BE HELD PURSUANT TO THE TEXAS OPEN MEETINGS ACT REGARDING TEXAS GOVERNMENT CODE SECTION 551.071 - CONSULTATION WITH ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION

Council adjourned into the Executive Session at 6:01 p.m.

Council adjourned from the Executive Session at 6:45 p.m. with no action being taken.

REGULAR SESSION - 6:30 P.M.

3. INTRODUCTIONS

3.1 City Staff

Richard R. Rockenbaugh, City Administrator
Betty Lusk, City Secretary
John Olson, City Attorney
Art Flores, Building Official
Harry Walker, City Engineer

3.2 Councilman Dennis Griffith

Mayor Andrews introduced Councilman Dennis Griffith as a new member of City Council.

3.3 Mary Larranaga Assistant Municipal Court Clerk

Mayor Andrews introduced Mary Larranaga as Assistant Municipal Court Clerk.

4. MISCELLANEOUS BUSINESS AND OTHER ACTION ITEMS (INCLUDING CERTAIN ORDINANCES AND RESOLUTIONS) REQUIRING INFORMATION OR INPUT FROM CITY ATTORNEY, CITY ENGINEER, OR OTHER PROFESSIONAL SERVICE PROVIDERS

- 4.1 Reconsideration of Ordinance No. 2007-11 Regarding Amending Chapter 12 of the Spring Valley Code of Ordinances, Said Chapter 12 Being the Zoning Ordinance of the City, by Deleting All of Section 10 Thereof and Substituting Therefor a New Section Ten; Providing Rules and Regulations Governing the Construction, Maintenance, and Use of Signs and Sign Structures Within the City; Providing a Penalty in an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof; and Providing for Severability.

Motion was made by Councilman Herbst seconded Councilman Glanzman to Discuss Ordinance No. 2007-11 Regarding Amending Chapter 12 of the Spring Valley Code of Ordinances, Said Chapter 12 Being the Zoning Ordinance of the City, by Deleting All of Section 10 Thereof and Substituting Therefor a New Section Ten; Providing Rules and Regulations Governing the Construction, Maintenance, and Use of Signs and Sign Structures Within the City; Providing a Penalty in an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof; and Providing for Severability.

An Amended Motion was made by Councilman Herbst and seconded by Councilman Glanzman to Approve Adopting Ordinance No. 2007-11 as Originally Proposed at the May 15, 2007 Regular Council Workshop Meeting Regarding Amending Chapter 12 of the Spring Valley Code of Ordinances, Said Chapter 12 Being the Zoning Ordinance of the City, by Deleting All of Section 10 Thereof and Substituting Therefor a New Section Ten; Providing Rules and Regulations Governing the Construction, Maintenance, and Use of Signs and Sign Structures Within the City; Providing a Penalty in an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof; and Providing for Severability. Motion carried 5-0.

- 4.2 An Ordinance Amending the Code of Ordinances of the City of Spring Valley, Texas, by Deleting from Chapter 3 Thereof All of Article 3.1600 and Substituting Therefor a New Article 3.1600; Providing Rules and Regulations Designed to Prevent Damage to Property and Injury to Persons Resulting from Flood; Providing a Penalty in an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof; and Providing for Severability.

Motion was made by Councilman Griffith and seconded by Councilman Herbst to Approve An Ordinance Amending the Code of Ordinances of the City of Spring Valley, Texas, by Deleting from Chapter 3 Thereof All of Article 3.1600 and Substituting Therefor a New Article 3.1600; Providing Rules and Regulations Designed to Prevent Damage to Property and Injury to Persons Resulting from Flood; Providing a Penalty in an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof; and Providing for Severability. Motion carried 5-0.

- 4.3 Accept Bid by KenMor Electric Co., LP for Installation of LED Traffic and Pedestrian Lights in the Amount of \$9,776.00, and Bid by Computec Traffic Systems for Materials for LED Traffic & Pedestrian Lights in the Amount of \$16,428.00.

Motion was made by Councilman Herbst and seconded by Councilman Turner to Accept Bid by KenMor Electric Co., LP for Installation of LED Traffic and Pedestrian Lights in the Amount of \$9,776.00, and Bid by Computec Traffic Systems for Materials for LED Traffic & Pedestrian Lights in the Amount of \$16,428.00. Motion carried 5-0.

- 4.4 Reject Bid by Blastco Texas Inc. for Water Plant Repair in the Amount of \$58,126.00.

Motion was made by Councilman Glanzman and seconded by Councilman Turner to Reject Bid by Blastco Texas Inc. for Water Plant Repair in the Amount of \$58,126.00. Motion to Reject Bid carried 5-0.

- 4.5 Approval of PM Construction & Rehab, LP Pay Estimate #3 for Voss Road and Mickey Way Sanitary Sewer Rehabilitation Project in the Amount of 12,302.12.

Motion was made by Councilman Griffith and seconded by Councilman Glanzman to Approve PM Construction & Rehab, LP Pay Estimate #3 for Voss Road and Mickey Way Sanitary Sewer Rehabilitation Project in the Amount of 12,302.12. Motion carried 5-0.

- 4.6 Approval of Huff & Mitchell, Inc. Pay Estimate #2 for New Park Paving/Drainage Project in the Amount of \$37,330.56.

Motion was made by Councilman Glanzman and seconded by Councilman Griffith to Approve Huff & Mitchell, Inc. Pay Estimate #2 for New Park Paving/Drainage Project in the Amount of \$37,330.56. Motion carried 5-0.

- 4.7 Approval of Canyon Construction Company, Inc. Application for Payment No. 2 Final for the Surface Water Transmission Main Phase II A in the Amount of \$19,347.52.

Motion was made by Councilman Herbst and seconded by Councilman Glanzman to Approve Canyon Construction Company, Inc. Application for Payment No. 2 Final for the Surface Water Transmission Main Phase II A in the Amount of \$19,347.52. Motion carried 5-0.

- 4.8 Approval of Fab-Seal Application for Payment No. 1 Final for Ground Storage Tank No. 2 in the Amount of \$28,258.97.

Motion was made by Councilman Herbst and seconded by Councilman Glanzman to Approve Fab-Seal Application for Payment No. 1 Final for Ground Storage Tank No. 2 in the Amount of \$28,258.97. Motion carried 5-0.

- 4.9 Approval of Professional Engineering Services for Mickey Way Area Paving & Drainage Reconstruction Project.

Motion was made by Councilman Griffith and seconded by Councilman Glanzman to Discuss Professional Engineering Services for Mickey Way Area Paving & Drainage Reconstruction Project.

An Amended Motion was made by Councilman Glanzman and seconded by Councilman Spain to Table Professional Engineering Services for Mickey Way Area Paving & Drainage Reconstruction Project. Motion to Table carried 5-0.

- 4.10 Approval of Professional Engineering Services for Modiste/Merlin/Lupton/Neely and Lofland Area Reconstruction Project.

Motion was made by Councilman Herbst and seconded by Councilman Glanzman to Discuss Professional Engineering Services for Modiste/Merlin/Lupton/Neeley and Lofland Area Reconstruction Project.

An Amended Motion was made by Councilman Griffith and seconded by Councilman Spain to Discuss Changing the Professional Engineering Services Scope for Modiste/Merlin/Lupton/Neely and Lofland Area Reconstruction Project.

Motion was made by Councilman Herbst and seconded by Councilman Glanzman to Table Professional Engineering Services for Modiste/Merlin/Lupton/Neeley and Lofland Area Reconstruction Project. Motion to Table carried 5-0.

5. CITIZENS' FORUM AND RECEIPT OF PETITIONS - (THREE MINUTE LIMIT)

Note: Any person desiring to be heard by the City Council on any matter shall be heard during that part of the meeting reserved for receipt of petitions and citizens forum; provided, however, that if numerous citizens appear to offer repetitious statements, such citizens are encouraged to select a member of their group to act as spokesperson, and provided further that a time limit of three (3) minutes shall be imposed for such statements unless waived by consent of a majority of the members of the Council. Each member of the public speaking before Council shall preface any statement with his or her name and home address.

No comments were received by Council.

6. RECEIPT OF REPORTS

- 6.1 Councilman Bruce Spain - Village Fire Department Monthly Committee & Board Meeting

Councilman Bruce Spain gave his Village Fire Department Monthly Committee & Board Meeting Report.

- 6.2 Reports for April 2007 Have Been Filed With the City and are Available for Review As Follows:
- C John Cook, Chief of Police
 - C Kelly Johnson, City Treasurer
 - C Village Fire Department Monthly Committee & Board Meeting
 - C Municipal Court - Warrant Program

These Reports are in the City Files.

7. OTHER MISCELLANEOUS BUSINESS

- 7.1 Approval of Village Fire Department 2006 Intra-Budgetary Transfers Based on the 2006 Audit Draft.

Motion was made by Councilman Griffith and seconded by Councilman Herbst to Approve the Village Fire Department 2006 Intra-Budgetary Transfers Based on the 2006 Audit Draft. Motion carried 5-0.

- 7.2 Appointments of Winnie Youngblood as a Member of the Civic Activities Board and Greenspace Committee, and Lawrence Wilson as a Standing Member of the Board of Adjustment.

Motion was made by Councilman Griffith and seconded by Councilman Herbst to Approve Appointments of Winnie Youngblood as a Member of the Civic Activities Board and Greenspace Committee, and Lawrence Wilson as a Standing Member of the Board of Adjustment. Motion carried 5-0.

- 7.3 Appointment of Councilman Timothy Glanzman as Mayor Pro Tem.

Motion was made by Councilman Turner and seconded by Councilman Griffith to Approve the Appointment of Councilman Timothy Glanzman as Mayor Pro Tem. Motion carried 4-1. Councilman Spain Voting Nay.

- 7.4 Appointment of Councilman Dennis Griffith as Council Liaison for Civic Activities Board and Planning & Zoning Commission.

Motion was made by Councilman Glanzman and seconded by Councilman Herbst to Approve Appointment of Councilman Dennis Griffith as Council Liaison for Civic Activities Board and Planning & Zoning Commission. Motion carried 5-0.

- 7.5 Approval of Meeting Minutes for Regular Council Workshop Meeting on April 17, 2007 and Regular Council Meeting on April 24, 2007.

Motion was made by Councilman Glanzman and seconded by Councilman Spain to Approve Meeting Minutes for Regular Council Workshop Meeting on April 17, 2007 and Regular Council Meeting on

April 24, 2007. Motion carried 5-0.

- 7.6 Establish a Date in June to Complete the Capital Budgeting Process Per City Policy.

Motion was made by Councilman Turner and seconded by Councilman Glanzman to Discuss Establishing a Date in June to Complete the Capital Budgeting Process Per City Policy.

An Amended Motion was made by Councilman Turner and seconded by Councilman Herbst to Establish a Date at the July 24, 2007, Regular Council Meeting, to Complete the Infrastructure Budgeting Process Per City Policy. Motion carried 5-0.

- 7.7 Amend the City's Capital Budget Policy to Require Any Unallocated Appropriated Funds in a Given Budget Year Will be Held in Reserve as a Sinking Fund for Future Capital Requirements, but Will Not Reduce Succeeding Years' Capital Budgeting Requirements.

Motion was made by Councilman Turner and seconded by Councilman Spain to Discuss Amending the City's Capital Budget Policy to Require Any Unallocated Appropriated Funds in a Given Budget Year Will be Held in Reserve as a Sinking Fund for Future Capital Requirements, but Will Not Reduce Succeeding Years' Capital Budgeting Requirements.

An Amended Motion was made to Table Amending the City's Capital Budget Policy to Require Any Unallocated Appropriated Funds in a Given Budget Year Will be Held in Reserve as a Sinking Fund for Future Capital Requirements, but will Not Reduce Succeeding Years' Capital Budgeting Requirements. Motion to Table carried 5-0.

- 7.8 Approval of Proposal by Wells Fargo Bank, National Association for the Depository and Safekeeping Three (3) Year Contract for Banking Services.

Motion was made by Councilman Herbst and seconded by Councilman Griffith to Approve a Proposal by Wells Fargo Bank, National Association for the Depository and Federal Reserve Bank, San Francisco, California, as the Safekeeping Bank for a Three (3) Year Contract for Banking Services. Motion carried 5-0.

8. CONSIDERATION OF ORDINANCES AND RESOLUTIONS

- 8.1 A Resolution of the City of Spring Valley, Texas, Authorizing the Mayor to Execute and the City Secretary to Attest a Depository Contract and Safekeeping Agreement by and Between the City of Spring Valley, Texas, and Wells Fargo Bank, National Association and Federal Reserve Bank, San Francisco, California.

Motion was made by Councilman Glanzman and seconded by Councilman Herbst to Approve A Resolution of the City of Spring Valley, Texas, Authorizing the Mayor to Execute and the City Secretary to Attest a Depository Contract and Safekeeping Agreement by and Between the City of Spring Valley, Texas, and Wells Fargo Bank, National Association and Federal Reserve Bank, San Francisco, California. Motion carried 5-0.

- 8.2 A Resolution of the City of Spring Valley, Texas, Authorizing the Pledge of Securities in Accordance with the City's Bank Depository Contract and Safekeeping Agreement.

Motion was made by Councilman Glanzman and seconded by Councilman Griffith to Approve A Resolution of the City of Spring Valley, Texas, Authorizing the Pledge of Securities in Accordance with the City's Bank Depository Contract and Safekeeping Agreement. Motion carried 5-0.

- 8.3 A Resolution Amending Authorized Representatives of the Texas Local Government Investment Pool (ATEXPOOL®), a Public Funds Investment Pool.

Motion was made by Councilman Glanzman and seconded by Councilman Herbst to Approve A Resolution Amending Authorized Representatives of the Texas Local Government Investment Pool (ATEXPOOL®), a Public Funds Investment Pool. Motion carried 5-0.

9. CONSIDERATION OF THE CONSENT AGENDA

"All Matters listed under Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately."

Treasurer's Report:

- C Cash Balances
- C Cash Flow Projections
- C Department Expenditure Summary
- C Combined Revenue & Expenditure Report
- C Balance Sheet
- C Council Reports - Checks/ACH's Issued Last 30 Days
- C Tax Assessor/Collector Report
- C Collateral Report
- C Fund Transfers

Motion was made by Councilman Griffith and seconded by Councilman Glanzman to Approve the Consent Agenda. Motion carried 5-0.

10. CITIZENS' FORUM AND RECEIPT OF PETITIONS - (THREE MINUTE LIMIT)

Note: Any person desiring to be heard by the City Council on any matter shall be heard during that part of the meeting reserved for receipt of petitions and citizens forum; provided, however, that if numerous citizens appear to offer repetitious statements, such citizens are encouraged to select a member of their group to act as spokesperson, and provided further that a time limit of three (3) minutes shall be imposed for such statements unless waived by consent of a majority of the members of the Council. Each member of the public speaking before Council shall preface any statement with his or her name and home address.

No comments were received by Council.

11. CITY OFFICIAL COMMENTS

- C Councilman Timothy Glanzman
- C Councilman Dennis Griffith
- C Councilman Gregory Herbst
- C Councilman Bruce Spain - Variance Hearing for Jack Jensen's Property
- C Councilman Jerry Turner
- C City Administrator Richard R. Rockenbaugh
- C Mayor Michael Andrews

Councilman Spain made his comments, and no other City Official made comments.

12. ADJOURNMENT

Motion was made by Councilman Herbst and seconded by Councilman Griffith to Adjourn the Meeting. Motion carried 5-0.

Mayor Andrews adjourned the meeting at 8:41 p.m.

Signed: _____
Michael Andrews, Mayor

Attest: _____
Betty Lusk, City Secretary

Visitors:

John Raney
Carey Manire
Gilbert Manire