



# City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Susan Sample, Mayor  
Bob Kelly, Mayor Pro Tem  
Burt Ballanfant, Councilmember  
Brennan Reilly, Councilmember  
Mardi Turner, Councilmember

## **STAFF**

M. Christopher Peifer, City Manager  
Alan Petrov, City Attorney  
Thelma Lenz, City Secretary

## **City Council Meeting Agenda**

**Notice is hereby given of a regular meeting of the City Council of West University Place** to be held on **Monday, April 11, 2016** beginning at **6:30 p.m.** in the **Municipal Building** located at 3800 University Boulevard, West University Place, Texas, for the purpose of considering the following agenda items.

Note: All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

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### **REGULAR MEETING (6:30 p.m. in the City Council Chambers)**

#### **CALL TO ORDER**

Agenda items are as follows:

Call to Order  
Pledge of Allegiance  
Matters related to the notice of this meeting

#### **1. Public Comments**

This is an opportunity for citizens to speak to Council relating to agenda and non-agenda items. If the topic the speaker wishes to address is on the agenda, the speaker can either speak at this time or defer his/her comments until such time the item is discussed. Speakers are advised that comments cannot be received on matters which are the subject of a public hearing once the hearing has been closed. Public comments must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting. Speakers are required to register in advance and must limit their presentations to three minutes each.

#### **2. Water Rate Increase**

Matters related to approval of an ordinance to increase water rates by 0.50%, effective May 1, 2016. *Recommended action: Approve ordinance increasing water rates to West University Place residents by 0.50%, effective May 1, 2016, on the second and final reading. Ms. Rhonda Daugherty, Finance Director* [see Agenda Memo 2]

**3. Office of Public Integrity Section of Harris County District Attorney's Office - Investigation**  
Matters related to the Harris County District Attorney investigation of City Council members, including payment or reimbursement of attorneys' fees. *Recommended Action: Discuss and take any desired action. Councilmember Brennan Reilly and Councilmember Burt Ballanfant*

**4. Future Agenda Items**

Matters related to future agenda items. *Discuss and take any desired action. City Council* [see Future Agenda Items List]

**5. Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. Joint Resolution with Harris County**

Matters related to adopting a resolution with Harris County. *Recommended Action: Approve Resolution. Mr. Aaron Taylor, Fire Chief* [see Agenda Memo 5A]

**B. Harris ERP Annual Software Maintenance and Support**

Matters related to approve contract payment with Harris ERP for software maintenance and support. *Recommended Action: Approve contract payment. Mr. Gary McFarland* [see Agenda Memo 5B]

**C. Wastewater Treatment Plant Belt Filter Press #2**

Matters related to awarding a contract for the replacement of Belt Filter Press #2 at the Wastewater Treatment Plant. *Recommended Action: Replace Belt Filter Press #2 at the Wastewater Treatment Plant. Mr. Dave Beach, Public Works Director* [see Agenda Memo 5C]

**D. City Council Meeting**

Approve City Council Minutes of the March 14, 2016 and March 28, 2016. *Recommended Action: Approve Minutes. Ms. Thelma Lenz, City Secretary* [see Minutes]

**6. City Manager/Council/Attorney Reports**

**7. Adjourn**

**In compliance with the Americans with Disabilities Act, if you plan to attend this public meeting and you have a disability that requires special arrangements, please contact City Secretary Thelma Lenz at 713.662.5813 at least 24 hours prior to the meeting so that reasonable accommodations can be made to assist in your participation in the meeting. The Council Chambers is wheel chair accessible from the west entrance and specially marked parking spaces are available in the southwest parking area. Special seating will be provided.**

I certify that the attached notice and agenda of items to be considered by the West University Place City Council on April 11<sup>th</sup> 2016 was posted on the Municipal Building bulletin board on April 8<sup>th</sup>, 2016 at approximately 2:00 o'clock p.m.

(SEAL)

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Anna Evelyn, Assistant City Secretary

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	April 11, 2016	<b>AGENDA ITEM:</b>	2
<b>DATE SUBMITTED:</b>	March 30, 2016	<b>DEPARTMENT:</b>	Finance
<b>PREPARED BY:</b>	Rhonda Daugherty, Finance Director	<b>PRESENTER:</b>	Rhonda Daugherty, Finance Director
<b>SUBJECT:</b>	<b>Surface Water Rate Increase</b>		
<b>ATTACHMENTS:</b>	<b>City of Houston rate increase letter Water Rate Increase and Customer Impact Schedule Ordinance No. _____ with Appendix A – Rate Table Changes</b>		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

In a notice received with the surface water invoice dated March 10, 2016, the City of Houston announced the annual treated surface water rate adjustment pursuant to the City of Houston Ordinance 2010-305. The rate increase, effective April 1, 2016, will be 1.4% or approximately \$0.04 per 1,000 gallons over the current rate of \$2.842 per 1,000 gallons.

In order to continue recovering the cost of purchasing treated surface water and maintaining “pay-as-you-go” capital improvements, the City of West U will adopt a 0.50% rate increase for water sold to our customers. For a customer that uses 12,000 gallons of water, their water & sewer bill will increase \$0.38 per month. *The increase amount was erroneously reported as \$0.95 per month in the first reading agenda memo.*

The City requested proposals for a water and sewer rate study. Four proposals were received on March 31, 2016. The proposals will be evaluated and a consultant selected from those proposals.

See attached Water Rate Increase and Customer Impact schedule. Please note, there are no recommended increases in Solid Waste Rates. These are included on the schedule to show the total bill for specific levels of usage.

**RECOMMENDATION**

Staff recommends adoption of Ordinance No. \_\_\_\_\_, on the second of two readings, increasing water rates by 0.50%, effective May 1, 2016.



# CITY OF HOUSTON

Public Works and Engineering  
Department

## IMPORTANT NOTICE

### NOTIFICATION OF WATER RATE ADJUSTMENT

Effective April 1, 2016, water and sewer rates are adjusting upward by 1.4%. The City of Houston's Code of Ordinances provides that water and sewer rates be adjusted each year in April. These new rates will appear on your April 2016 billing which you will receive in May. This rate adjustment is based on a combination of the 2015 Houston Regional Consumer Price Index (CPI) of -0.2% plus the City of Houston's population increase, 1.6% according to the United States Census Bureau.

### NEW RATES AND CHARGES

Classification	Rate
Contract Treated Water	P x \$2.882 plus (P-M) x \$0.715* Airgap P x \$3.517 plus (P-M) x \$0.715* Non-Airgap
Untreated Water Rates where there is no contract	
First 10,000,000 gallons	\$1.6504 per 1,000 gallons
Next 10,000,000 gallons	\$1.4830 per 1,000 gallons
Next 30,000,000 gallons	\$1.3986 per 1,000 gallons
Next 100,000,000 gallons	\$1.3142 per 1,000 gallons
Excess of 150,000,000 gallons	\$1.2720 per 1,000 gallons
Untreated Water Rates under written contracts	\$0.6597 per 1,000 gallons

\* P = Total water delivery during the month in thousand gallons, except if the minimum monthly specified in the customer's contract is greater than P, P shall equal M.

M = Minimum monthly amount of water specified in the customer's contract expressed in units of one thousand gallons.

For further information, please:

- Refer to the Rates and Prices or the Billing and Payment section of your contract
- Visit: <http://www.houstontx.gov/codes/> (Sections 47-61 and 47-84 et seq.)

Please contact Maria Carrillo at Utility Customer Service at (832) 395-6220 if you have specific questions about your bill.



RECEIVED MAR 14 2016

# CITY OF HOUSTON

Public Works and Engineering  
Department

Sylvester Turner

Mayor

Dale A. Rudick, P.E.  
Director  
P.O. Box 4863  
Houston, Texas 77210-4863  
www.houstontx.gov

March 10, 2016

City of West University Place  
Attention: City Manager  
3800 University Blvd.  
Houston, Texas 77005

Re: Acct. No. 7099-3002-6014  
Purchase Order Number: 11-000017

**AIRGAP CUSTOMER**

INVOICE FOR WATER USED FEBRUARY 2016

Monthly Minimum: 32,750,000 gallons

Meter 1		Meter 2	
Read 03-01-16	1,005,964,000 gallons*	Read 03-01-16	1,601,556,000 gallons
Read 02-01-16	997,316,000 gallons	Read 02-01-16	1,573,183,000 gallons
	<u>8,648,000</u> gallons		<u>28,373,000</u> gallons
<b>Meter 1</b>	10,540,000 gallons 0 gallons**	Insert and Register were changed out for Meter 1 *take out read, ** new read.	
	<u>10,540,000</u> gallons		

Usage provided by customer for Law Street **118,978 gallons**

**Total Usage = 47,679,978 gallons**

Minimum = 29 Days X 1.091 MGD = 31,658,333 gallons

47,679,978 gallons at \$2.842 per 1000 gal. = \$135,506.50  
Plus (47,680 - 31,658.3) X \$.705 = \$11,295.26

Sub-total \$146,801.76

Balance forward - \$0.00

Total Amount Due \$146,801.76

Payment is due and payable on or before the 30th day after receipt of invoice.  
Should buyer fail to tender payment of any amount when due, interest thereon shall  
accrue at the rate of ten percent per annum from the date when due until paid.

IN REMITTING, PLEASE MAKE CHECK PAYABLE TO: CITY OF HOUSTON  
PLEASE NOTE OUR NEW REMIT TO ADDRESS

City of Houston  
Utility Customer Service  
4200 Leeland  
Houston, Texas 77023

Billing inquiries please contact: Maria Carrillo @ 832-395-6220 or maria.carrillo@houstontx.gov.

CITY OF WEST UNIVERSITY PLACE

MIU#

Acct.# 7099-3002-6014

TREATED

February 2016

Meter # V48-31978256			Meter # 507222589			TOTAL	
Time	Read	Cons	Time	Read	Cons	CONS	
	TRW22	X1000		TRW22	X1000	X1000	Notes
1	#	997316	%	1573183		-	
2	@	997580	264	@	1574100	917	1,181
3	*			*			-
4	*			*			-
5	*			*			-
6	*			*			-
7	*			*			-
8	*			*			-
9	*			*			-
10	*			*			-
11	#	1005964	8,384				
11	&	0		*			-
12	*			*			-
13	*			*			-
14	*			*			-
15	*			*			-
16	*			*			-
17	*			*			-
18	*			*			-
19	*			*			-
20	*			*			-
21	*			*			-
22	*			*			-
23	*			*			-
24	*			*			-
25	*			*			-
26	*			*			-
27	*			*			-
28	*			*			-
29	*			*			-
1	@	10540	10,540	@	1601556	27,456	37,996
TOTAL			19,188	TOTAL		28,373	47,561

@ Field Reads

\* No current reads available

NOTE Meter V48-31978256 : # Read prorated based on field read of 997580 on 2/2/2016

NOTE: Meter # 507222589 % Read prorated based on field read of 1574100 on 2/2/2016

NOTE: COH went to site on 2/11/16 change out insert and register and reset meter to zero, take out read 1005964

**West University Place  
Water Rate Increase and Customer Impact**

0.50%

	<b>Current Rate</b>	<b>Increase Amount</b>	<b>Proposed Rate</b>
<b>Base monthly charges:</b>			
<i>Meters serving residential-only premises:</i>			
5/8" or 3/4" meter:	\$ 10.84	\$ 0.05	\$ 10.89
1" meter	24.22	0.12	24.34
1 1/2" meter	46.16	0.23	46.39
<i>Meters serving any other premises:</i>			
5/8" or 3/4" meter	31.78	0.16	31.94
1" meter	44.76	0.22	44.98
1 1/2" meter	66.22	0.33	66.55
2" meter	202.78	1.01	203.79
3" meter	541.81	2.71	544.52
<b>Gallonage charges (per 1,000 gallons):</b>			
<i>Regular meters:</i>			
First 3,000 gallons (0 to 3,000)	4.28	0.02	4.30
Next 6,000 gallons (3,001 to 9,000)	5.20	0.03	5.23
Next 6,000 gallons (9,001 to 15,000)	6.19	0.03	6.22
Each 1,000 gallons thereafter (over 15,000)	7.37	0.04	7.41
<i>Water-only meters:</i>			
First 7,500 gallons	5.75	0.03	5.78
Each 1,000 gallons thereafter (over 7,500)	7.37	0.04	7.41

**Customer Impact**

	<b>Total Bill Including Wastewater &amp; Solid Waste</b>		
	<b>Current</b>	<b>Increase</b>	<b>Proposed</b>
<b>Residential (5/8" or 3/4" meter)</b>			
Zero Consumption	\$ 50.27	\$ 0.05	\$ 50.32
3,000 gallons	71.99	0.11	72.10
6,000 gallons	96.47	0.20	96.67
12,000 gallons	148.40	0.38	148.78
24,000 gallons	268.82	0.83	269.65
<b>Residential &gt; 65 (5/8" or 3/4" meter)</b>			
Zero Consumption	33.55	0.05	33.60
3,000 gallons	55.27	0.11	55.38
6,000 gallons	79.75	0.20	79.95
12,000 gallons	131.68	0.38	132.06
24,000 gallons	252.10	0.83	252.93
<b>Commercial (2" meter) (no solid waste charge)</b>			
50,000 gallons	719.69	2.81	722.50
200,000 gallons	2,305.19	8.81	2,314.00

**ORDINANCE NO. XXXX**

**AN ORDINANCE RELATING TO WATER RATES; AMENDING THE FEE SCHEDULE OF THE CODE OF ORDINANCES OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS; AND CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE:

**Section 1.** Chapter 86, Utilities, of the Fees & Charges Schedule of the Code of Ordinances of the City of West University Place, Texas is hereby amended to read in its entirety as set out in Appendix A, which is attached and made a part of this ordinance.

**Section 2.** This Ordinance applies from and after the Effective Date. New or changed water rates and charges shall apply to each billing period beginning on or after the Effective Date. For prior billing periods, the fees and charges in effect immediately before the Effective Date ("Prior Fees") shall govern. The Prior Fees are continued in effect for this purpose.

**Section 3.** All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 4.** If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

**Section 5.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

**Section 6.** This Ordinance shall take effect on May 1, 2015 ("Effective Date").

**PASSED, APPROVED and ADOPTED on first reading on March 28, 2016.**

**PASSED, APPROVED and ADOPTED on second reading AND SIGNED on \_\_\_\_\_.**

Attest: \_\_\_\_\_  
City Secretary

Signed: \_\_\_\_\_  
Mayor

Recommended: \_\_\_\_\_  
City Manager

Reviewed: \_\_\_\_\_  
City Attorney

Appendix A

CHAPTER 86 UTILITIES

F.020 Water And Sewer Service

TABLE INSET:

New service connect	\$50.00	Each time service is established
Delinquent cutoff fee	\$50.00	
After hours delinquent reconnect fee	\$60.00	Reconnect service after 4 p.m. or before 8 a.m.
Deposit	\$180.00	Maximum
Return check (or ACH) charge	\$35.00	(see "Administration")
<i>Periodic Charges:</i>		
The total charge per month for each customer is the sum of the applicable base monthly charges (for both water and sewer), for each meter, plus the charges for gallons (for both water and sewer) delivered through each meter, all calculated separately for each meter according to the schedules set out below.		
<i>Notes:</i>		
(1) "Residential-only premises" refers to premises that are used only for residential purposes.		
(2) "Water-only meters" refers to meters that serve only irrigation systems and other fixtures from which there is no return flow into the sanitary sewer system; "regular meters" refers to all other meters.		

### Water Rates

Base monthly charges:	
<i>Meters serving residential-only premises:</i>	
5/8" or 3/4" meter:	\$ <del>10.84</del> <u>10.89</u>
1" meter	\$ <del>24.22</del> <u>24.34</u>
1 1/2" meter	\$ <del>46.16</del> <u>46.39</u>
<i>Meters serving any other premises:</i>	
5/8" or 3/4" meter	\$ <del>31.78</del> <u>31.94</u>
1" meter	\$ <del>44.76</del> <u>44.98</u>
1 1/2" meter	\$ <del>66.22</del> <u>66.55</u>
2" meter	\$ <del>202.78</del> <u>203.79</u>
3" meter	\$ <del>541.81</del> <u>544.52</u>
Gallage charges (per 1,000 gallons):	
<i>Regular meters:</i>	
First 3,000 gallons (0 to 3,000)	\$ <del>4.28</del> <u>4.30</u>
Next 6,000 gallons (3,001 to 9,000)	\$ <del>5.20</del> <u>5.23</u>
Next 6,000 gallons (9,001 to 15,000)	\$ <del>6.19</del> <u>6.22</u>
Each 1,000 gallons thereafter (over 15,000)	\$ <del>7.37</del> <u>7.41</u>
<i>Water-only meters:</i>	
First 7,500 gallons	\$ <del>5.75</del> <u>5.78</u>
Each 1,000 gallons thereafter (over 7,500)	\$ <del>7.37</del> <u>7.41</u>

### Sewer Rates

Base monthly charges:	
Meters serving residential-only premises	5.44
Meters serving any other premises	21.57
Gallage charges (per 1,000 gallons)	
Residential-only premises	2.96
Any other premises	3.20

# FUTURE AGENDA ITEMS

Shaded items are on immediate agenda

Date	Item	Synopsis & Recommendation
04/25/16	Video Distribution of Council and Board Meetings	Matters related to a presentation from a neighboring City regarding its PEG channel and other related issues regarding posting audio and/or video of Council and Board meetings on the website. <i>Discuss and take any desired action. Mayor Pro Tem Kelly</i>
04/25/16	National Water Safety Month	Matters related to proclaiming the month of May 2016 “National Water Safety Month” in the City of West University Place. <i>Recommendation: Proclaim May “National Volunteer Month” in the City of West University Place. Ms. Brittany Bakes, Recreation Manager</i>
05/09/16	Ground Storage Tank	Matters related to authorizing funds from the Water Capital Improvement Project Fund to fund a 1.5 MG Storage Tank concrete floor. <i>Recommended Action: Authorize funds from the CIP fund for a 1.5 MG Storage Tank concrete floor. Mr. Dave Beach, Public Works Director</i>
05/09/16	National Older Citizens Month and National Volunteer Month	Matters related to proclaiming the month of May 2016 as “National Older Citizens and National Volunteers Month” in the City of West University Place. <i>Recommendation: Proclaim May as “National Older Citizens and National Volunteers Month” in the City of West University Place. Ms. Toby Brooks, Senior Services</i>
06/13/16	Annual Financial Report (CAFR)	Matters related to acceptance of the Annual Financial Report. <i>Recommended Action: Accept the Annual Financial Report. Ms. Rhonda Daugherty, Finance Director</i>
10/24/16	Chevron Houston Marathon	Matters related to the 2017 Chevron Houston Marathon. <i>Ms. Susan White, Assistant Parks and Recreation Director</i>
10/24/16	Parks & Recreation 2017 Fee Schedule	Matters related to an ordinance adopting the 2017 Fee Schedule for the Parks and Recreation Department. <i>Mr. Tim O’Connor, Parks and Recreation Director</i>
11/14/16	Friends 2017 Projects	Matters related to funding of the Friends of West University Place Parks 2017 projects. <i>Mr. Tim O’Connor, Parks and Recreation Director</i>
11/14/16	West U Aquatics MOU	Matters related to a 2017 Memorandum of Understanding between the City of West University Place and West University Aquatics. <i>Recommended Action: Approve Memorandum of Understanding. Mr. Tim O’Connor, Parks and Recreation Director</i>
11/14/16	West U Baptist Church MOU	Matters related to a 2017 Memorandum of Understanding between the City of West University Place and West University Baptist Church. <i>Recommended Action: Approve Memorandum of Understanding. Mr. Tim O’Connor, Parks and Recreation Director</i>
11/14/16	Tri-Sports MOU	Matters related to a 2017 Memorandum of Understanding between the City of West University Place and Tri-Sports. <i>Recommended Action: Approve Memorandum of Understanding. Mr. Tim O’Connor, Parks and Recreation Director</i>

<b>Date</b>	<b>Item</b>	<b>Synopsis &amp; Recommendation</b>
<b>TBD</b>	Park Acquisition and Development	Matters related to a report from the Parks Board and staff regarding a presentation relating to current and previous parks surveys. <b>City Council</b>
<b>TBD</b>	Park Acquisition and Development	Matters related to the status of the work with the Evelyn's Park Conservancy and the planning efforts with CenterPoint.
<b>TBD</b>	WU Rec Center Campus Parking Lot	Matters related to the proposed expansion of the parking lot on the ELPH Pipeline Property / West Side of the campus. <i>Recommended Action: Discuss and take any desired action.</i> <b>Mr. Tim O'Connor, Parks and Recreation Director</b>
<b>TBD</b>	Safe Pedestrian Crossing	Matters regarding the investigation and installation of a safe pedestrian crossing at the railroad tracks on the north side of Bellaire Boulevard. <i>Recommended Action: Discuss and take any desired action.</i> <b>Mr. Tim O'Connor, Parks and Recreation Director</b>
<b>TBD</b>	Evelyn's Park Development	Matters related to the development of Evelyn's park in Bellaire, including possibility of shared parking arrangements with the City of Bellaire for Evelyn's park. <i>Discuss and take any desired action.</i> <b>Mr. Tim O'Connor, Parks and Recreation Director</b>
<b>TBD</b>	Texas Ethics Commission Opinion	Matters related to a Texas Ethics Commission opinion relating to the content of articles written in <i>City Currents</i> . <i>Recommended Action: Discuss and take any desired action.</i> <b>Councilmember Brennan Reilly</b>
<b>TBD</b>	Parking Survey	Matters related to a parking survey. <i>Recommended Action: Discuss and take any desired action.</i> <b>Mr. Dave Beach, Public Works Director</b>
<b>TBD</b>	Town Center Zoning	Matters related to Town Center Zoning. <i>Recommended Action: Discuss and take any desired.</i> <b>City Council</b>
<b>TBD</b>	Fee Schedule	Matters related to approving an ordinance amending the fee schedule. <i>Recommended Action: Approve ordinance amending the fee schedule on the first of two readings.</i> <b>Mr. Chris Peifer</b>
<b>TBD</b>	Poor Farm Ditch	Matters related to Poor Farm Ditch. <i>Recommended Action: Discuss and take any desired action.</i> <b>Mayor Susan Sample</b>
<b>TBD</b>	Investment Policy	Matters related to amendments to the City's Investment Policy and Investment Strategies. <i>Discuss and take any desired action.</i> <b>Ms. Rhonda Daugherty, Finance Director</b>
<b>TBD</b>	Buffalo Speedway	Matters related to Buffalo Speedway Replacement Project. <b>Mr. Chris Peifer, Interim City Manager</b>

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	April 11, 2016	<b>AGENDA ITEM:</b>	5A
<b>DATE SUBMITTED:</b>	March 22, 2016	<b>DEPARTMENT:</b>	Fire Department
<b>PREPARED BY:</b>	Aaron Taylor, Fire Chief / EMC	<b>PRESENTER:</b>	Aaron Taylor, Fire Chief / EMC
<b>SUBJECT:</b>	Joint Resolution with Harris County for an Inter-Jurisdictional Emergency Management Plan		
<b>ATTACHMENTS:</b>	Joint Resolution		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

In an effort to reduce loss of life and property during catastrophic emergencies and disasters, State and Federal laws mandate that all local governmental entities develop a framework that will provide for continuity of government and will also define each entity's mitigation, planning, response and recovery phases of Emergency Management. The City's Emergency Management Plan is inter-jurisdictional with Harris County's Emergency Management Plan and complies with the aforementioned mandates.

The joint resolution will allow the City of West University Place and Harris County to remain Emergency Management partners and will serve as an inter-local mutual aid agreement between the City and Harris County that officially unites the Emergency Management efforts of both jurisdictions. This resolution replaces Joint Resolution 2014-04 (an identical resolution) that was approved by both jurisdictions in 2014.

As required in the resolution, the City and Harris County shall renew this agreement every two years.

**RECOMMENDATION**

Staff recommends that Council approve the joint resolution with Harris County for an inter-jurisdictional emergency management plan.

City of West University Place  
Harris County, Texas

**RESOLUTION NUMBER XXXX-XX**

**JOINT RESOLUTION**

**WHEREAS**, the City of West University Place by City Ordinance No.1850, and Harris County by Commissioners Court Order dated \_\_\_\_\_, have established similar programs of comprehensive emergency management which includes the mitigation, preparedness, response and recovery phases of emergency management; and

**WHEREAS**, the City and the County find that vulnerability to many potential hazards is shared by residents of the City of West University Place and the unincorporated portions of Harris County; and

**WHEREAS**, the City and the County further find that the common goal of emergency management can best be achieved through an organization which shares the combined resources of the City and the County; and

**THEREFORE, BE IT RESOLVED** that there is hereby established the Harris County Emergency Management organization which shall consist of the officers and employees of the City and of the County as designated in an interjurisdictional emergency management plan, together with such organized volunteer groups as that plan may specify; and

**BE IT FURTHER RESOLVED** that the Mayor of West University Place and the Harris County Judge shall agree on the appointment of an Emergency Management Coordinator to coordinate all aspects of the Harris County program of comprehensive emergency management, including the preparation and maintenance of an interjurisdictional emergency management plan for the City of West University Place and Harris County in accordance with this resolution.

**BE IT FURTHER RESOLVED** that this joint resolution will be reviewed and resubmitted every two years to be in compliance with the election of new mayors. The county or the city may terminate this resolution, with or without cause, prior to the expiration of the term set forth above, upon thirty (30) days prior written notice to the other party

**RESOLVED** this the 11th day of April, 2016.

\_\_\_\_\_  
Mayor, City of West University Place

\_\_\_\_\_  
County Judge

ATTEST:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Christopher Peifer, City Manager

\_\_\_\_\_  
Alan Petrov, City Attorney

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	April 11, 2016	<b>AGENDA ITEM:</b>	5B
<b>DATE SUBMITTED:</b>	April 6, 2016	<b>DEPARTMENT:</b>	Information Technology
<b>PREPARED BY:</b>	G.S. McFarland IT Director	<b>PRESENTER:</b>	G.S. McFarland IT Director
<b>SUBJECT:</b>	<b>Harris ERP Annual Software Maintenance and Support</b>		
<b>ATTACHMENTS:</b>	None		
<b>EXPENDITURE REQUIRED:</b>	none		
<b>AMOUNT BUDGETED:</b>	\$57,289.03		
<b>ACCOUNT NO.:</b>	502-8010-73101		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	n/a		
<b>ACCOUNT NO.:</b>	n/a		

**EXECUTIVE SUMMARY**

Since 2009, the City has had in place, a contract with Harris ERP for software maintenance and support on our Financial and Community Development software applications. Branded as “Innoprise”, this includes;

- Financial Suite (Accounting, Budgeting, Accounts Receivable, General Ledger, Purchasing/Inventory and Payroll/Personnel)
- Customer Information System (Utilities/Billing)
- Community Development Suite (Occupational Licenses, Building Permits, Planning & Zoning, Citizen Access)
- Centralized Cash Receipts and Credit Card Payment Gateway

An annual maintenance and support agreement is essential in order to maintain application programming alignment with changing local, state and federal laws and ensure reliable operation. New services added in the prior year include integrations with: 1-Automatic Meter Reading (AMR); 2-Executime Time Management; and re-implementation of Citizen Access.

With the new services, there has been an increase of \$2,729.00 and the new annual amount is \$57,289.03. This is considered a one (sole) source purchase under the Local Government Code Sec. 252.022. (a)(7)(A) - copyrighted. There are sufficient funds in the Information Technology Hardware & Software Maintenance Contracts account # 502-8010-73101.

**RECOMMENDATION**

Staff recommends authorizing the City Manager to make payment on the Harris ERP invoice in the amount of \$57,289.03.

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	April 11, 2016	<b>AGENDA ITEM:</b>	5C
<b>DATE SUBMITTED:</b>	April 5, 2016	<b>DEPARTMENT:</b>	Public Works
<b>PREPARED BY:</b>	P. Walters, Operations Supt.	<b>PRESENTER:</b>	D. Beach, Public Works Director
<b>SUBJECT:</b>	<b>WWTP Belt Press Replacement Phase II</b>		
<b>ATTACHMENTS:</b>	<b>City Engineer's Letter of Recommendation</b>		
<b>EXPENDITURE REQUIRED:</b>			\$377,000.00
<b>AMOUNT BUDGETED:</b>			\$425,000.00
<b>ACCOUNT NO.:</b>			340-7000-85002

**EXECUTIVE SUMMARY**

Bids for the replacement of the belt press at the Wastewater Treatment Plant were opened March 24, 2016. The City Engineer and staff reviewed the three bids received and determined the low bidder did not meet two of the three special qualifications as stipulated in the bid documents. Below are the two special qualifications that they did not meet based upon the information provided by the bidder.

- (1) *Five Years in Business. The successful bidder must have been "in existence" and "in full operation" continuously during the five years preceding the date this bid is opened. (Business in existence 5 Months according to Qualification Statement)*
- (2) *Five Projects. The successful bidder must have commenced at least 5 projects of similar work, (the Qualifications Statement only provided one project)*

After reviewing all the information, the City Engineer and staff are recommending award to the qualified low bidder R&B Group Inc. in the amount of \$377,000.00.

This project will replace a one meter belt filter press, a screw conveyor and all associated controls, wiring and accessories. This equipment is used in the final stage of the wastewater sludge processing and separates water from the solid material before being hauled to a land application site. At this site the sludge is mixed into the earth as a beneficial additive and a typical user of this material is a sod farm.

**RECOMMENDATION**

Staff recommends that the City Council authorize the City Manager to approve a contract with R & B Group, Inc. for performance of the WWTP Belt Filter Press Replacement Phase II Project in the amount of \$377,000.00.



April 6, 2016

Mr. Dave Beach  
Public Works Director  
City of West University Place  
3826 Amherst  
West University Place, Texas 77005

Re: Letter of Recommendation  
WWTP Belt Press Replacement – Phase II  
HDR Job No. 15-049

Dear Mr. Beach,

Three (3) bids were received for the above referenced project on March 24, 2016. The following is a summary of our bid evaluation.

Bid Tabulation Sheet – Three (3) construction firms participated in the bidding process. Each bid was checked for mathematical errors and / or bid irregularities. The project was bid with three (3) Base Bid Items and one (1) Add Alternate Bid Item. A copy of the Bid Tabulation and Bid Summary are attached to this letter. The Base Bid Items included procurement and installation of the belt press, a sludge conveyor, and electrical and instrumentation equipment.

Gilleland Smith Construction, Inc. submitted the low bid with a base bid of \$367,000 and an add alternate bid of \$500 for a total bid of \$367,500.00. Gilleland Smith Construction, Inc. completed the required Qualification Statement. On the form they indicate that the date of incorporation for Gilleland Smith was October 14, 2015. The Bid Form contains a section titled "SPECIAL QUALIFICATIONS (RESPONSIBILITY)". This requires that the Contractor meet the following requirements:

- (1) *"Five Years in Business.* The successful bidder must have been "in existence" and "in full operation" continuously during the five years preceding the date this bid is opened. "in existence" means the bidder was in existence in its present form of business organization. A bidder remained "in existence" if it just changed its name, or if it merged with or converted to another entity (provided that the surviving entity succeeded to all liabilities of the pre-merger entity). A bidder was "in full operation" if it did not declare bankruptcy, make an assignment for the benefit of creditors, enter a receivership or seek reorganization or other relief from creditors."

In the statement of qualifications, Gilleland Smith Construction lists one lift station that is currently under construction. Although Gilleland Smith Construction states that they worked on the previous belt press replacement project for West University Place, this work was performed while these individuals were working for another company. The "Five Years in Business" requirement is meant to identify firms that have a consistent history of successfully completing projects on schedule while having a solid financial history over that period of time.

hdrinc.com

4828 Loop Central Drive, Suite 800, Houston, TX 77081-2220  
T (713) 622-9264 F (713) 622-9265  
Texas Registered Engineering Firm F-754

Based on the "Five Years in Business" clause in the Contract, we do not have a sufficient record of this company's success and financial stability to recommend award of this contract.

R & B Group, Inc. submitted the second lowest bid with a base bid of \$272,000.00 and an add alternate bid of \$5,000.00 for a total bid of \$377,000. They provided a Statement of Qualifications, Bid Bond of 5%, list of references and history of similar work for this project. R & B Group, Inc. has performed many projects of this size and type in the greater Houston area and was the company that successfully completed the first phase of this belt press replacement project for West University Place.

HDR Engineering has worked with R & B Group, Inc. on several other projects. We have been satisfied with the performance of R&B Group, Inc. on the previous work performed. R & B Group, Inc. appears to be a responsible firm that is capable of performing the specified work in a satisfactory manner.

We recommend that the City of West University Place award the WWTP Belt Press Replacement – Phase II to R & B Group, Inc. for a total of \$377,000.00, which includes all Base and Add Alternate Bid Items.

Please contact me at (713) 576-3642 if you have any questions or need any additional information to award the Contract to R & B Group, Inc.

Sincerely

HDR Engineering, Inc.

A handwritten signature in blue ink, appearing to read "D. M. Hunn", is written over the typed name.

David M. Hunn, P.E.  
Senior Project Manager

Attachment: (2)

**CITY OF WEST UNIVERSITY PLACE  
 WWTP BELT PRESS REPLACEMENT PHASE II  
 BID TABULATION**

		Low Bidder					
		Gilleiland Smith Construction, Inc.		R&B Group, Inc.		T&C Construction, Ltd.	
Item No.	Quantity	Unit	Description	Unit Price	Total	Unit Price	Total
<b>Base Bid Items</b>							
1	1	LS	Design, Supply, Delivery and Installation of One Meter Belt Press complete with all necessary appurtenances.	\$ 242,000.00	\$ 242,000.00	\$ 242,000.00	\$ 242,000.00
1	1	LS	Provide and install belt press control panel, motor feeders, junction boxes, auto sensory controls and all required appurtenances as shown in plans.	\$ 25,000.00	\$ 25,000.00	\$ 50,000.00	\$ 50,000.00
1	1	LS	Design, Supply, Delivery and Installation of One Shafted Screw Conveyor complete with all necessary appurtenances.	\$ 100,000.00	\$ 100,000.00	\$ 80,000.00	\$ 80,000.00
<b>Add Alternate Bid Items</b>							
4	1	LS	Design, Supply, Delivery and Installation of UHMW Polyethylene liners for Screw Conveyor.	\$ 500.00	\$ 500.00	\$ 5,000.00	\$ 5,000.00
Total Base Bid Items:				\$	\$ 367,000.00	\$	\$ 372,000.00
Total Alternate Bid Items:				\$	\$ 500.00	\$	\$ 5,000.00
Total Bid:				\$	\$ 367,500.00	\$	\$ 377,000.00

Total Base Bid Items: \$ 367,000.00

Total Alternate Bid Items: \$ 5,000.00

Total Bid: \$ 372,000.00

Total Base Bid Items: \$ 394,513.00

Total Alternate Bid Items: \$ 5,000.00

Total Bid: \$ 399,513.00

<p><b>PROJECT TITLE:</b> WWTP Blower Services</p> <p><b>BID DATE/TIME:</b> Tuesday, June 14, 2011 @ 10:05 a.m. Municipal Building</p>	<p>I HEREBY CERTIFY THAT THIS IS AN ACCURATE SUMMARY OF ALL PROPOSALS RECEIVED.</p> <p>Prepared by:  Thelma Lenz, City Secretary</p>	<p><b>BID SUMMARY</b></p> <p>CITY OF WEST UNIVERSITY PLACE</p>
<p><b>Company</b></p>		
<p>Gilleland Smith Construction</p>	<p>Bid Bond ✓ 5% Addendum ✓ \$ 367,500.00</p>	
<p>R + B</p>	<p>Bid Bond ✓ 5% Addendum ✓ \$ 377,000.00</p>	
<p>T &amp; C Construction</p>	<p>Bid Bond ✓ 5% Addendum ✓ \$ 399,513.00</p>	



# The City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Susan Sample, Mayor  
Bob Kelly, Mayor Pro Tem  
Burt Ballanfant, Councilmember  
Brennan Reilly, Councilmember  
Mardi Turner, Councilmember

## **STAFF**

M. Chris Peifer, City Manager  
Alan Petrov, City Attorney  
Thelma Lenz, City Secretary

## **CITY COUNCIL MEETING MINUTES**

The City Council of the City of West University Place, Texas, met in workshop and regular session on **Monday, March 14, 2016**, in the Municipal Building, 3800 University, West University Place, Texas beginning at **6:00 p.m.**

**SPECIAL MEETING/WORKSHOP** (held in the Bill Watson Conference Room at 6:00 p.m.)

Agenda Items were as follows:

**Call to Order.** Mayor Sample called the meeting to order at 6:00 p.m. in the Conference Room. Council and Staff in attendance were: Mayor Pro Tem Kelly, Councilmembers Ballanfant and Turner, City Manager Peifer, City Secretary Lenz, Assistant City Attorney Shelly Eversole, Public Works Director Beach, Parks and Recreation Director O'Connor and Police Chief Walker. Councilmember Reilly was absent.

### **1. Park Acquisition and Development**

Matters related to the future acquisition and development of parkland in West University Place. *Recommended Action: Discuss and take any desired action.*

Councilmember Turner presented and said the Parks and Recreation Board and staff have asked for direction on whether Council plans to pursue an effort to acquire additional parkland property based on survey results and usage. She said she wants to confirm with Council that there is an appetite for acquiring additional parkland property knowing that the City has had difficulties in the past identifying a reasonable property and convincing both the citizens and the property owners that this was a good use for their land. Councilmember Turner said the survey recommended that Council continue to look at the originally designated sites between Buffalo and Poor Farm Ditch and between Bissonnet and Holcombe. She said she doesn't see a great reason to stray from that recommendation because it is the results of the recent survey and the results of the previous bond issue approved in 2006.

Councilmember Turner said the City has identified two tracts of land – at the corner of Pittsburg and Mercer (Ownby property) and at the corner of Mercer and Duke (Lintner property). Councilmember Turner said Dr. and Mrs. Lintner are interested in selling the property to the City for use as parkland, although they do not expect that to happen for at least 4 or 5 years. She said both the Ownby and Lintner properties are approximate in size and price (approximately \$4,000,000), but she feels that the Lintner property would be a better buy simply because they are interested in

making it available as park property. She said the question becomes, though, how will the City get where it needs to be financially with a goal of 4 to 5 years down the road.

Mayor Pro Tem Kelly said one way to get there is to negotiate the sale now by giving the property owner money upfront to hold it (or lease it back to him) and lock in the price and then the City can have so many years to raise funds privately through Friends of West University Place Parks and/or other private initiatives.

Councilmember Turner said it has been suggested that the City does an analysis of the citizenry in that area to see how many kids would be using the open space.

Councilmember Turner said the questions she is putting to the Council are:

- Does Council want to pursue either the Ownby or the Lintner property regardless of money?
- Does Council want to ask the Parks Board to form a task force to evaluate other properties that could potentially fit the City's needs?
- Does Council want to do nothing?

Mayor Pro Tem Kelly said the recent survey indicated that residents were even split or just a little more in favor of having another park, but most people wanted it to be done through private funding instead of raising taxes. Councilmember Turner said it was a fairly even split between "I don't want to pay anything," "I'll pay for it out of taxes," and "I'm in favor with private money."

Mayor Sample suggested having appraisals done for the properties because she does not want to tie the hands of future councils one way or the other.

Councilmember Ballanfant said the election that was held (2006) is more significant than a survey.

Councilmember Turner responded by saying that the folks who voted in that very, very close election may not be living here anymore given the basic regression of numbers of houses that are changing hands every year.

Mayor Pro Tem Kelly said there are lots of reasons why it has been put off for so long and one of them is probably how hard it is to find tracts of land for park.

Mayor Sample said a few were found, but she thinks the problem is finding land that nearby neighbors are okay with being a park.

Mr. O'Connor confirmed that the City identified 9 properties in 2007 and Council authorized then City Manager Ross to move forward 3 of those properties, but the neighbors of those properties wouldn't have it so at that point Council backed off.

Mayor Pro Tem Kelly said either the Ownby property or Lintner property might reach the bar of neighbor support because a good portion of the properties back up to Poor Farm Ditch.

Councilmember Turner asked whether Council should ask the Parks Board to start canvassing the neighborhood since both properties are essentially in the same neighborhood.

Mayor Pro Tem Kelly said he is very much in favor of parks and thinks the City should not leave any stone unturned when trying to acquire more park space assuming that Council doesn't break the faith with the citizens in doing it.

After further discussion, Council agreed to direct the Parks Board to canvass the residents in a two-block radius to find out if they would be okay having a park near them. Council also agreed that obtaining market valuations for both properties would be appropriate at this time.

When Parks and Recreation Director is ready to present the findings from the Parks Board canvassing survey, Councilmember Turner asked that Mr. O'Connor also provide individual results as well as aggregate numbers.

Before adjourning, Mayor Pro Tem Kelly pointed out that the City wouldn't have a Rec Center if it would have had to been supported by the neighbors. He said even though the Rec Center is popular today, the election to have it was won by only a couple hundred votes.

## 2. Adjourn

At 6:29 p.m., Mayor Sample adjourned the special meeting.

## **REGULAR MEETING (6:30 p.m. in the City Council Chambers)**

**Call to Order.** Mayor Sample called the meeting to order at 6:35 p.m. in the Council Chambers. Council and Staff in attendance were: Mayor Pro Tem Kelly, Councilmembers Ballanfant and Turner, City Manager Peifer, City Secretary Lenz, Assistant City Attorney Shelly Eversole Public Works Director Beach, Parks and Recreation Director O'Connor and Police Chief Walker. Councilmember Reilly was absent.

Boy Scouts Nathan and Benjamin Sicilano, Troop 642, led the Pledge.

City Secretary Lenz confirmed that the notice of this meeting was duly posted in accordance with the Texas Government Code, Chapter 551.

Agenda items are as follows:

Call to Order  
Pledge of Allegiance  
Matters related to the notice of this meeting

## 3. Public Comments

This was an opportunity for citizens to speak to Council relating to agenda and non-agenda items.

**Eddie Matthews**, 5906 Fordham Street, spoke to say that he was encouraged from the workshop discussion that the Council is taking a careful and steady approach to park acquisition. He said he thinks that when the survey was done last year there was an even number for and against any additional parkland and he thinks there is large amount of neutrals that might be against it if it means raising taxes.

**Joe Studlick**, 5321 Sewanee, spoke to discuss crime and sidewalks. Regarding crime, he said his perception is that the City is starting to have more burglaries and robberies in the City, which he experienced firsthand. He asked if the crime records could be published with some simple bar charts to show that the crimes have increased in the last couple of years. He asked if Council is considering adding more resources to the Police Department and technology such as cameras and license plate recorders. Regarding sidewalks, Mr. Studlick said he believes the City became the de facto owner of the sidewalks when it did the sidewalk bond infrastructure and so it is the responsibility of the City to maintain them. He said if that is so, there are about 10 percent of the sidewalks in some places that are getting very dangerous and the City should do an audit to address them.

**Alida Drewes**, 6112 Fordham Street, spoke to ask if taxpayers are to buy parkland in an area that already have parks when parkland is needed east of Buffalo. She asked Council to listen to the people. She said if Council is entertaining a bridge to Evelyn Park, the City needs to allow Bellaire residents access to the Rec Center. She said this is warranted in order to make it mutually beneficial, otherwise this City should not spend tax money.

#### **4. Police Department Activity**

Matters related to police department activity *Recommended Action: Hear from Chief Walker regarding City police activity.*

Police Chief Walker gave a briefing on current criminal activity in the City. He stated that the City is having more burglaries than it has in a long time. He stated that crime reports are published online and encouraged residents to sign up for crime alerts.

Chief Walker had the following suggestions for residents:

- Keep things secure (doors and cars locked);
- Be a nosy neighbor, because if something doesn't seem right, it's probably not;
- Have someone pick up papers and mail, etc., if going out of town; and
- Get alarm system (preferably the City's service, Direct Link).

Chief Walker said West U is a great place to live and relatively a safe place, but with all that he sees happening, things are getting dangerous all across Harris County.

Chief Walker said an officer will come out and survey a home at the residents' request.

Chief Walker said the City's number of burglaries of a motor vehicle has declined, but the number of residence burglaries has increased and the department is working in front and behind the scenes control it.

#### **5. Tree City USA Recognition and Arbor Day Proclamation**

Matters related to recognizing Tree City USA and proclaiming March 19, 2016 as Arbor Day. *Recommended Action: Proclaim March 19, 2016 as Arbor Day in the City of West University Place.*

Public Works Director Beach presented this item and said it is the City's 26<sup>th</sup> year being designated a Tree City USA and that the National Arbor Day Foundation promotes local Arbor Day festivities through the Tree City USA award program and sponsoring a community wide celebration of Arbor Day is one of the pre-requisites to receiving the Tree City designation.

Councilmember Turner moved to proclaim March 19, 2016 as Arbor Day in West University Place. Councilmember Ballanfant seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Kelly, Ballanfant, Turner  
**Noes:** None  
**Absent:** Reilly

**6. Park Acquisition and Development**

Matters related to the future acquisition and development of parkland in West University Place. *Recommended Action: Discuss and take any desired action. Councilmember Mardi Turner*

Councilmember Turner moved that Council requests that the Parks Board canvass a two-block radius in the neighborhood around the two identified properties to determine whether or not the neighborhood wants a park. She said Council would like to review the questions in advance in order to cover demography as well as usage. Mayor Pro Tem Kelly seconded the motion.

Councilmember Turner said there should be a standard form of questions used by all the canvassers. She also requested that as part of the appendixes when the Parks Board presents the results of the canvass, that aggregate numbers be provided and backed by the individual forms and a summary of the information resulting from the last time canvassing that was done around each of the individual parks in 2014.

A vote was made on the motion. **MOTION PASSED.**

**Ayes:** Sample, Kelly, Ballanfant, Turner  
**Noes:** None  
**Absent:** Reilly

Councilmember Turner moved to request an Agent's Opinion of Value of the properties that Mr. O'Connor identified at the workshop, including the two rental properties, in order to get a better idea of what the properties are worth today. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Kelly, Ballanfant, Turner  
**Noes:** None  
**Absent:** Reilly

**7. Video Distribution of Council and Board Meetings**

Matters relating to the feasibility and costs associated with broadcasting City Council and Board/Commission meetings via the internet. *Recommended Action: Discuss and take any desired action.*

IT Director McFarland presented this item and discussed video broadcasting in four fundamental elements:

- Broadcasting Methods:
  - Internet

- Public/Education/Government (PEG) Channel, i.e. Cable TV
- Content Types:
  - Archived (i.e. On-demand or Scheduled)
  - Live
- Production Methods:
  - In-House
  - Service Provider
- Quantity of Cameras (Council Chambers & Bill Watson Conference Room):
  - One camera in each room
  - Multiple cameras in each room

Mr. McFarland said from the above elements there are several options/costs:

- Option 1 – Internet Distribution, archived content only, produced one in-house using a single camera. First year costs: \$26,465; Recurring annual costs: \$11,231
- Option 2 – Internet distribution, archived and live content, produced by a service provider and using a single camera. First year costs: \$17,895; Recurring annual costs: \$5,940
- Option 3 – Internet and PEG TV, archived, scheduled and live content, produced in-house and using multiple cameras. First year costs: \$72,797; Recurring annual costs: \$42,923
- Option 4 – Internet and PEG TV, archived, scheduled and live content, produced by a service provider and using multiple cameras. First year costs: \$50,451; Recurring annual costs: \$24,340

Mr. McFarland said if Council chooses to go with a PEG channel, the state requires that at least 8 hours of programming be published on the channel, so there will be the need for someone to collect non-meeting content to fulfill and manage that requirement. He also noted that PEG funds the City receives can only be used for hardware, not for ongoing or recurring staff and/or other production costs.

Mr. McFarland explained the roles of an operator, editor and videographer/producer that would be required to make broadcasting.

Mr. McFarland noted that on January 1, 2016, House Bill 283, which states that any city with a population greater than 50,000 shall provide audio and video on the Internet of each regularly scheduled opened meeting, came into effect. However, this bill does not apply to West U.

According to the information Mr. McFarland presented regarding a survey of other cities viewership of their PEG channels and/or internet video, Councilmember Ballanfant said even though some of the cities have been broadcasting their meeting for a while, it doesn't appear that audience is growing very much anywhere.

Councilmember Ballanfant said he doesn't see a case to be made for this proposition, particularly when the money can be used for something else that would have more discernable benefit for the City.

City Secretary Lenz confirmed to Mayor Sample that she receives an average of 3 or 4 requests for Council meeting audio/video and that the requests are usually from the news media.

Mayor Sample said she can see why it would be worthwhile to broadcast in certain cities, but in West U people can just pop into City Hall and attend the meeting in person rather than watching it live on TV. She said she feels the number of people is too few for the costs involved.

Resident **David Kuykendall**, 3912 Milton, spoke on this item to say that he has used the Bellaire system online and has gone through the City Secretary to use the West U system of ordering an audio. He said sometimes you have to sit through an entire meeting to get the 10 minutes you need and said it is so user unfriendly. Mr. Kuykendall said on the Bellaire website, you can just click on the agenda for the meeting and then click on the agenda item you need and you are instantly transported to the discussion you're looking for and it makes a world of difference. He said he wouldn't have the need for live television, because he can come to meetings, but when he can't attend it would be really helpful to have something that is archived and easy to access. He said this council ran on transparency and you can't get more transparent than giving residents easy access to meetings.

Mayor Pro Tem Kelly agreed with Mr. Kuykendall. He said if the City decides to move forward with this, but decides later on in 4 or 5 years it wants to discontinue the service, would there be any penalties. Mr. McFarland said he can't think of any, other than disappointing residents who might become users of the service.

Mayor Pro Tem Kelly suggested having Bellaire staff come and give a presentation to Council regarding their processes and costs, so the City doesn't have to re-invent the wheel. He said the citizens deserve to have free and clear access to City government.

Councilmember Ballanfant said this would require additional personnel and he would prefer more policemen be hired than to implement this system.

Mayor Sample said staff can upload audio only for nothing.

Mayor Pro Tem Kelly said the City would still have to index the audio and Council doesn't know what that cost would be.

Mayor Pro Tem Kelly said staff has done a great job putting the presentation together and Council knows more than it did before, but he doesn't think Council is ready to vote to kill it until it gets more information and the perfect information provider would be the City of Bellaire. He said based on what Bellaire tells Council, it would be in a much better position to decide which way to go.

Councilmember Ballanfant said if additional personnel is required to provide this service, the police department is a better investment. He said he hasn't heard anyone clamoring to have this service.

Mayor Pro Tem Kelly said he thinks there are some things citizens are willing to pay for and this is one of them.

Councilmember Turner said for all the different vehicles that are providing information, such as the City's website, she is not seeing a whole lot of interest.

Mayor Pro Tem Kelly said he isn't voting for it right now. He said he is just saying he wants to hear from Bellaire as to what they are doing and why.

Council agreed to have Mr. McFarland look into the costs of audio and video indexing for the website. He was also asked to meet with representatives from Bellaire to see if they will come to a future Council meeting to discuss their process.

**8. Water Well No. 9 Rehabilitation**

Matters related to awarding a contract for the rehabilitation of Water Well No. 9. *Recommended Action: Award contract for the rehabilitation of Water Well No. 9.*

Public Works Director Beach presented this item and said Well No. 9 was built in 1992 and is typically on a 10-15 maintenance cycle. He said the last major work on it was done in 1999 and so staff is requesting approval to do a complete overhaul of the well's pump assembly items and an inspection. He said the well saves the City an average of \$300,000 a year.

Mr. Beach said staff solicited bids and the low bidder was Layne Christensen in the approximate amount of \$264,000, which is below the budgeted amount of City's \$325,000.

Mr. Beach recommended authorizing the city manager to approve a contract with Layne Christensen Company for performance of the Water Well 9 Rehabilitation Project in the amount of \$264,929.00.

Mayor Pro Tem Kelly moved to adopt staff's recommendation. Councilmember Turner seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Kelly, Ballanfant, Turner  
**Noes:** None  
**Absent:** Reilly

**9. Future Agenda Items**

Matters related to future agenda items. *Discuss and take any desired action.*

Councilmember Turner requested that an item to hear the results of the canvass from the Parks and Recreation Board be added to the list.

**10. Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. City Council Meeting**

Approve City Council Minutes of the February 22, 2016. *Recommended Action: Approve Minutes.*

**B. Solid Waste Ordinance**

Matters related to a proposed ordinance updating Chapter 38 Garbage and Trash of the Code of Ordinances of the City of West University Place. *Recommended Action: Approve ordinance updating Chapter 38 of the Code of Ordinances on the second and final.*

Mayor Pro Tem Kelly moved to approve the Consent Agenda as presented. Councilmember Turner seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Kelly, Ballanfant, Turner  
**Noes:** None  
**Absent:** Reilly

**11. Adjourn**

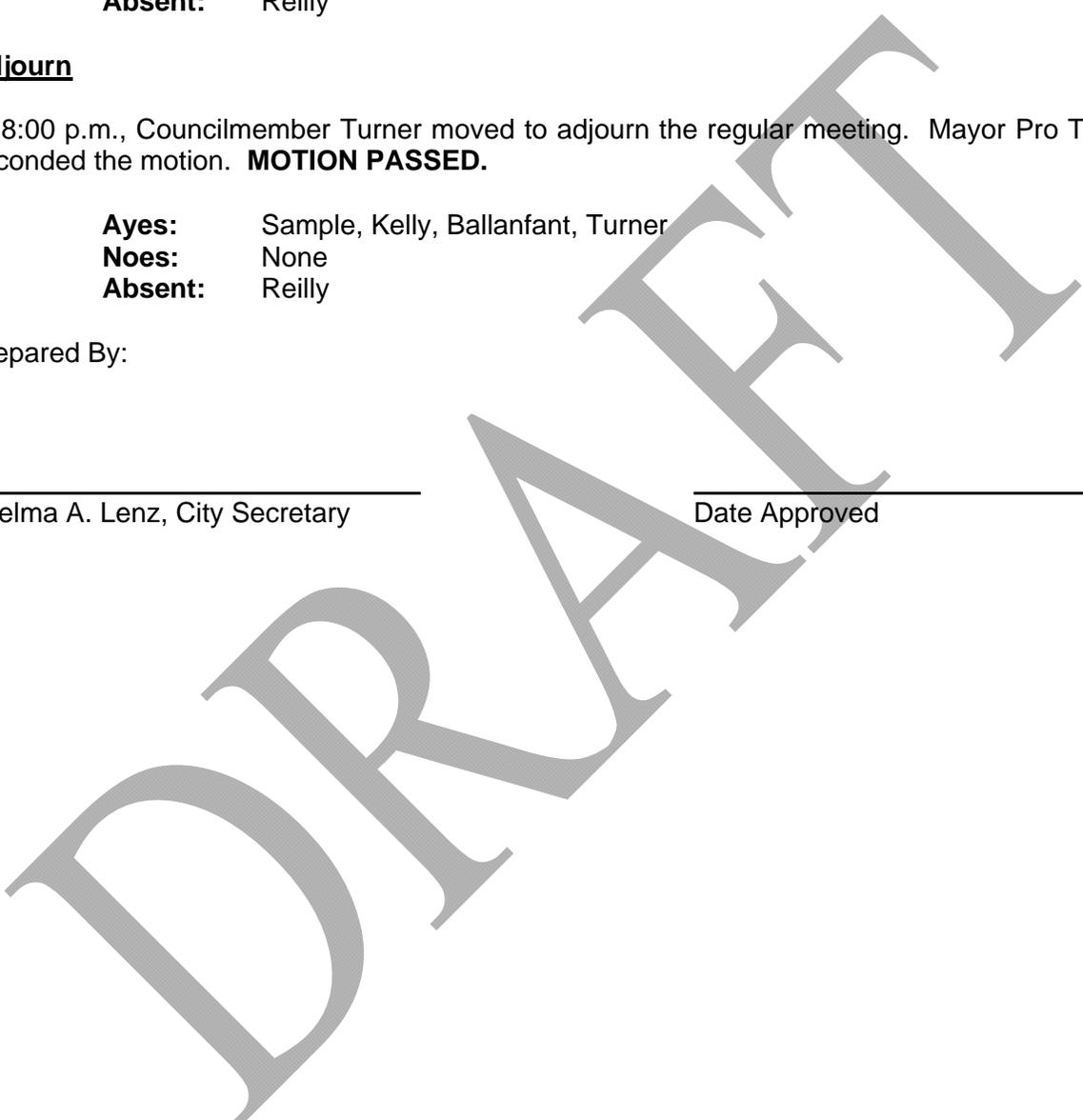
At 8:00 p.m., Councilmember Turner moved to adjourn the regular meeting. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Kelly, Ballanfant, Turner  
**Noes:** None  
**Absent:** Reilly

Prepared By:

\_\_\_\_\_  
Thelma A. Lenz, City Secretary

\_\_\_\_\_  
Date Approved





# The City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Susan Sample, Mayor  
Bob Kelly, Mayor Pro Tem  
Burt Ballanfant, Councilmember  
Brennan Reilly, Councilmember  
Mardi Turner, Councilmember

## **STAFF**

M. Chris Peifer, City Manager  
Alan Petrov, City Attorney  
Thelma Lenz, City Secretary

## **CITY COUNCIL MEETING MINUTES**

The City Council of the City of West University Place, Texas, met in regular session on **Monday, March 28, 2016**, in the Municipal Building, 3800 University, West University Place, Texas beginning at **6:30 p.m.**

Agenda Items were as follows:

**Call to Order.** Mayor Sample called the meeting to order at 6:30 p.m. in the Council Chambers. Council and Staff in attendance were: Mayor Pro Tem Kelly, Councilmembers Ballanfant, Reilly and Turner, City Manager Peifer, City Secretary Lenz, City Attorney Petrov, Public Works Director Beach, Finance Director Daugherty, Police Chief Walker and Assistant City Secretary Evelyn.

Boy Scout Collin Turbidy, Troop 55, led the Pledge.

City Secretary Lenz confirmed that the notice of the meeting was duly posted in accordance with the Texas Government Code, Chapter 551.

Agenda items are as follows:

Call to Order  
Pledge of Allegiance  
Matters related to the notice of this meeting

### **1. Public Comments**

This was an opportunity for citizens to speak to Council relating to agenda and non-agenda items.

**Robert Grossman**, 4103 Ruskin, spoke to request that the zoning official provide a formal opinion that would allow AT&T to load and unload its vehicles with commercial materials and supplies on the residential lots zoned for parking. He said if the zoning official issues a formal opinion saying that it's okay, he can then take the opinion to the Zoning Board of Adjustment for a determination. Mr. Grossman said it is impossible for Council to understand that there are only two slots in the commercial lot for loading and unloading trucks, so there is no way for AT&T to load and unload their 50+ trucks except to load and unload them on the residential lots. He said the attorneys he have talked to said they could not understand how the city attorney and zoning official had not determined that the loading and unloading of AT&T vehicles on the residential lots was non-compliant, should be disallowed and subject to the necessary actions to prevent it. Mr. Grossman asked Council to ask the zoning official to simply render a decision, whatever it may be.

**William (Bill) Dieks** 4119 Cason, spoke on two issues – traffic and pocket parks. Regarding traffic, Mr. Dieks said the traffic situation on Cason and other streets is a mess due to people being allowed to park vehicles on both sides of the streets. He said when he moved to his home in 1981,

there were signs indicating that parking was on one side of the street only, but when the streets were repaved the signs were removed and never re-erected. He said it would be helpful to have the signs re-erected, especially when there are events at the Recreation Center. He said it would also help to erect signs in other parts of the City for safety reasons. Regarding pocket parks, Mr. Dieks said he feels the City has enough pocket parks and suggested that the City give a couple million dollars towards Evelyn Park and cooperate with Bellaire to expand that park, which he believes would be a benefit to all of West U citizens and a much better facility than a "little dinky" pocket park.

Regarding Mr. Grossman's comments, Councilmember Ballanfant asked legal to provide a written opinion to Council within the next two weeks. City Attorney Petrov said that he is reviewing the Administrative Official's decision and would have it to Council by the end of the week.

## **2. Water Rate Increase**

Matters related to approval of an ordinance to increase water rates by 0.50%, effective May 1, 2016. *Recommended action: Approve ordinance increasing water rates to West University Place residents by 0.50%, effective May 1, 2016, on the first of two readings.*

Finance Director Daugherty presented and said the City received notice from the City of Houston in a letter dated March 10, 2016 that Houston would increase its treated water rates to the City of West University Place in the amount of 1.4 percent or approximately .4/gallon over the current rate. Ms. Daugherty said in order for the City to continue recovering the cost of purchasing the treated water and keeping the pay-as-you-go Capital Improvement Program, staff is proposing a .5 percent increase in the water rates sold to residents, which equates to approximately .95 cents per month for a customer that uses 12,000 gallons.

In response to Councilmember Reilly's request, Finance Director explained the process of figuring out the increase for City residents.

Councilmember Reilly said it surprises him that some residents will pay double what the increase is from the City of Houston.

City Manager Peifer pointed out that as part of the City's TCEQ requirements, the City's rates are volumetrically skewed for conservation.

Councilmember Turner said she does not understand the progression in rates. Finance Daugherty said there was an error in the formula and said she would provide the correct numbers and rationale in detail before adoption of the ordinance on second reading.

Councilmember Reilly said more information for the second reading is a great idea because he wants the residents to know that Council isn't overcharging them for the rate increase and that the idea is for the City to just pass Houston's increase along.

Councilmember Ballanfant said by the next meeting, he would like staff to provide Council a complete analysis of where the City's water comes from and how the City gets it from Houston. He said this issue literally touches every homeowner, so it should be more fully discussed.

Mayor Sample said there are requests for proposals out, with bids due March 31, for a Water Rate Study and so detailed information will be included in that study.

Councilmember Ballanfant said he would still like more detailed information before the next meeting.

**Alida Drewes**, 6112 Fordham Street, delayed her public comment until discussion of this item. She spoke to say Senior Board meetings are not posted on the website calendar. She said Council refuses to look at an alternative budget and it approves the highest budget submitted. She said Council continues to punish senior citizens when the costs for services increase. Ms. Drewes said she heard that the City plans to use tax money for pocket parks and said Council needs to fix the ones it already has first. She said she has suggested doing a survey and it totally went nowhere like everything else that is talked about at the microphone.

At this time, Councilmember Reilly moved to approve on first reading the ordinance attached to the agenda memo from Rhonda Daugherty (an ordinance relating to the water rates; amending the fee schedule). Councilmember Turner seconded the motion.

**Ayes:** Sample, Kelly, Ballanfant, Reilly, Turner  
**Noes:** None  
**Absent:** None

### 3. **Future Agenda Items**

Matters related to future agenda items. *Discuss and take any desired action.*

Councilmember Reilly asked if staff would be bringing the video distribution of Council and board meetings item back before Council. City Manager Peifer said yes. He said IT Director McFarland met with three other cities (Bellaire, Rosenberg, and Deer Park) and their staff prefers not to be subject to another city's council, so they will provide Mr. McFarland with information to present to Council. He said Mr. McFarland is exploring exactly what Council asked at the last meeting, which is audio indexing.

Mayor Pro Tem Kelly said after thinking about it after the last meeting, he thinks it would be best to have either an elected official or former elected official come before Council since it might be more of a political decision for Council to make rather a staff member.

Mr. Peifer said it is staff's plan to distribute a memorandum and see how Council wants to proceed from there.

Councilmember Reilly requested that another item be added to future agendas. He said Councilmembers are liaisons to the different boards and commissions, but Council hasn't reported on attending those meetings and he thinks it would be nice to add to the agenda. He said he doesn't think it's needed every meeting, but at least once every couple of months. It was agreed by Council that Council reports should be added to the agendas and that the Friends of West U Parks would not need to be included in those reports.

Councilmember Reilly also requested to move the Harris County District Attorney investigation from "To Be Determined" to the next meeting agenda in order to discuss that investigation and the city's indemnification policies for both the City Council and other boards and commissions for fees that are incurred as a result of spurious investigations.

Councilmember Turner said she wonders what Council would accomplish with that particular approach considering it is a legal situation involving each member of Council individually as opposed to the Council as a group.

Councilmember Ballanfant said it wouldn't hurt to discuss it and he seconded Councilmember Reilly's motion, so City Secretary Lenz will add it to the next agenda.

**4. Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. City Council Meeting**

Approve City Council Minutes of the March 14, 2016. *Recommended Action: Approve Minutes.*

Councilmember Reilly moved to remove the Minutes from the Consent Agenda. He said on Page 3 of 9 in the third and fourth complete paragraphs, there are some parenthetical comments that he believes are not part of the Minutes. City Secretary Lenz will review and correct the Minutes as necessary and put them back on the Agenda for the next meeting for approval.

**5. Adjourn**

At 7:10 p.m., Councilmember Turner moved to adjourn the regular meeting. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Kelly, Ballanfant, Reilly, Turner  
**Noes:** None  
**Absent:** None

Prepared By:

\_\_\_\_\_  
Thelma A. Lenz, City Secretary

\_\_\_\_\_  
Date Approved