



City of West University Place

A Neighborhood City

CITY COUNCIL

Bob Higley, Mayor
Kevin Trautner, Mayor Pro Tem
Lauri Lankford, Councilmember
John P. Barnes, Councilmember
Ed Sobash, Councilmember

STAFF

David J. Beach, City Manager
Scott Bounds, Olson & Olson, City Attorney
Thelma Gilliam, City Secretary

City Council Meeting Agenda

Notice is hereby given of a **Workshop and Regular Meeting** of the West University Place City Council to be held remotely on **Monday, May 10, 2021** beginning at **5:45 p.m.** for the purpose of considering the agenda of items listed.

Due to the Novel Coronavirus (COVID 19) pandemic and CDC's recommendation regarding social distancing measures, the meeting will be held via Zoom, which will allow for two-way communications between Council and the public for those desiring to participate. To attend the meeting via telephonic means, please **call** 346-248-7799 or you can **join via** <https://us02web.zoom.us/j/81120703531>. **The Meeting ID Number is 811 2070 3531.** Should you have difficulty entering the meeting or need assistance during the meeting, email westuzoom@westutx.gov.

Any person interested in speaking on any item on the regular agenda or during public comments must submit his/her request via email to the City Secretary at tgilliam@westutx.gov at least **one (1) hour prior to the start of the meeting**. The request must include the speaker's name, address, and the phone number that will be used for the call, and the agenda item number or description, if applicable. Speakers will be remain in a queue and muted until their time to speak.

Handouts or other information must be emailed to tgilliam@westutx.gov no later than one day prior to the start of the meeting. The information will be provided to Mayor and Council in advance of the meeting.

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.

The agenda packet is accessible to the public on the City's website. A recording of this meeting will be made available to the public within 3 business days after the meeting. **To obtain a hard copy of the agenda packet, please contact the City Secretary via the email address above.**

WORKSHOP (5:45 p.m.)

1. Call Workshop to Order / Roll Call

2. Recess Workshop and Convene Executive Session

City Council will recess the regular meeting and convene into executive session in accordance with the following provision of Chapter 551 of the Texas Government Code (TGC):

Section 551.076 – Closed meeting to discuss security devices – Vulnerability Assessment

3. Adjourn Executive Session and Reconvene Workshop

Matters related to any desired action resulting from the executive session. City Council may take action on the matters discussed in Executive Session as deemed appropriate.

4. Adjourn Workshop

REGULAR MEETING (6:30 p.m.)

5. Call Regular Meeting to Order/Roll Call

6. Pledge of Allegiance

7. Public Works Week – Proclamation

Matters related to a proclamation to proclaim the week of May 16-22, 2021 as Public Works Week. **Mr. Gerardo Barrera, Public Works Director** [see Proclamation]

8. Public Comments

This is an opportunity for citizens to speak to the Council relating to agenda and non-agenda items. Speakers are required to register in advance and must limit their presentations to three minutes each. 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 on matters on the agenda must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments.

Persons making personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting. This rule does not prohibit criticism of the City or criticisms of actions or omissions of the City.

9. Budget Amendment Ordinance

Matters related to an ordinance amending the 2021 Budget in support of West University Place youth sports. *Recommended Action: Approve ordinance on the first and final reading.* **Mayor Bob Higley** [see Agenda Memo 9]

10. COVID-19

Matters related to COVID-19. *Recommended Action: Discuss and take any desired action.* **Mr. Aaron Taylor, Fire Chief and Emergency Management Coordinator** [see Agenda Memo 10]

11. 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 Minutes

Approve Minutes of the regular meeting of April 26, 2021. *Recommended Action: Approve Minutes of April 26, 2021.* **Ms. Thelma Gilliam, City Secretary** [see Agenda Memo 11A]

B. Citywide Speed and Safety Plan Ordinance

Matters related to an ordinance approving the Citywide Speed and Safety Plan. *Recommended Action: Approve the ordinance adopting the proposed amendments to Chapter 46, Article II that adds Section 46-47.01 to the Code of Ordinances on the second and final reading.* **Mr. Gerardo Barrera Public Works Director** [see Agenda Memo 11B]

12. Adjourn Regular Meeting

In compliance with the Americans with Disabilities Act, please contact City Secretary Thelma Gilliam at 713.662.5813 at least 24 hours prior to the meeting to see whether the City can arrange for accommodations to assist in your participation in the meeting.

I certify that the attached amended notice and agenda of items to be considered by the West University Place City Council on May 10th, 2021 was posted on the Municipal Building bulletin board on May 7, 2021, at approximately 11:30 o'clock a.m.

(SEAL)

Thelma A. Gilliam
Thelma A. Gilliam, City Secretary

City of West University Place

Proclamation

National Public Works Week

May 16-22, 2021

Whereas, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association; and

Whereas, public works services provided in our community are an integral part of our residents' everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, wastewater, streets and drainage, facility maintenance and solid waste collection; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities as well as their planning, design and construction is dependent upon the efforts and skills of public works and staff; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

Now, therefore, I, Bob Higley, Mayor of the City of West University Place do hereby proclaim the week of May 16-22, 2021 as

NATIONAL PUBLIC WORKS WEEK

in the City of West University Place, and I call upon all citizens and civic organizations to acquaint themselves with the issues that are involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

Robert Higley, Mayor

Date



AGENDA MEMO
Business of the City Council
City of West University Place, Texas

Meeting Date	05.04.2021	Agenda Item	9
Approved by City Manager	Yes	Presenter(s)	Bob Higley, Mayor
Reviewed by City Attorney	Yes	Department	Council
Subject	Support of Youth Sports – Budget Amendment Ordinance		
Attachments	Agreement (not available at time of posting) Budget Amendment Ordinance		
Financial Information	Expenditure Required:	\$125,00	
	Amount Budgeted:	\$0	
	Account Number:	N/A	
	Additional Appropriation Required:	\$125,000	
	Additional Account Number:	101-6010-74130	

Executive Summary

At the May 6 special City Council meeting, Council authorized staff to return at their regular City Council meeting on May 10 with an agreement supporting West University Place Youth Sports (West U Little League & West U Softball Association).

The agreement will provide support in the amount of \$62,500 to both Little League and the Softball Association, to include naming rights, transparency requirements and other items as required by law for a term of five years.

Funding for 2021 will come from Unassigned Fund Balance in the General Fund.

Recommended Action

City Council discuss and take any action desired.

**City of West University Place
Harris County, Texas**

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021; CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.

WHEREAS, it is found and determined that changes in the current budget are necessary for municipal purposes and that amendments are necessary for emergencies of the kind contemplated by state law, and it is formally found, determined and declared that such emergencies exist;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS:

Section 1. That the budget of the City of West University Place for the 12 month period beginning January 1, 2021, and ending December 31, 2021 as heretofore adopted be, and it is hereby, amended as shown in Exhibit A attached.

Section 2. The City Council approves, adopts and ratifies the findings set out in the preamble hereof and directs that the City Secretary file a copy of this ordinance with the county clerk, in the same manner as original budgets are required to be filed.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby 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 public importance of this measure and the requirement of the law create an emergency and an urgent public necessity requiring that this ordinance be passed and take effect as an emergency measure, and a state of emergency is hereby declared. This ordinance is accordingly passed as an emergency measure and shall take effect immediately upon adoption and signature.

PASSED, APPROVED, AND ADOPTED ON FIRST AND FINAL READING on the 10th
day of May, 2021.

SIGNED:

ATTEST:

Bob Higley, Mayor

Thelma Gilliam, City Secretary

RECOMMENDED:

REVIEWED:

Dave Beach, City Manager

Olson & Olson, LLP, City Attorney
By Scott Bounds

Exhibit A

CITY OF WEST UNIVERSITY PLACE, TEXAS
BUDGET AMENDMENT

	2021 Budget	Amendment May 10, 2021	2021 Amended Budget
GENERAL FUND - Parks & Recreation Administration			
Youth Sports	\$ -	\$ 125,000	\$ 125,000



AGENDA MEMO
Business of the City Council
City of West University Place, Texas

Meeting Date	05.10.2021	Agenda Item	10
Approved by City Manager	N/A	Presenter(s)	A. Taylor, EMC, Fire Chief
Reviewed by City Attorney	N/A	Department	Fire
Subject	COVID-19 Update		
Attachments	None		
Financial Information	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

Update and discussion between City Council and staff on COVID-19.

Recommended Action

Report and discussion purposes only, no action recommended.



AGENDA MEMO

Business of the City Council
City of West University Place, Texas

Meeting Date	05.10.2021	Agenda Item	11A
Approved by City Manager	N/A	Presenter(s)	T. Gilliam, City Secretary
Reviewed by City Attorney	N/A	Department	Administration
Subject	City Council Meeting Minutes		
Attachments	Minutes		
Financial Information	Expenditure Required:	N/A	
	Amount Budgeted:	N/A	
	Account Number:	N/A	
	Additional Appropriation Required:	N/A	
	Additional Account Number:	N/A	

Executive Summary

The regular Meeting Minutes of April 26, 2021 are attached.

Recommended Action

Staff recommends approval of the Minutes.



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STAFF

David J. Beach, City Manager
Scott Bounds, City Attorney, Olson and Olson
Thelma Gilliam, City Secretary

CITY COUNCIL MEETING MINUTES

The City Council of the City of West University Place, Texas, **met via Zoom** in a workshop and regular meeting on **Monday, April 26, 2021**, beginning at **5:30 p.m.** due to social distancing guidelines suggested by the CDC in light of the Novel Coronavirus (COVID 19).

WORKSHOP (5:30 p.m.)

1. Call Workshop to Order/Roll Call

Mayor Higley called the virtual meeting to order at 5:30 p.m. Mayor Pro Tem Trautner and Councilmembers Barnes, Lankford and Sobash were all present.

Staff present were City Manager Beach, City Attorney Bounds, City Secretary Gilliam, and Public Works Barrera, Assistant to the City Manager Thompson.

Also in attendance were Richard Weatherly, Kendall Ryan and Bailey Keller with consultants Freese and Nichols.

2. Drinking Water Capacity and Efficiency Study

Matters related to the City's final presentation regarding the drinking water capacity and efficiency study. *Recommended Action: Discuss and take any desired action. Mr. Gerardo Barrera, Public Works Director*

Richard Weatherly with Freese and Nichols gave a presentation summarizing the Water Assessment study, which included:

- Field Testing
- Developed Distribution System Model
- Analyzed Modeling Hydraulic Results
- Phased Improvement Recommendations
 - Partnering with City Staff and City Engineer (IDS) to develop CIP

Summary of Deliverables

- Water System Assessment Technical Memorandum (Draft submitted – under review)
- Calibrated Water System Model (for the City to use as a tool in the future)
- City staff and IDS to work toward the Capital Improvement Plan using the output of the Study.

Options for Level of Service

- Full System Improvements
 - Independent of service disruptions from City of Houston (Self Reliance)
 - Reduce likelihood of water facility failure
 - Add system redundancy
 - Maintain regulatory compliance
 - Plan for future water demands
- No System Improvements
 - Subject so service disruptions from the City of Houston
 - Infrastructure failure as facilities continue to age
 - Failure to maintain regulatory compliance

System Analysis Summary – Key Takeaways

- Autonomy/Resiliency
 - If Houston surface water supply is offline, West University does not have enough well capacity to meet TCEQ supply requirements
 - Without Milton Water Plant, the City would not meet TCEQ requirements for supply, pumping, and pressure
 - Water system pressures would fall below regulatory limits under any demand conditions if Bellaire EST or Wakeforest EST it taken offline
 - If desired service level is to be self-reliant, third well would need to be considered
- Real Estate
 - The Bellaire EST site has property and regulatory constraints for new tank and/or well
- Rehab/Useful Life Considerations
 - Facilities are reaching the end of their useful life, increasing the risk of system failure
 - Bellaire Elevated Storage Tank – 86 years old
 - Milton Water Plant – 64 years old
 - Wakeforest Water Plant – 30 years old
- Regulatory Requirements
 - Water system pressures approach regulatory limits under existing peak summer water demands
 - Water demands are projected to increase as private residences development

Draft Facility Recommendations (In order of necessary sequence)

- A. Bellaire Elevated Storage Tank Replacement
 - Construct a new elevated storage tank (up to 750,000 gallons) to replace aging Bellaire Tank
 - Site constraints to construct any size replacement tank
 - Conduct siting study to relocate Bellaire EST
 - TCEQ requirements not met with Bellaire EST offline under summer demand conditions
- B. New Water Plant
 - West U cannot supply current max day (July-Sept) water demands during a City of Houston water service interruption

- New water plant would provide resiliency against interruption in service at Milton or Wakeforest and would allow Milton to be taken offline for full rehab
- Conduct siting study to select new water plant location
- New 1,500 gpm well, 3 MG ground storage, 6,500 gpm firm distribution pumping

C. Milton Water Plant Rehab and Improvements

- Facility is critical to system operations
- Conduct full water plant rehabilitation
- Replace (2) ground storage tanks
- Replace (4) booster pumps and motors with VFDs

D. Wakeforest Water Plant Rehabilitation and Improvements

- Conduct full water plant rehabilitation
- Install flush valve on surface water interconnect
- Install generator and transfer switch
- Replace (2) booster pumps and motors with VFDs
- Upsize 12-inch distribution line to 16-inches

There were questions and answers during and after the presentation by Mr. Shelton.

Regarding the Bellaire Storage Tank requirement, Mayor Pro Tem Trautner asked if the Bellaire Elevated Storage Tank was there before the Wastewater Treatment Plant and if so are any of the regulations grandfathered with respect to the tower at that site. He also asked if the City could do some overall reconstruction of that tower so that it is effectively new but somehow falls under the regulation of existing.

Mr. Shelton responded that he believes the elevated tower was there before the wastewater treatment plant and the grandfathering part does work if the tower stays at that site, but he does not recommend it due to minimum space and the unlikelihood of getting the required variance.

With respect to Recommendations A and B, Councilmember Barnes asked if there is already a sense of site size where the tanks would be situated or if that would be determined from the site study. Mr. Shelton said Kimley-Horn would look at finding around half an acre sites for the new elevated storage tank site and 1 to 1 and a half acres for the new water plant.

Councilmember Barnes asked if there are limits how far outside the City limits these plants can be placed. City Manager Beach said 1/8 of a mile is preferred, but not more than a half mile. In respect to how the Wakeforest plant is outside the City, City Manager Beach confirmed that it is a little more than half a mile outside the City.

Councilmember Lankord asked in replacing the Bellaire tank is there a requirement that it has to be located on the same side of town. Mr. Shelton said the south side is better, but it could be on the north side but with different piping improvements.

Councilmember Barnes asked with respect to replacement of distribution line for the Wakeforest facility, does the City anticipate having to acquire additional easement. Public Works Director Barrera said, yes, the City would require an easement from Houston.

Draft Water Line Renewal Recommendation

- Coordinate 2-inch and 4-inch water line upsizing with planned roadway improvements, which will help to increase water pressure and available fire flows.

- Replacement and upsizing of cast iron water lines is highest priority

City Manager Beach noted that one of the deficient lines (from Bissonnet to Amherst) is being replaced in coordination with the Buffalo Speedway project.

General Water System Recommendations

- American Water Infrastructure Act (AWIA) Tier 3 (Recent Mandate)
 - Risk and Resiliency Assessment Due June 30, 2021 (currently underway)
 - Emergency Response Plan Due December 30, 2021 (currently underway)
- Lead and Copper Rule compliance (Upcoming Mandate) – Deadline September 16, 2024* (planned compliance prior to deadline)
 - *Under review by EPA

Next Steps

- Develop water system Capital Improvement Plan
- Conduct preliminary engineering for new elevated storage tank
 - Detailed design, bid, and construction phase to follow
- Conduct preliminary engineering of third water plant
 - If level of service is to be self-reliant during City of Houston service interruptions
- New generator and transfer switch for Wakeforest Water Plant
- Conduct critical needs assessment of Milton and Wakeforest Water Plants
 - Evaluate conduction of pumps, tanks, valves, etc. at water plants to prioritize improvements

Councilmember Sobash asked Mr. Shelton if in the analysis did Kimley-Horn look at Southside Place and its water and how there might be a strategic alignment with Southside Place and West U. Public Works Director Barrera said staff did not because they are two separate systems and their (Southside) capacity is a little bit less and does not know if Southside will have the means and method to share with West U.

Councilmember Sobash said this is a 60-year venture so it seems like a good opportunity to think about aligning strategically with Southside Place when approaching the engineering studies. Public Works Director Barrera said there used to be an interconnect with Southside Place up until 2003 or 2004, but not any longer and so the systems are now running independently. City Manager Beach said staff could look into this and have discussions with Southside Place.

City Manager Beach said this is the very beginning of looking at the City's overall water system. He said from the workshop staff will come back with recommendations on how to move forward. He also said staff will come back at the second meeting in May for City Council to accept the study.

3. Adjourn Workshop

At 6:15 p.m., Councilmember Lankford moved to adjourn the workshop. Councilmember Sobash seconded the motion. **MOTION PASSED.** Higley adjourned the workshop.

Ayes: Higley, Trautner, Barnes, Lankford, Sobash

Noes: None
Absent: None

A copy of the workshop audio in its entirety is on the City's website or contact the City Secretary's office for a copy of the audio and/or the presentation.

REGULAR MEETING (6:30 p.m.)

4. Call Regular Meeting to Order/Roll Call

Mayor Higley called the virtual meeting to order at 6:30 p.m. Mayor Pro Tem Trautner and Councilmembers Barnes, Lankford and Sobash were all present.

Staff present were City Manager Beach, City Secretary Gilliam, City Attorney Bounds, Public Works Director Barrera, Assistant to the City Manager Thompson, Finance Director DuBose, Police Chief Walker, and Fire Chief Taylor.

Also in attendance were Dustin Qualls and Victoria Mota with consultants TEI and Mike Shelton and Mike Mortuary with consultants Kimley-Horn.

5. Pledge of Allegiance

Councilmember Lankford led the Pledge.

6. Public Comments

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

Regina and David Nolan, 4001 Tennyson, thanked council for performing a traffic study and said that she and her neighbors support reduction of the speed limit from 30 to 25 mph on Wesleyan and other streets that the traffic study indicated would create greater safety in the neighborhood.

David Cole, 4104 Cason, spoke to say he objects to the proposed primary change in the speed limit from 30 mph to 25 mph and stated his reasons, such as associated costs and confusion to drivers. He said he prefers that PD concentrate on criminal activity instead of drivers trying to figure out the speed limit.

Eddie Matthews, 5906 Fordham, spoke to say he agrees that road and safety is important, but the problem with the TIE study and recommendation is that it focuses solely on speed and not the other factors that can cause accidents.

Ann Furse, 6430 Wakeforest, spoke in support of reducing the speed limit to 25mph on residential streets and thanked Council for commissioning the study and being proactive.

Richard Cole, 2904 Sunset, spoke against reducing the speed limit to 25mph because he feels there is no justification for the reduction.

7. Citywide Speed and Safety Plan Ordinance

Matters related to an ordinance approving the Citywide Speed and Safety Plan. *Recommended Action: Approve the ordinance adopting the proposed amendments to Chapter 46, Article II that adds Section 46-47.01 to the Code of Ordinances on the first of two readings. Mr. Gerardo Barrera Public Works Director*

Public Works Director Barrera stated that based on the April 12, 2021, workshop and review of data resulting from the study, the City Engineer's recommendation is to reduce the speed limit from 30 mph to 25 mph for the majority of the streets, excluding Buffalo Speedway, which will remain at 30 mph and the 4100 and 4200 blocks of Bissonnet that will remain at 35 mph. Mr. Barrera said most of the other streets that were identified as major arterials or collectors would be reduced to 25 mph. He also said those streets currently marked at 20 mph around parks and school zones will remain at 20 mph.

City Attorney Bounds spoke to say that at the time he wrote the ordinance, which is included in the agenda packet, it was his understanding that all the streets that the 25 mph zone was applied to would be two-lane, undivided streets. He said since drafting the ordinance, there has been at least one street brought to his attention that has a small median, so his recommendation is to pass the ordinance drafted, deleting the two references to "two-lanes undivided" in the caption of the ordinance and in Section 2 of the ordinance.

Mayor Pro Tem Trautner moved to adopt the ordinance decreasing the speed limit to 25 mph with the revisions proposed by the city attorney. Councilmember Barnes seconded the motion.

Before there was a vote on the motion, Councilmember Sobash clarified with staff that the draft ordinance includes changing mph from 30 mph to 25 mph on Wesleyan.

There was a vote on the motion. **MOTION PASSED.**

Ayes: Higley, Trautner, Barnes, Lankford, Sobash
Noes: None
Absent: None

8. Award Preliminary Engineering Report (PER) for Effluent Water Reclamation Project

Matters related to awarding PER for the Effluent Water Reclamation Project. *Recommended Action: Award contract to complete the Preliminary Engineering Report for the Effluent Water Reclamation Project to Kimley-Horn and authorize the City Manager to execute the contract. Mr. Gerardo Barrera, Public Works Director*

Public Works Director Barrera presented and said after workshops with Council and discussions related to the Effluent Water Reclamation Project, staff is moving forward with the next phase, which is to request that Council award a Preliminary Engineering Report for the project.

Councilmember Sobash said he thinks this is very exciting and a big step for the City. He said it is a lot of work and takes a long time, but is a positive, revenue-generating project that will live on.

Councilmember Lankford said she thinks it is a great idea. She said, however, in the workshop it was stated that the City wanted to get the end-user locked in and involved in the financing. She said is there a way to get the potential end-user locked in at this point or is it too early.

Public Works Director Barrera said in speaking with the end-user, they are interested in a long-term agreement and are committed to entering into a Memorandum of Understanding (MOU). He said he will speak with the City Attorney regarding the parameters of a MOU.

Mayor Higley asked if Council decides to approve the funds for a PER and then work on an MOU is that feasible. City Manager Beach said the PER is to just remove variables so that the City can get an MOU wrapped up quickly. He said the PER does not construct anything but rather lessen the number of variables, help refine costs, determine what it will take to get to the end user, and what the return will be on the investment to the rate payer in West U, which will help set the fee needed to

recoup costs. He said this is the logical next step that puts the City in a better position when sitting at the table.

Mayor Higley asked City Attorney Bounds if the City could legally move forward if this passes with thoughts on the MOU. City Attorney Bounds responded that the City could move forward on an agreement or the City could hold this agreement up pending a MOU. He said it is up to Council how it wants to proceed.

Councilmember Sobash moved to approve the contract contingent upon an MOU with a potential partner. **Motion died due to lack of a second.**

Councilmember Lankford said she likes the idea of the contract being contingent on having an MOU.

Councilmember Barnes confirmed with City Manager Beach that there is only one potential end-user identified. Councilmember Barnes said the profit-generating aspect of this depends upon participation of that end-user so, apart from the basic environmental sustainability aspect, the financial benefit to West U residents is itself contingent upon that end-user's participation. He said so it would make sense to secure the end-users participation at least to the extent of having an MOU in place prior to jumping into the cost of a PER. City Manager Beach said that's Council's prerogative.

Mayor Pro Tem Trautner said if the PER is to determine the return on the investment, should not the City know its own numbers before asking the end-user to commit.

Councilmember Barnes said maybe what is needed is a Letter of Intent so there is formalized understanding that both parties are moving forward together without getting into actual numbers and essential terms. Mayor Pro Tem Trautner agreed.

City Manager Beach said if the Council wants to move forward with an MOU, staff would move forward to get an MOU in place, which, as asked by Mayor Pro Tem Trautner, would not commit the City to any particular price.

Mayor Pro Tem Trautner said if it is non-binding and vague, why would Council not just move forward on the study. Councilmember Barnes said he thinks there is value to having something in writing, whether a Letter of Intent or an MOU.

Mayor Higley said if the City is in search of an MOU or Letter of Intent will that significantly slow up the project. The City's, Engineer Mike Shelton, said he does not think so if they can talk to the end-user in the next 15-30 days. He said there are items that will be done in the PER that may contribute to the end-users comfort with an MOU, but it will be up to the end-user to tell the City.

Councilmember Sobash moved to approve the preliminary engineering study on the water effluence with the contingency of an MOU or a Letter of Intent from the end user. Councilmember Lankford seconded the motion. **MOTION PASSED.**

Ayes: Higley, Trautner, Barnes, Lankford, Sobash
Noes: None
Absent: None

9. COVID-19

Matters related to COVID-19. *Recommended Action: Discuss and take any desired action. Mr. Aaron Taylor, Fire Chief and Emergency Management Coordinator*

Chief Taylor reported:

- Over the last month, very little change in COVID hospitalization rate and positivity rates in the state.
- Rate of fatalities have continued to decrease.
- Texas Medical Center ICU statutses is reporting 7.9 percent capacity.
- Harris County Public Health data indicates West U to have 583 total confirmed cases, 9 active cases, 571 recovered cases, and 0-5 range for fatalities (with doing the math, 3)
- Vaccine data indicates that 37 percent of Texas have received at least the first dose of the vaccine and 25.3 percent have been fully vaccinated
- Harris County data shows that 62% of the seniors in Harris County are fully vaccinated
- As of last Friday, Johnson and Johnson vaccine had been suspended but is now administering it again
- Starting to see where vaccine supply is actually greater than number of people seeking the vaccine

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 Minutes

Approve Minutes of the regular meeting of April 12, 2021.

B. Zoning Quarterly Investment Report

Matters related to accepting the City's Quarterly Investment Report. *Recommended Action: Accept the City's March 2021 Quarterly Investment Report.*

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

Ayes: Higley, Trautner, Barnes, Lankford, Sobash

Noes: None

Absent: None

11. Adjourn Regular Meeting

At 7:20 p.m., Mayor Pro Tem Trautner moved to adjourn the meeting. Councilmember Barnes seconded the motion. **MOTION PASSED.**

Ayes: Higley, Trautner, Barnes, Lankford, Sobash

Noes: None

Absent: None



AGENDA MEMO

Business of the City Council
City of West University Place, Texas

Meeting Date	05.10.2021	Agenda Item	11B
Approved by City Manager	Yes	Presenter(s)	G. Barrera, Director
Reviewed by City Attorney	Yes	Department	Public Works
Subject	Citywide Speed and Safety Plan Ordinance		
Attachments	Ordinance Amendment		
Financial Information	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

In February 2020, City Council approved a Citywide Speed and Safety Traffic Study to evaluate the existing traffic conditions in the City and provide any recommendations regarding the City’s current prima facie speed of 30 mph. Per Texas Transportation Code Section 545.356(a), a City Council may alter the prima facie speed limits for a highway or part of a highway in the municipality from the results of an engineering and traffic investigation.

The City’s Traffic Engineer presented detailed reviews of the data collected to the City Council at their February 10, 2021 and April 12, 2021 workshops, which included baseline speed and traffic volumes, crash data, pedestrian and bicycle incidents, and underlying contributing factors. The collected data, coupled with the use of the engineer’s Safe Speed Tool, resulted in the engineer’s recommendation to reduce the speed limit from 30 mph to 25mph for the majority of City streets (excluding Buffalo Speedway, the 4100-4200 blocks of Bissonnet Street and others identified in current ordinance).

As discussed during the April 12 workshop the 2600-3100 block of Wroxton required additional review of the 20 mph speed limit. Based upon the Traffic Engineer’s review, the information does not support a speed limit lower than 25 mph. A legal review concurred with this recommendation as 20 mph on this street is unenforceable based on the results of the engineering study.

Based upon results of the Traffic Safety Study and as directed by Council to reduce the prima facie speed within the City to 25 mph, the following is the proposed addition to Chapter 46, Motor Vehicles and Traffic of the City’s Code of Ordinances:

- **Section 46-46 – Speed Zones** – Unless a special hazard exists that requires a slower speed for compliance with the Texas Transportation Code Section 541.351, the following speeds are lawful:
 - (1) 25 miles per hour in an urban district on a street in the City of West University Place
 - (2) Those speeds provided by Section 46-46 of this Code of Ordinances

A speed in excess of 25 miles per hour on a two lane street in the City limits is prima facie evidence that the speed is not reasonable and prudent and that the speed is unlawful.

City Council approved the proposed ordinance with minor revisions removing “undivided street” on first reading at its meeting of April 26, 2021.

Recommended Action

Staff recommends that City Council approve the proposed amendments to Chapter 46, Article II that adds Section 46-47.01 to the Code of Ordinances on the second and final reading.

**City of West University Place
Harris County, Texas**

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, AMENDING CHAPTER 46, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF ORDINANCES; PROVIDING A 25 MPH SPEED LIMIT FOR STREETS; PROVIDING FOR A PENALTY UP TO \$200.00 PER DAY FOR EACH VIOLATION; REQUIRING PUBLICATION; AND MAKING OTHER FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

Whereas, Texas Transportation Code Section 545.356(a) provides that the City Council may alter the prima facie speed limits for a highway or part of a highway (street) in the City from the results of an engineering and traffic investigation; and

Whereas, the City Council has considered the results of an engineering and traffic investigation by Traffic Engineers and city staff; and

Whereas, the City Council finds that the 30 mile per hour speed limit in an urban district on a street in the City of West University Place is unreasonable and unsafe; and

Whereas, the City Council finds and declares that 25 miles per hour is the maximum safe and reasonable speed for streets within the City that are not part of the state highway system; and

Whereas, the speed limits set by City Council are effective when City Council erects signs giving notice of the new limits;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS THAT:

Section 1. Preamble. The facts and matters set forth in the preamble of this Ordinance are found to be true and correct and incorporated herein for all purposes.

Section 2. Sections 46-46, Speed zones, specific streets, and 46-47, Speed in school areas, of Chapter 46, Motor Vehicles and Traffic, of the Code of Ordinances of the City of West University Place, Texas, are amended to read as follows:

“Sec. 46-46. - Speed zones, ~~specific streets~~.

(a) Unless a special hazard exists that requires a slower speed for compliance with Texas Transportation Code Section 541.341(b) or a special speed zone is provided by this section, the maximum lawful speed on a street is 25 miles per hour. A speed in excess

of 25 miles is prima facie evidence that the speed is not reasonable and prudent and that the speed is unlawful. No person shall drive a vehicle at a greater speed than 25 miles per hour unless in a special speed zone establishing a higher speed limit.

(b) The following streets or portions thereof shall be designated as special speed zones and it shall be unlawful for any person to drive any vehicle thereon at a speed greater than indicated as follows:

Street	Extent	Maximum Miles Per Hour
Bissonnet St.	From the east right-of-way of Academy Street to east right-of-way of Southern Pacific Railroad	35
Wroxtton Rd.	From Buffalo Speedway to Kirby	20
Auden, Rice Blvd.	Those portions within 100 feet of any portion of the site of the Community Building, Senior Center and Library or the property known as 3771 Rice Blvd.	20
Nottingham, Sunset Blvd., Belmont	Those portions within 100 feet of any portion of the site of Wier Park	20
Carnegie, Wakeforest	Those portions within 100 feet of any portion of the site of Whitt Johnson Park	20
Milton, College	Those portions within 100 feet of any portion of the site of Huffington Park	20
Simmons, Judson, South Judson	Those portions within 100 feet of any portion of the site of Judson Park	20
Northwestern	Those portions within 100 feet of any portion of the site of Independence Park, sometimes called Liberty Hill	20
Byron, Case, Academy, West Point	Those portions within 100 feet of any portion of the site of Colonial Park	20
Pittsburg, Sewanee	Those portions within 100 feet of any portion of the site of Jennie Elizabeth Hughes Park	20

“

Sec. 46-47. Speed in school areas.

(c) No person shall drive a vehicle at a greater rate of speed than 20 miles per hour in a school area, on all school days, during the hours established by the traffic control officer. The following streets or portions thereof are recognized as special hazards and shall be designated as school areas:

(1) University Boulevard from 180 feet east of the east curb of Edloe to 150 feet west of the west curb line of Auden.

(2) Edloe Street from the north curb line of University Boulevard to the south curb line of Rice.

(3) Auden Street from the north curb line of University Boulevard to the south curb line of Rice Boulevard.

Sec. 46-47. Reserved.”

Section 3. Signage. The Director of Public Works shall cause speed limit signs and other traffic-control devices to be erected at such locations deemed necessary to provide reasonable notice of the above speed limits.

Section 4. Penalty. A violation of this ordinance shall be a Class C misdemeanor, and the penalty for violating this ordinance shall be a fine not exceeding Two Hundred and No/100 Dollars (\$200.00) for each offense.

Section 5. Savings/Repealing Provision. All ordinances and parts of ordinances in conflict with this ordinance are repealed to the extent of the conflict only.

Section 6. Severability. If any provision of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 7. Effective Date. This ordinance takes effect immediately upon its passage and adoption on second reading and the publication of the caption, as required by the City Charter and state law.

[signatures follow]

PASSED, APPROVED AND ADOPTED ON FIRST READING on the 26th day of April, 2021.

PASSED, APPROVED AND ADOPTED ON SECOND READING, AND SIGNED, on the 10th day of May, 2021.

Attest:

Signed:

City Secretary (Seal)

Mayor

Recommended:

By: _____
City Manager

Approved as to form:

By: _____
Olson & Olson, LLP, City Attorney