



City of West University Place

A Neighborhood City

CITY COUNCIL

Susan Sample, Mayor
John Montgomery, Mayor Pro Tem
Shannon Carroll, Councilmember
Clay Brett, Councilmember
Matt Hart, Councilmember

STAFF

David Beach, City Manager
Loren Smith, Olson & Olson, City Attorney
Thelma Gilliam, City Secretary

City Council Meeting Agenda

Notice is hereby given of a meeting of the West University Place City Council to be held on **August 26, 2024**, beginning at **6:30 p.m.** in the **Municipal Building, located at 3800 University Boulevard**, for the purpose of considering the agenda of items listed.

Residents can attend in-person, by telephone, or via Zoom. **Be advised that residents attending via Zoom will have only the ability to listen to the meeting.**

To attend the meeting via telephonic means, please call **346-248-7799** or you can join at <https://us02web.zoom.us/j/87244367999>. **The Meeting ID Number is 872 4436 7999.** Should you have difficulty entering the meeting or need assistance during the meeting, email westuzoom@westutx.gov.

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.

Violation of the rules of procedure does not invalidate an action unless a point of order is raised before the end of the next regular meeting.

Agenda Items are as follows:

1. Call Meeting to Order

2. Pledge of Allegiance

3. 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 may either speak at this time or defer his/her comments until such time the matter is discussed.

4. Police Department Communications

Matters related to a presentation on Police Department communications. *Recommended Action: Discuss and provide feedback. Mr. Gary Ratliff, Assistant Police Chief* [See Agenda Memo 4]

5. Metropolitan Transit Authority (METRO) Interagency Agreement

Matters related to an Interlocal Agreement with METRO to accept the award of a sub-grant. *Recommended Action: Accept award of the sub-grant from METRO by approving the Interagency Agreement and authorizing the City Manager to execute the agreement. Mr. Austin Bishop, Assistant to the City Manager and Mr. Brett Cast, Assistant Public Works Director* [See Agenda Memo 5]

6. Water Conservation and Drought Contingency Plans

Matters related to approving the ordinance to adopt the Water Conservation and Drought Contingency Plans on the first of two readings. *Recommended Action: Approve ordinance to adopt the Water Conservation and Drought Contingency plans on the first of two readings. Mr. Brett Cast, Assistant Public Works Director* [See Agenda Memo 6]

7. Wastewater Treatment Plant Improvement Project

Matters related to a resolution rejecting the bid for the Wastewater Treatment Plant improvement project. *Recommended Action: Adopt the resolution rejecting the bid for the Wastewater Treatment Plant improvements project from Industrial TX Corporation. Mr. Danny Cameron, Public Director* [See Agenda Memo 7]

8. 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 Councilmember requests an item be removed from the Consent Agenda and be considered in its normal sequence on the agenda.

A. City Council Meeting Minutes

Matters related to approving the City Council Minutes Regular and Workshop Minutes of August 12, 2024. *Recommended Action: Approve Regular and Workshop Minutes of August 12, 2024. Ms. Thelma Gilliam, City Secretary* [See Agenda Memo 8A]

B. Monthly Financial Report

Matters related to the May 2024 Monthly Financial Report. *Recommended Action: Receive the City's May 2024 Monthly Financial Report. Ms. Marie Kalka, Finance Director* [see Agenda Memo 8B]

C. Microsoft Licensing Renewal

Matters related to renewing an agreement for Microsoft licensing for a period of one year. *Recommended Action: Approve renewal of the Microsoft Licensing agreement with SHI Government Solutions in the amount of \$66,977.74 for a period of one year and authorize the City Manager to execute the agreement. Mr. Russell Brown, IT Director* [See Agenda Memo 8C]

9. Adjourn Meeting

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 Gilliam 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 wheelchair 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 this notice and agenda of items to be considered by the West University Place City Council on August 26, 2024, was posted on the Municipal Building bulletin board on August 22, 2024, at approximately 4:30 p.m.

(SEAL) Thelma A. Gilliam
Thelma A. Gilliam, City Secretary



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

Meeting Date	08.26.2024	Agenda Item	4
Approved by City Manager	Yes	Presenter(s)	G. Ratliff, Assistant Chief
Reviewed by City Attorney	Yes	Department	Police Department
Subject	Police Department Communications		
Attachments	Presentation		
Financial Information	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

In 2022, staff conducted a Citizens Satisfaction Survey, which revealed that 84% of West U citizens want to receive frequent public safety notices in reference to crime trends, safety reminders, and public safety events.

As a result, the Police Department acknowledges the citizens' need for clear, concise, and timely information on major police incidents and public safety notices and has been investigating ways to increase its overall communications.

Tonight's presentation briefly outlines the initial plan and steps that will be taken to meet the department's goal of improving communications to meet the desires of the community.

Recommended Action

For discussion and feedback.



City of
West University
Place

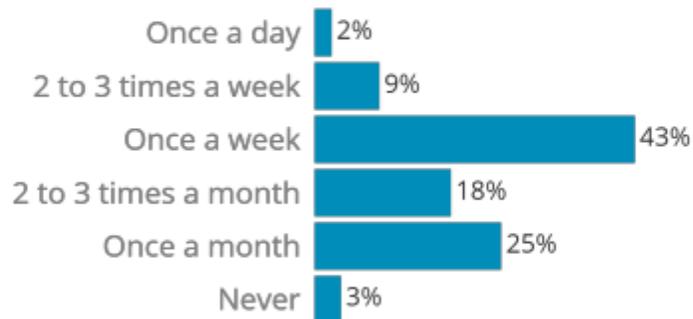


Police Communication with West U Citizens

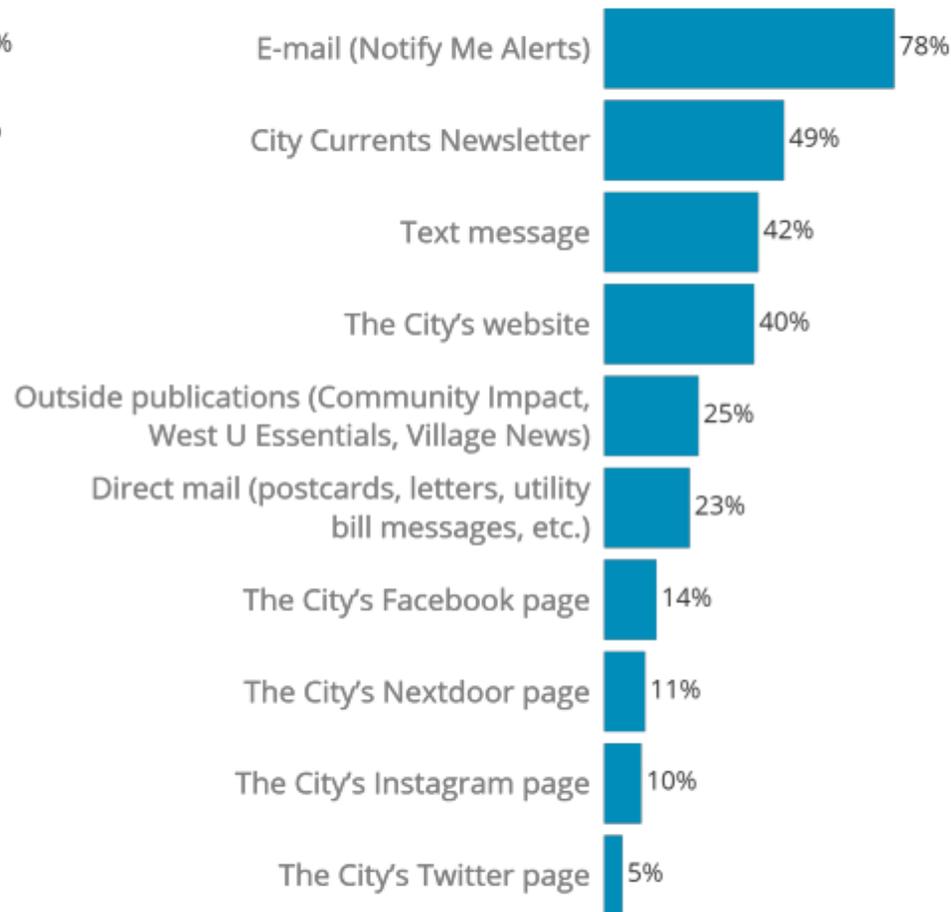
Information Would Like from City



Desired Frequency



Preferred Way to Get Info



Demo Filters

Gender

(All)

Age

(All)

Time in City

(All)

Children at home

(All)

Zone or Area

(All)

Sample Size: 876

Public Safety Notices

Crime Trends

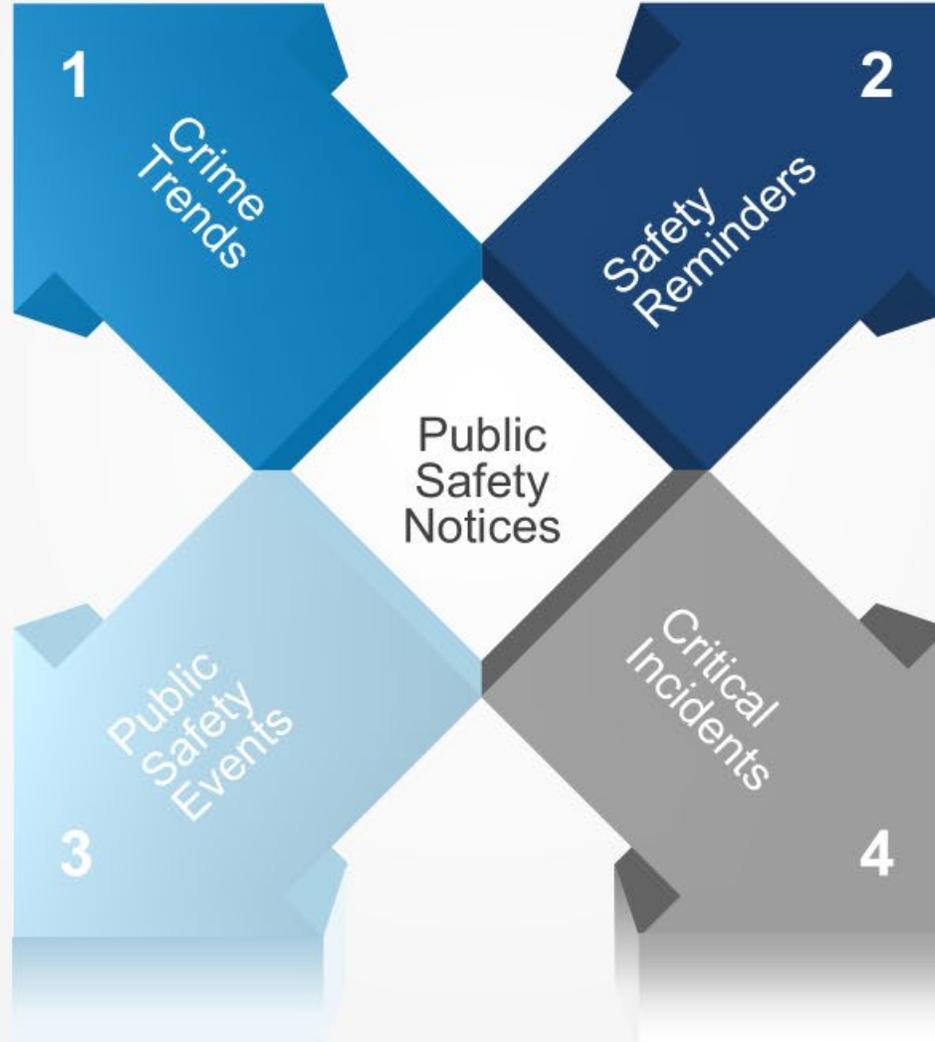
- Burglaries
- Criminal Mischief
- Thefts

Published as they occur on Facebook and News Flash

Public Safety Events

- Presentations
- Bingo with Badges
- National Night Out

Published in advance of event through City Currents, Facebook, City Website, and News Flash



Safety Reminders

- School Zone Safety
- Direct-Link Information
- Crime Prevention
- Scams

Published on a weekly basis on Facebook

Critical Incidents

- Active Shooter
- Suspects on the Ground
- Fatality Accident

Published as quickly as possible Facebook and West U Ready

West University Place Police Department's Response To High Priority Calls



Telecommunications

1. Documenting call in the computer system
2. Contacting outside agencies for assistance
3. Monitoring Virtual Gate related to the call
4. Conducting research for the call
5. Keeping track of officers
6. Running information through NCIC/TCIC
7. Answering phone calls from citizens
8. Dispatching EMS/Fire calls
9. Dispatching other police calls

Officers

1. Tracking and catching suspects
2. Setting up perimeter
3. Providing updates
4. Processing the scene
5. Ensuring safety of citizens

Sergeants

1. Managing the call on the street
2. Keeping track of officers
3. Providing direction to Telecommunications
4. Communicating with other agencies

West University Place Police Department's Communications Plan

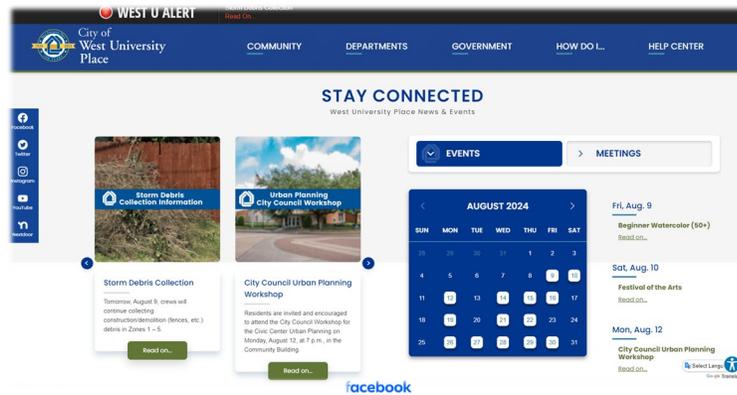
Goal – To provide the citizens of West University Place information on recent major police events occurring in the city.

Compile releasable data

- Developing an AI program to mine the call data
- Increase the number of employees that have access to programs for notifications
- Train supervisors – Media Training
 - Press Releases
 - Media Interviews
 - Public Notifications



Platform Delivery Methods



- ✓ West University Place City Website-News Flash
- ✓ West University Place Police Department Facebook Page
- ✓ West U Ready



Incident notifications will be made in a reasonable and timely response based on the situation, time of day, and safety of the community.



AGENDA MEMO

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

Meeting Date	08.26.2024	Agenda Item	5
Approved by City Manager	Yes	Presenter(s)	A. Bishop, Asst. to the City Manager B. Cast, Assistant Director
Reviewed by City Attorney	Yes	Department(s)	Administration Public Works
Subject	Metropolitan Transit Authority (METRO) Interagency Agreement		
Attachments	<ol style="list-style-type: none"> Interlocal Agreement Updated METRO and Sidewalk Project Map 		
Financial Information	Expenditure Required:		\$100,000
	Amount Budgeted:		\$100,000
	Account Number:		ST2404.Constr.Fnd325
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

On August 5, 2024, the City received a sub-grant award from the Metropolitan Transit Authority (METRO) for the Federal Transportation Administration’s (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program. The program addresses first to last mile connectivity to transit and local destinations and involves constructing new and/or improving sidewalks to meet or exceed Americans with Disabilities Act (ADA) requirements. The total grant award for this project is \$500,000 with an 80% (\$400,000) METRO share and a 20% (\$100,000) local match.

During the City’s original grant application, the City applied for a total project award of \$800,000 with a 50% (\$400,000) METRO share and a 50% (\$400,000) local match. Under this grant award agreement, the City will still receive the proposed \$400,00 from METRO and FTA; and will utilize the project cost difference from the local share (\$300,000) towards sidewalks through the City’s traditional procurement process. A summary of the application and grant award shares is outlined below.

	METRO / FTA Share	West U Share	Total	Replacement (in square yards)
Previous Application Award	\$400,000	\$400,000	\$800,000	3,931 (2021 assessment)
Current Award (new)	\$400,000	\$100,000	\$500,000	2,440 (2024 assessment)*

Note * - The difference of 1,491 sq. yds. between the previous award and the current award will be constructed by the City outside of this grant.

The City completed a new sidewalk condition assessment of the project area in the first quarter of 2024 and while the project areas remain the same, the overall quantity of sidewalk replacement was reduced for the following reasons:

- Over the last three (3) years, the City has addressed critical safety concerns and replaced panels within the project area.
- When a new house is constructed, the property owner is required to construct a new sidewalk along the length of their lot, which replaced some of the sidewalk segments identified in the 2021 condition assessment.

Below is a summary of the grant timeline:

- **July 2023:** City Council approval and grant application submitted
- **November 2023:** H-GAC regional transportation plan project approval
- **January 2024:** Selection of project from FTA
- **August 2024:** METRO approval/ILA proposed
- **November 2024:** Est. Bid Date
- **January 2025:** Est. Council Award Date
- **February 2025:** Est. Start Date

Recommended Action

Staff recommends that City Council accept the sub-grant award from METRO by approving the interagency agreement and authorizing the City Manager to execute the agreement.

**INTERAGENCY AGREEMENT
FOR
ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES
("5310 PROGRAM")
BETWEEN
THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS
AND
CITY OF WEST UNIVERSITY PLACE**

THE STATE OF TEXAS

COUNTY OF HARRIS

This Agreement ("Agreement") is made and entered into by and between Metropolitan Transit Authority of Harris County, Texas ("METRO"), a body corporate and politic authorized and existing pursuant to Chapter 451, Texas Transportation Code, and City of West University Place whose unique entity identifier is X4GLTLJ4MMP8.

WITNESSETH

WHEREAS, on January 05, 2024, FTA awarded METRO \$400,000, Federal Award Identification Number TX-2024-049-00, Catalog of Federal Domestic Assistance Number 20.513 – Enhanced Mobility of Seniors and Individuals with Disabilities; and

WHEREAS, METRO has been named by language of the Moving Ahead for Progress in the 21st Century Act (MAP-21) as the designated recipient for Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program; and

WHEREAS, METRO, has, through a competitive process, selected City of West University Place for 5310 Seniors and Individuals with Disabilities funding; and

WHEREAS, METRO and City of West University Place have agreed to terms and conditions specified in this interagency agreement; and

WHEREAS, The award under this Agreement is not for research and development.

WHEREAS, The award under this Agreement does not include indirect costs.

NOW, THEREFORE, in consideration of the premises and the mutual covenants specified herein, the parties hereby agree as follows:

ARTICLE 1: INDEPENDENT ENTITY

The execution of this Agreement and the distribution of funds from this program do not change the independent status of METRO or City of West University Place. No provision of this Agreement or act of METRO in performance of the Agreement shall be construed as making City of West University Place the agent, servant or employee of METRO, the State of Texas or the United States Government. City of West University Place shall notify METRO of the threat of lawsuit or of any actual suit filed against City of West University Place pertaining to this Agreement or which would adversely affect City of West University Place's responsibilities under this Agreement.

ARTICLE 2: SCOPE OF AGREEMENT

This Agreement specifies the terms and conditions under which City of West University Place will provide and METRO will pay, for project implementation as described in Exhibit 1. The parties agree that each will cooperate and coordinate with the other in all activities covered by this Agreement and any supplemental agreements hereto.

ARTICLE 3: TERM

The disbursement of the funds shall begin on 2/01/2024 and end on 9/30/2026, unless the period of performance is extended or terminated by either party in accordance with the other terms of this Agreement.

ARTICLE 4: METRO'S OBLIGATIONS

4.1 METRO agrees to comply with all applicable local, state, and federal laws and regulations in performance of this Agreement.

4.2 METRO shall provide day-to-day grants management as necessary to provide guidance for implementation of City of West University Place's project as described in Exhibit 1.

4.3 METRO agrees to notify City of West University Place of the outcome of its review of third party contracts submitted in accordance with Article 5.7 below within fifteen (15) business days of receipt of the proposed contracts.

ARTICLE 5: CITY OF WEST UNIVERSITY PLACE'S OBLIGATIONS

5.1 City of West University Place agrees to comply with all applicable local, state and federal laws and regulations in performance of this Agreement.

5.2 City of West University Place commits to implementing the selected project as described in Exhibit 1.

5.3 City of West University Place certifies its compliance with the FTA's standard Certifications and Assurances as outlined in Exhibit 2 with respect to the implementation of the project described

in Exhibit 1. Furthermore, this certification shall remain in full force and effect for all subsequent years of the project implantation, including any future FTA revisions of said Certifications and Assurances. City of West University Place also certifies its compliance with the FTA's annual Master Agreement, including any future FTA revisions of said Master Agreement, which is hereby incorporated as Exhibit 3.

5.4 This agreement between City of West University Place and METRO provides for the insertion of language concerning FTA regulatory requirements and requires that any provider of services comply with those requirements.

During the performance of this Agreement, City of West University Place agrees to abide by the following:

(a) **Compliance with Regulations.** City of West University Place shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this Contract.

(b) **Nondiscrimination.** City of West University Place, with regard to the work performed by it during the specified period of performance, shall not discriminate on the grounds of race, color, religion, sex, age, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. City of West University Place shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(c) **Solicitation for Subcontracts, including Procurement of Materials and Equipment.** In all solicitations either by competitive bidding or negotiation made by City of West University Place for work to be performed under the subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by City of West University Place of its obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, color, religion, age, sex, or national origin.

(d) **Information and Reports.** City of West University Place shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by METRO or the Department of Transportation (DOT) to be pertinent to ascertain compliance with such regulations, orders, and instructions. Where any information is required of City of West University Place and is in the exclusive possession of another who fails or refuses to furnish this information, City of West University Place shall so certify

to METRO or the Department of Transportation, as appropriate and shall set forth what efforts it has made to obtain the information.

(e) **Sanctions for Noncompliance**. In the event of City of West University Place 's noncompliance with the nondiscrimination and / or procurement provisions of this Agreement, METRO shall impose such contract sanctions as it or the Department of Transportation may determine to be appropriate, including, but not limited to:

- (1) Withholding of payments to City of West University Place under the Agreement until City of West University Place complies, and / or
- (2) Cancellation, termination, or suspension of the Agreement, in whole or in part.

(f) **Incorporation of Provisions**. City of West University Place shall include the provisions of paragraphs (a) through (f) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant hereto. City of West University Place shall take such action with respect to any subcontract or procurement as METRO may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event City of West University Place becomes involved in or is threatened with litigation by a contractor, subcontractor, or supplier as a result of such direction, City of West University Place may request METRO to enter into such litigation to protect the interests of METRO and, in addition, City of West University Place may request the United States Department of Transportation to enter into such litigation to protect the interests of the United States.

5.5 City of West University Place agrees to abide by the appropriate Federal Acquisition Regulations, including but not limited to specifications regarding Buy America terms, for the acquisition of all goods, services, materials, or equipment required in the performance of this project.

5.6 City of West University Place agrees to provide quarterly Milestone Progress and Financial Status reports as described in Exhibit 4 within 15 business days after the close of each calendar quarter (March, June, September, December). Each Milestone Progress report shall contain an update of the major activity milestones (as established during the initial grant application), a summary of the major activities completed during the previous quarter, a summary of activities scheduled for the following quarter, and identification of problems and / or issues that may affect the project's completion on its specified schedule. Further, City of West University Place agrees to include details regarding any contract amendment(s) or change order(s) equal to or greater than \$100,000 if executed during the report period.

Each Financial Status report shall be completed in accordance with the FTA's Financial Status Report form, including a reconciliation by activity line-item code of the previous quarter's expenditures; the current quarter's expenditures; the total life-to-date expenditures; the FTA and local share of life-to-date expenditures; the current unliquidated obligations (unpaid contract balances); the FTA and local share of unliquidated obligations; and the total authorized FTA budget.

Expenditures shall be supported by the appropriate level of financial documentation, including time sheets for direct labor and invoices for third party expenses.

5.7 City of West University Place agrees to submit third party contracts necessary for the project's implementation to METRO for review prior to the execution of such contracts. Additionally, City of West University Place agrees to submit any proposed third party contract amendment(s) or change order(s) for METRO review prior to the execution of such contract amendment(s) or change order(s).

ARTICLE 6: LIMITATION OF LIABILITY

6.1 METRO is a governmental entity under the Texas Tort Claims Act.

6.2 City of West University Place acknowledges that it is not an agent, servant, nor employee of METRO.

6.3 METRO acknowledges that it is not an agent, servant, nor employee of City of West University Place.

6.4 The parties expressly agree that the disbursement of funds under this initiative is not a joint venture or enterprise. It is not the intent of the parties that a joint enterprise relationship is being entered into and the parties specifically disclaim such relationship. This Agreement does not constitute a joint enterprise.

ARTICLE 7: TERMINATION

7.1 Termination for Convenience. Notwithstanding any other provision of this Agreement, either party may, in its sole discretion, terminate this Agreement, if it determines that it is in its best interest to do so, providing, however, that the party seeking to terminate the provision of services under this Agreement gives written notice to the other party at least sixty (60) calendar days prior to the expected date of the termination of services.

ARTICLE 8: DEFAULT AND REMEDIES

8.1 Default. The failure by either party to fully and timely comply with its respective obligations, and the failure to cure such noncompliance within ten (10) days after written notice from the other party, shall constitute a default ("Default"). In the event of a Default, the non-defaulting party

may notify the defaulting party of its intent to terminate this Agreement as of a date specified in such notice. If such default is not cured by such termination date, this Agreement shall be deemed automatically terminated as of the date so specified in the notice without further act of either party. This Agreement shall not be considered as specifying the exclusive remedy for any Defaults; and all remedies existing at large or in equity may be availed of by either party and shall be cumulative.

ARTICLE 9: FORCE MAJEURE

Neither party shall be held liable for any loss or damage due to delay in performance of any part of this Agreement from any cause beyond its control and without its fault or negligence, which causes may include acts of God, acts of civil or military authority, government regulations, embargoes, epidemics, war, terrorist acts, riots, insurrections, fires, explosions, earthquakes, nuclear accidents, floods, strikes, power blackouts, other major environmental disturbances or unusually severe weather conditions.

ARTICLE 10: AUDIT AND INSPECTION OF RECORDS

City of West University Place shall permit the authorized representatives of METRO and the federal government to inspect and audit all data and records of City of West University Place relating to its performances under this Agreement. METRO representatives may perform, or have performed, an audit of City of West University Place 's books and records. City of West University Place shall keep its books and records available for this purpose for at least three (3) years after this Agreement terminates.

ARTICLE 11: NOTICES

Any notices required or permitted to be given under the terms of this Agreement shall be in writing and shall be deemed to be given as of the time of hand delivery to the addresses set forth below, or three (3) days after deposit in the United States mail, postage prepaid, by registered or certified mail, return receipt requested, addressed as follows:

To METRO: Philip Brenner, Deputy Chief Financial Officer
Metropolitan Transit Authority of Harris County
P.O. Box 61429
Houston, Texas 77208-1429

To COWUP: Dave Beach, City Manager
City of West University Place
3800 University Blvd.
West University Place, Texas 77005

ARTICLE 12: WAIVER

The failure of any party at any time to require performance of any provision hereof shall in no manner affect the right at a later time to enforce the same. No waiver of any party of any condition, or of any breach of any term, covenant, representation or warranty contained herein, in any one or

more instances, shall be deemed to be construed as a further or continuing waiver of any such condition or breach or waiver of any other condition.

ARTICLE 13: ENTIRE AGREEMENT

This Agreement contains the entire agreement of the parties with regard to the matters addressed herein. This Agreement may not be amended, modified, superseded or canceled, nor may any of the terms, covenants, representations, warranties or conditions be waived except by written instrument executed by both parties.

ARTICLE 14: GOVERNING LAW

This Agreement is subject to all applicable laws, regulations, codes, ordinances, rules and rulings of the Federal Government, the State of Texas, City of Houston, and any other governmental entity that has jurisdiction over the parties or activities set out herein. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement. Any action brought to enforce or interpret this Agreement shall be brought in a court of appropriate jurisdiction in Harris County, Texas.

ARTICLE 15: CLOSEOUT

METRO will close-out the Federal award when it determines that all applicable administrative actions and all required work of the Federal award have been completed by City of West University Place. This section specifies the actions City of West University Place and METRO must take to complete this process at the end of the period of performance.

- (a) City of West University Place must submit, no later than 90 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by or the terms and conditions of the Federal award. METRO may approve extensions when requested by City of West University Place.
- (b) Unless METRO authorizes an extension, City of West University Place must liquidate all obligations incurred under the Federal award not later than 90 calendar days after the end date of the period of performance as specified in the terms and conditions of the Federal award.
- (c) METRO must make prompt payments to City of West University Place for allowable reimbursable costs under the Federal award being closed out.
- (d) City of West University Place must promptly refund any balances of unobligated cash that METRO paid in advance or paid and that is not authorized to be retained by City of West University Place for use in other projects. See OMB Circular A-129 and see § 200.345 Collection of amounts due for requirements regarding unreturned amounts that become delinquent debts.

- (e) Consistent with the terms and conditions of the Federal award, METRO must make a settlement for any upward or downward adjustments to the Federal share of costs after closeout reports are received.
- (f) City of West University Place must account for any real and personal property acquired with Federal funds or received from the Federal government in accordance with §§ 200.310 Insurance coverage through 200.316 Property trust relationship and 200.329 Reporting on real property.
- (g) METRO should complete all closeout actions for Federal awards no later than one year after receipt and acceptance of all required final reports.

IN WITNESS WHEREOF, the parties have caused the Agreement to be executed as of the date first written above:

IN TESTIMONY OF WHICH, this Agreement, in duplicate originals, each having equal force, has been executed on behalf of the parties hereto as follows:

a. It has on the ___ day of ___, 20___, been executed on behalf of City of West University Place by _____.

b. It has on the 5 day of Aug, 2024, been executed on behalf of METRO by Interim Pres. & CEO and attested by its Assistant Secretary, pursuant to Resolution 2023-52 of its Board of Directors authorizing such execution.

City of West University Place

By: _____

Dave Beach
City Manager

Approved as to form:

By: _____

Metropolitan Transit Authority of Harris
County, Texas

By: _____

Thomas Jasien
Interim President & Chief Executive Officer

Attest as to form:

Assistant Secretary



Approved as to form:

Alva Treviño

Executive VP & Acting General Counsel

George Fotinos
Chief Financial Officer

EXHIBIT 1

PROJECT DESCRIPTION

AND BUDGET

5310 ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES

Project Description: The West Sector ADA Access Improvements is a capital project that will enhance connection and access to METRO bus stops. The project will address first-last mile connectivity to transit and local destinations. Construction will address new and/or improving sidewalks to meet or exceed ADA requirements. Project construction location, scope and budget are included in Documents. A 3rd Party contractor will be used for all activities not done internally.

Project Budget:

Construction Service (80%/20%)

Total	\$500,000
FTA	\$400,000
Local	\$100,000

EXHIBIT 2

FTA CERTIFICATIONS & ASSURANCES

The Federal Transit Administration (FTA) requires grant recipients and subgrantees to file annual Certifications and Assurances (C&A) of compliance with key federal regulations. The document is published annually in the *Federal Register* and made available on the FTA web site. Subgrantees are required to complete, sign, and return the attached FY2024 C&A; future annual certifications will be required for the duration of this interagency agreement.

EXHIBIT 3

FTA ANNUAL MASTER AGREEMENT

The United States Department of Transportation Federal Transit Administration (FTA) Master Agreement is authorized by 49 U.S.C. Chapter 53, Title 23, United States Code (Highways); the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; the Transportation Equity Act for the 21st Century, as amended; the National Capital Transportation Act of 1969, as amended; and / or other Federal laws that FTA administers. The Master Agreement is published annually on the FTA web site at:

<https://www.transit.dot.gov/sites/fta.dot.gov/files/2024-05/FTA-Master-Agreement-v31-05-02-2024.pdf>

Subgrantees who receive Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funds are required to comply with all terms and conditions outlined in the FY2008 Master Agreement and subsequent annual revisions thereto, and commit to so doing with the execution of this Interagency Agreement.

EXHIBIT 4 – A
PROJECT MILESTONES

The estimated milestone schedule is shown below. This schedule may be updated as grant award and project implementation occurs.

Activity	Date
Issue RFP/IFB	3/31/2024
Award Construction Contract	4/30/2024
Initial Delivery Date (substantial completion)	10/31/2024
Final Delivery Date (final completion)	12/31/2024
Contract Completion Date (final close out to include grant close out)	2/28/2025

Grantees are required to file quarterly reports. For each quarterly report for each program, City of West University Place should report the following status for each activity listed above:

- Completion date
- Revised estimated completion date if activity is not completed during the quarter
- Significant accomplishments during the quarter
- Accomplishments planned for the following quarter
- Potential problems identified during the quarter and corrective action plan
- Modifications in excess of \$100,000 issued to third party contracts related to this contract
- Identification of receipt of any program-related claims



Sidewalk Repair Location Map - METRO Grant





AGENDA MEMO

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

Meeting Date	8.26.2024	Agenda Item	6
Approved by City Manager	Yes	Presenter(s)	B. Cast, Assistant Director
Reviewed by City Attorney	Yes	Department	Public Works
Subject	Water Conservation and Drought Contingency Plans		
Attachments	Ordinance		
Financial Information	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

The Texas Commission on Environmental Quality (TCEQ) requires retail water providers with 3,300 or more connections to have water conservation and drought contingency plans in place and that they be re-adopted every five (5) years to ensure water availability, public health, economic development, and resource protection.

The city’s plan includes four increasingly restrictive stages:

- Stage 1 – Annual Drought and Conservation Awareness Campaign
 - Public announcements will be issued every spring to increase customer awareness of water conservation and to encourage the most efficient use of water.
- Stage 2 – Voluntary Water Use Restrictions
 - Increased information to customers about conserving water during periods when water supplies are limited.
- Stage 3 – Moderate Water Use Restrictions (Mandatory)
 - Affirmative steps to control the use of water in response to periods of significant water shortage.
 - Includes mandatory restrictions on irrigation.
- Stage 4 – Critical Water Use Restrictions
 - Significant steps toward controlling the use of water in response to periods of critical water shortage.
 - Outside use of water is prohibited.

The practices, provisions, and restrictions in the city’s updated plan are identical to the 2019 plan with the exception of Stage 3. Under the proposed plan restrictions in Stage 3 emphasizes that non-handheld outside watering (irrigation) would be allowed in a staggered fashion for even-numbered houses on Monday, Wednesday, and Friday and for odd-numbered houses on Tuesday, Thursday, and Saturday

during the hours between 10 p.m. and 5 a.m. All outside watering on Sundays during Stage 3 will be completely prohibited.

Additionally in 2019, the Drought Contingency Plan was approved by Ordinance and established 5-year conservation goals for Reduction in Water Loss and Reduction in Water Use.

Reduction in Water Loss Goal:

The average water loss over the last five years has been 5.69 gallons per capita per day (gpcd). The updated five-year water loss goal for 2029 is to not exceed 5 gpcd. The ten-year water loss goal, to be achieved by 2034, is to not exceed 2.5 gpcd.

Reduction in Water Use Goal:

The average water use over the last five years has been 147 gpcd. The updated five-year water consumption goal for 2029 is to not exceed 135 gpcd. The ten-year water consumption goal, to be achieved by 2034, is to not exceed 130 gpcd.

Recommended Action

Staff recommends that City Council approve the ordinance adopting the Water Conservation and Drought Contingency Plans on the first of two readings.

ORDINANCE NO. XXXX

AN ORDINANCE FINDING AND DETERMINING THAT THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE CITY OF WEST UNIVERSITY PLACE, TEXAS, A COPY OF WHICH IS ATTACHED HERETO AND MARKED EXHIBIT "A", HAS BEEN PREPARED IN ACCORDANCE WITH ALL APPLICABLE LAWS, RULES, REGULATIONS, STANDARDS AND GUIDELINES PROMULGATED BY APPROPRIATE AUTHORITY, AND FURTHER, THAT SUCH PLAN IS ADEQUATE TO PROVIDE AN EFFECTIVE MEANS FOR WATER CONSERVATION AND DROUGHT CONTINGENCY WITHIN THE CITY LIMITS OF THE CITY OF WEST UNIVERSITY PLACE, ADOPTING THE SAME AS THE OFFICIAL WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE CITY OF WEST UNIVERSITY PLACE, TEXAS, AND REQUIRING ADHERENCE TO ALL REQUIREMENTS, CONDITIONS AND PROCEDURES SPECIFIED THEREBY.

WHEREAS, heretofore previously, the City of West University Place has undertaken such studies and surveys as were necessary to determine appropriate facts upon which to base and develop a Water Conservation and Drought Contingency plan for the City of West University Place; and

WHEREAS, as a result of such preliminary work, a Water Conservation and Drought Contingency plan has been prepared, which fairly represents a sound policy for the City of West University Place;

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

Section 1. That the City Council of the City of West University Place hereby finds and determines that the Water Conservation and Drought Contingency plan, a copy of which is attached hereto and marked Exhibit "A", has been prepared in accordance with all applicable laws, rules, regulations, standards and guidelines promulgated by appropriate authority.

Section 2. That the City Council of the City of West University Place further finds and determines that the said Water Conservation and Drought Contingency plan is adequate to provide an effective means for water conservation and drought management within the city limits of the City of West University Place.

Section 3. That the Water Conservation and Drought Contingency plan, a copy of which is attached hereto and marked Exhibit "A", is hereby adopted as the official Water Conservation and Drought Contingency Plan for the City of West University Place, Texas.

Section 4. Further, that all of the requirements, conditions and procedures specified in the attached Water Conservation and Drought Contingency Plan for the City

of West University Place shall be adhered to by all persons affected thereby, including but not limited to all residents, citizens and inhabitants of the City of West University Place.

Section 5. Any person, firm, partnership, association, corporation, company, or organization of any kind who or which intentionally, knowingly, recklessly, or with criminal negligence violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in an amount not to exceed \$500 per day. Each day during which such violation shall exist or occur shall constitute a separate offense. The owner or owners of any property or premises and any agent, contractor, builder, architect, person, or corporation who shall assist in the commission of such offense shall be guilty of a separate offense, and upon conviction thereof, shall be punished as above provided.

Section 6. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of West University Place, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 7. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

PASSED, APPROVED AND ADOPTED ON FIRST READING on the ____ day of _____, 2024.

PASSED, APPROVED AND ADOPTED ON SECOND READING, AND SIGNED, on the ____ day of _____, 2024.

Attest: _____
City Secretary (Seal)

Signed: _____
Mayor

Recommended: _____
City Manager

Approved as to legal form: _____

**WATER CONSERVATION
AND
DROUGHT CONTINGENCY PLAN**



City of
**West University
Place**

August 2024

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INTRODUCTION

For many years, the citizens and elected officials in the State of Texas have battled drought. During the 75th legislature, a bill was passed that required regional water planning groups to develop water plans that would ultimately be incorporated into a State Water Plan. The goals were to provide for the orderly development, management, and conservation of water resources; to prepare for, and respond to, drought conditions, so that sufficient water would be available at a reasonable cost to ensure public health, safety, and welfare; to further economic development; and to protect the agricultural and natural resources of the entire state. As part of the Regional and State Water Plans, all communities were required to develop Water Conservation and Drought Contingency Plans. These plans must be reviewed and amended every five years. These plans, upon approval, are submitted to the Region H Planning Group, along with the Texas Commission on Environmental Quality, and the Texas Water Development Board.

The City of West University Place has prepared its updated Water Conservation and Drought Contingency Plan. This updated plan includes elements required by the regulations promulgated by the Texas Commission on Environmental Quality and the Texas Water Development Board.

The City of West University Place owns and operates a water system that includes production, storage, and distribution facilities and equipment. Additionally, the City owns and operates a wastewater collection and treatment system. This system is permitted and regulated by the Texas Commission on Environmental Quality. The City employs operators licensed by the Texas Commission on Environmental Quality to operate and maintain these systems.

The city's water and sewer systems serve an area of approximately two square miles. All properties within the City limits use these water and wastewater systems. The customer base in the City consists of single family residential, commercial, and institutional users. The institutional users consist of one public elementary school, several churches, and municipal properties. For accounting purposes, institutional users have always been listed in our billing system as commercial and are so reflected in our Utility Profile Summary.

The City will notify the Texas Commission on Environmental Quality within five days of activation of any mandatory water restrictions under the Drought Contingency Plan.

UTILITY PROFILE SUMMARY

The City of West University Place owns and operates the system that serves the residents and businesses located within its boundaries. This includes two water wells and the purchase of treated surface water from the City of Houston. West University Place also owns and operates a wastewater collection and treatment system. All residents and commercial properties within the boundaries of the City utilize the City's wastewater system for sewerage disposal.

DRINKING WATER SYSTEM FACILITIES

- Two Pump Stations with Ground Storage
 - Wakeforest Pump Station
 - Water well – 1,000 gallons per minute (1,300 feet deep)
 - Ground storage – Two 500,000-gallon tanks
 - Elevated storage – One 500,000-gallon tank
 - Two booster pumps – 1,500 gallons per minute
 - Treated water intake point
 - Milton Street Pump Station
 - Wakeforest Pump Station
 - Water well – 1,500 gallons per minute (1,300 feet deep)
 - Ground storage
 - One 400,000-gallon tank
 - One 1,500,000-gallon tank
 - Booster pumps
 - Two pumps – 2,000 gallons per minute
 - One pump – 1,500 gallons per minute
 - One pump – 1,000 gallons per minute
 - Treated water intake point
- Elevated storage – Bellaire Blvd. water tower – 250,000-gallon tank
- 57.00 miles of distribution piping
- 350 fire hydrants

Production/Procurement

- Well water – 2,500 gallons per minute
- Surface water – 3,000 gallons per minute

Distribution

- Booster capacity – 9,500 gallons per minutes

Storage

- Ground storage – 2,900,000 gallons
- Elevated storage – 750,000 gallons

CUSTOMER DATA

Population

- Based on 2020 census information the population of West University Place is 14,955. The City limits have been bounded since the 1940s by other municipal government corporate limits. Strict zoning regulations within the City establish most areas as Single-Family Occupancy, with some areas zoned for Commercial Occupancy.

ACTIVE CONNECTIONS

The City's water system had approximately 5,336 water meters in 2018:

- Residential
 - Domestic - 4,546
 - Irrigation only - 694
- Commercial - 89
- Institutional - 7

WATER USE DATA FOR SERVICE AREA

Water Production/Consumption

Year	Water Produced Gallons	Water Metered Gallons	Non-Metered Water Gallons
2023	877,372,012	833,782,791	43,589,221
2022	796,726,116	777,804,988	18,926,128
2021	696,669,086	633,317,105	47,542,481
2020	820,704,167	787,876,000	22,569,365
2019	825,616,667	792,592,000	22,704,459

PROJECTED WATER DEMANDS

Projected Water Supply Requirements for the Next 10 Years

- It is anticipated that water supply requirements for the city of West University Place Will continue to increase gradually. The City of West University Place is a landlocked city that is fully built out and the population is not expected to increase significantly, but year over year the city has witnessed a consistent trend of older properties being torn down and replaced with large single family residential homes. These newer and larger homes have been shown to considerably expand the city’s overall water demand. In view of this ongoing trend the city has identified and is currently in the design phase with a number of water pipe and pump capacity projects that will be able address the ongoing needs of our community.

WASTEWATER UTILITY SYSTEM

- Twelve Sanitary Sewer Pump Stations collect water from around the City, and pump or relay the wastewater to the Wastewater Treatment Plant.

- There are approximately 56 miles of sanitary sewer pipe with 1,101 manholes.
- There are approximately 5,336 connections to residential and commercial customers.
- There is one Wastewater Treatment Plant, rated at 2 million gallons per day, with a peak flow of 6 million gallons per day.

Wastewater flows average 30.8% of the total drinking-water production/procurement. Based on this average, there is significant evidence that there is substantial potential for savings in outdoor watering to support the reductions necessary to meet the established goals in this plan.

WATER CONSERVATION PLAN

INTRODUCTION

The City of West University Place has demonstrated a high level of concern for the protection of the environment through previous Water Conservation Plans, Storm Water Management Plans, and our Urban Forest Protection ordinance. The City continues to exercise diligence in the protection of the environment with the issuance of this revised Water Conservation and Drought Contingency Plan.

GOALS

The City has established goals for the measurement of the effectiveness of this Water Conservation and Drought Contingency Plan. The goals are in two areas: water loss reduction and municipal use of water.

- In 2023, the City metered 833,782,791 gallons of water and produced 877,372,012 gallons of water. The resulting amount of lost water came to 7.98 gallons per capita per day (gpcd). This is equivalent to approximately 4.96% of the water produced not being metered. This amount includes water from maintenance activities that include fire hydrant testing, water main flushing, and water storage tank maintenance. It also includes issues such as water not measured by faulty water meters, and water leaks.
- The City is establishing a five-year goal (to be achieved by the end of 2029) of a water loss not to exceed 5 gallons per capita per day (gpcd), and a 10-year goal (to be achieved by

the end of 2034) of a water loss not to exceed 2.5 gpcd. Following the achievement of this goal it will be the stated goal thereafter to maintain a water loss at or below 2.5 gpcd.

- With the annual metered water of 877,372,012 gallons, the water consumption was 161 gpcd for 2023. Through the use of water conservation education, promotion of sustainable landscaping, promotion of native planting, a conservative water rate, and the provision of tools to assist the community with water conservation efforts, the City is setting a goal to be below 135 gpcd by the end of the calendar year 2029.

PUBLIC INVOLVEMENT

The City of West University Place holds regular Council Meetings on the second and fourth Monday of each month at 6:30 p.m. These meetings are open to the public, and citizens are free to speak on any subject during the portion of the meeting designated for this purpose.

WATER CONSERVATION METHODS AND SCHEDULES

Water conservation methods are typically divided into two categories:

- Demand Management methods deal with water use on the downstream side of a customer's meter. Demand Management provides for education, disincentives, and/or incentives to reduce water use by the consumer. This includes usage at City facilities, such as at parks, pools, and municipal buildings.
- Supply Management methods deal with the utility's water system upstream of the customer's meter. The goal of Supply Management is to improve efficiency and reduce waste within the production, treatment, and distribution systems. Supply Management usually results in decreased costs to the utility, as water losses in the system are reduced.

During the previous plan years from 2019 through 2024, the City continued a series of activities in an effort to meet the established plan goals as specified in the previous plan:

- The City continued to monitor water consumption volumes as compared to production volumes on a regular basis.
- The City continued to run reports weekly on failing meters, through its meter reading program, and initiates changeouts of these meters.

- The City continued a program to reduce water losses. This program includes regular visual inspections along the route of water mains, with extra attention paid to mains not located within residential areas (where issues with mains are most likely to be reported quickly).
- It is the policy of the City's Public Works Operations Division to repair any leak that appears to exceed 10 gallons per minute within 72 hours, and any other leak within two weeks.
- The City has continued the distribution of educational material on water conservation through mailers, the *City Currents* newsletter, and provides the Water Conservation Plan and water conservation tips on the City's website.
- The City also participated in the Harris-Galveston Subsidence District's Regional Water Conservation Education Program, which has sponsored 3,000 students each year since 2013.

The City of West University Place provides for a continuing process of maintaining and/or reducing water consumption levels through good stewardship and conservation, and has planned the following activities to assist customers and further reduce usage at City facilities:

- Provide a continuing meter testing program for Water System Production meters on a yearly testing cycle.
- Provide a continuing meter testing program of customers' meters to identify meter failures and inaccuracies. The City will also test a set of meters from each size group of meters and from differing manufacturer production batches in order to attempt to predict failures and inaccuracies.
- Continue all the practices previously detailed in the 2019-2024 plan and listed above.

In September 2024, the City will provide for an increased notification of customers with high or unusual usage trends in order to assist in the early detection of leaks and potential irrigation system issues.

The City will also be:

- Continuing a program to educate customers who have the highest monthly flows of consumption levels and to provide conservation tips.

- Annually creating and making available water production vs. water metered information in a report that will be issued to all residents via the City’s web page.
- Proceed with the replacement of antiquated water distribution lines as well as all pre 1920 cast iron water lines.
- Proceed with the rehabilitation of Wakeforest elevated storage tank and ground storage tank.
- Continuing to annually review the water rates and water rate structure to maintain sufficient income to support the ongoing maintenance and improvements to the Water System while ensuring that the rate is not promoting the inefficient use of water. The City currently has an increasing block structure that meets this standard:
 - Base Monthly Charge, which is based on the size of the water meter;
 - Water Usage, which is billed on an increasing tiered block structure, with the first tier at 3,000 gallons and increasing rates for water used in 6,000-gallon increments up to 15,000 gallons – up to the fifth tier for every thousand gallons above 25,000 gallons.

DROUGHT CONTINGENCY PLAN

SECTION 1 – DECLARATION OF POLICY, PURPOSE, AND INTENT

In cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in the ability to supply water due to equipment failure, temporary restrictions will be instituted to limit non-essential water usage. The purpose of the Drought Contingency Plan is to encourage – and, under emergency conditions, require – customer conservation in order to maintain supply, storage, or pressure.

SECTION 2 – PUBLIC INVOLVEMENT

An opportunity for the public to provide input into the preparation of the Plan was provided by posting a notice of the City Council Meeting scheduled to approve an ordinance adopting the Drought Contingency Plan:

Date: August 26, 2024

Time: 6:30 p.m.

Place: 3800 University Blvd.

West University Place, Texas, 77005

Municipal Building Council Chambers

SECTION 3 – PUBLIC EDUCATION

The City of West University Place will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated, along with the drought response measures to be implemented in each stage.

Information on the Drought Contingency Plan will be provided by a Social Media and a News Flash notice (an email and text message to subscribers of general City information) advising of the availability of the Plan on the City’s website or from the Utility Billing Office.

SECTION 4 – COORDINATION WITH REGIONAL WATER PLANNING GROUPS

The service area of the City of West University Place is located within Regional Water Planning Group H, and a copy of this Plan and all updates are mailed to this planning group.

SECTION 5 – SYSTEM SUPPLY STRATEGY

The water system for the City of West University Place is supplied with a combination of well water and surface water. The well water is supplied by water wells owned and operated by the system, and this water can safely supply our annual daily average. The surface water supply is through a purchase agreement with the City of Houston, Texas, and this water can safely supply our daily annual average. With limitations on either of these supplies during peak pumping seasons, it may be necessary to implement water usage restrictions. The City of West University Place has two pump stations, either of which can pump well water, surface water, or a combination of both. Either pump station can safely supply the daily average flow, but may require usage restrictions in the event of equipment outages during peak water pumping seasons.

SECTION 6 – RESPONSE STAGES

The City will communicate Stage 1 concepts each year. If supply or demand triggers are met, the City will initiate the appropriate elevated stage of restrictions. The City shall notify the Texas Commission on Environmental Quality any time that Stage 3 or Stage 4 is initiated with regard to the rule for notification when mandatory restrictions are activated.

STAGE 1 – ANNUAL DROUGHT AND CONSERVATION AWARENESS CAMPAIGN

Utility Measures

A public announcement will be issued every spring to increase customer awareness of water conservation and to encourage the most efficient use of water. This announcement will include information on obtaining an electronic or paper copy of this Plan. A copy of the current public announcement on water conservation awareness shall be kept on file and shall be made available for inspection by the Texas Commission on Environmental Quality and posted on the conservation page of the City's website.

Voluntary Water Conservation

Water customers are encouraged to practice water conservation.

STAGE 2 – VOLUNTARY WATER USE RESTRICTIONS

Stage 2 is designed to encourage customers to conserve water during periods when water supplies are unusually limited. Stage 2 will begin when there are:

Supply-Based Triggers

- The City of Houston initiates stage 1 voluntary water restrictions.

Demand- or Capacity-Based Triggers

- Total daily demand exceeds 65% of safe pumping capacity for three consecutive days

Upon initiation and termination of Stage 2, all customers will be notified by:

- Placing a notice on the City's website.
- Issuing a press release to social media and newspapers.
- Sending a notice to all telephone customers and registered users through the city's Newsflash system.

Conservation Goal for Stage 2

The goal for this stage is to reduce the overall daily consumption to below 60% of the safe pumping capacity.

Requirements for Termination

Stage 2 of the Plan may end when all of the conditions listed as triggering events have ceased to exist for a period of 10 consecutive days, AND when the Conservation Goal for Stage 2 has been achieved for a period of 10 consecutive days.

Utility Measures

- This includes visually inspecting lines and repairing leaks on a daily basis.

Voluntary Water Use Restrictions

- Voluntary restricted hours:
 - Outside watering will be allowed daily, and customers will be encouraged to water only during the hours between 10 p.m. and 5 a.m.

STAGE 3 – MODERATE WATER USE RESTRICTIONS

Stage 3 is designed to take affirmative steps to control the use of water in response to a period of significant water shortage. Stage 3 will begin when there are:

Supply-Based Triggers

- Equipment outage reduces well capacity by 50%.
- Purchased water intake is limited to less than 75% of the standard draw rate.
- Distribution system equipment outage reduces the pumping capacity to less than 75% of the standard capacity.
- Water contamination results in temporary losses of a safe water source.

Demand- or Capacity-Based Triggers

- Total daily demand exceeds 70% of pumping capacity for three consecutive days.

Upon initiation and termination of Stage 3, all customers will be notified by:

- Placing a notice on the City's website
- Issuing a press release to social media and newspapers
- Sending a notice to all telephone customers and registered users through the city's Newsflash system

Conservation Goal for Stage 3

The goal for this stage is to reduce the overall daily consumption to below 65% of the safe pumping capacity.

Requirements for Termination

Stage 3 of the Plan may end when all of the conditions listed as triggering events have ceased to exist for a period of 15 consecutive days AND when the Conservation Goal for Stage 3 has been achieved for 15 days. Upon termination of Stage 3, Stage 2 may be effective.

Utility Measures

- This includes visually inspecting lines and repairing leaks on a daily basis.
- Water line flushing is prohibited, except for dead-end mains or for identified water quality control issues.

Mandatory Water Use Restrictions (Stage 3)

The following water use restrictions shall apply to all customers:

- Outside watering is allowed in a staggered fashion with all even numbered houses watering on Monday, Wednesday and Friday and all odd numbered houses on Tuesday, Thursday, and Saturday during the hours between 10 p.m. and 5 a.m. No outside irrigations system fed watering will be allowed on Sunday during this stage.
- Watering of plants and landscaping shall be allowed with a handheld water hose (no hose sprinklers or laying hose on the ground) between the hours of 7 p.m. and 10 a.m.
- Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle is prohibited. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools are prohibited, except between the hours of midnight and 5 a.m.
- Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited, except when necessary to support aquatic life or when such fountains or ponds are equipped with a recirculation system. Refilling, if allowed, would be governed the same as with pools.
- Use of water from hydrants or flush valves shall be limited only to use of water that is necessary for maintaining public health, safety, and welfare.

- Use of water for the irrigation of parks and greenbelt areas is prohibited, except between the hours of 12 a.m. and 5 a.m. This irrigation shall only occur on Monday night/Tuesday morning, Wednesday night/Thursday morning, and Saturday night/Sunday morning. Parks Department personnel will establish a watering schedule to cause park irrigation to be staggered so that all customers do not run their water simultaneously.
- The following non-commercial uses of water are defined as non-essential and are prohibited:
 - Wash down of any sidewalks, walkways, driveways, parking areas, tennis courts, or other hard-surfaced areas.
 - Use of water to wash down buildings or structures for purposes other than immediate fire protection.
 - Use of water for dust control.
 - Flushing gutters or permitting water to run or accumulate in any gutter or street.

Customers shall cause any leaks to be repaired within 72 hours after having been given notice directing the repair of such leak.

STAGE 4 – CRITICAL WATER USE RESTRICTIONS

Stage 4 is designed to take significant steps toward controlling the use of water in response to periods of critical water shortage. Stage 4 will begin when there are:

Supply-Based Triggers

- Supply contamination.
- Equipment outage reduces well capacity by 50%, and purchased water intake is limited to less than 75% of standard average draw rates.
- Equipment outage reduces production/distribution capacity to below 60% of normal total production/distribution.

Demand- or Capacity-Based Triggers

- Total daily demand as 80% of safe pumping capacity for three consecutive days.
- Production or distribution limitations.
- System contamination or equipment outage.

Upon initiation and termination of Stage 4, all customers will be notified by:

- Placing a notice on the City's website.
- Issuing a press release to social media and newspapers.
- Sending a notice to all telephone customers and registered users through the city's Newsflash system.

Conservation Goal for Stage 4

The goal for this stage is to reduce the overall daily consumption to below 70% of the safe pumping capacity.

Requirements for Termination

Stage 4 of the Plan may end when all of the conditions listed as triggering events have ceased to exist for a period of 15 consecutive days AND when the Conservation Goal for Stage 4 has been achieved for 15 days. Upon termination of Stage 4, Stage 3 or Stage 2 may become effective.

Operational Measures

The utility shall visually inspect right of ways and repair leaks on a daily basis. Water line flushing is prohibited, except for specific identified water quality issues. Police and Code Enforcement personnel will be asked to maintain vigilance for violations of the water restrictions.

Mandatory Water Use Restrictions (Stage 4)

- This includes Stage 3 mandatory water-use reductions, along with the following more restrictive prohibitions.
- ALL OUTDOOR USE OF WATER IS PROHIBITED.
- Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle is absolutely prohibited.

IMPLEMENTATION/ENFORCEMENT

The City of West University Place is a municipal government based on a Home Rule Charter operating in a City Manager/Council format. The City has the legal authority to create ordinances and to enforce them with civil or criminal penalties.

The City maintains a full-time Police Department and a full-time Code Enforcement Officer.

These shall be responsible for enforcement of the plan where it calls for penalties for violations.

The City shall pass an ordinance to adopt the Water Conservation and Drought Contingency Plan and shall cause that ordinance to become part of the Code of Ordinances for the City of West University Place in order to assess fines in an amount not to exceed \$500 per day and to terminate water service in the event of a violation of the mandatory water use restrictions.

The Public Works Department will oversee the initiation of the Water Conservation and Drought Contingency Plan, along with the documentation and reporting required for the plan. This includes the creation and submission of annual reports to the Texas Commission on Environmental Quality and the Texas Water Development Board as required by rule.

Any violation of the mandatory provisions of the Water Conservation and Drought Contingency Plan may result in a penalty and/or interruption of water service. The City Manager is empowered

to enforce the mandatory provisions of the plan, and may interrupt water service based upon repeated violations. Penalties shall be paid before water service is restored. Violations will be reported by all City personnel to the City Manager or his delegate.

Variations to the mandatory restrictions may be granted by action of the City Council, and shall be requested in the writing of a letter to the City Manager, which will be delivered by certified mail, or hand-delivered with an added letter of receipt to be signed by an appropriately designated city employee. The letter must be received no later than the close of business on the Tuesday immediately preceding the Monday of the scheduled City Council Meeting, where the request will be heard and acted upon by the City Council and recorded in the meeting minutes. This time frame will allow for the action to be reviewed and posted on the City Council Meeting Agenda as required by law. The City Manager or his delegate shall allow for requests that have the potential for immediate human health effects to be granted on a temporary basis pending action by the City Council.

NEGLIGENT WASTE OF WATER

A retail public water customer in the City violates this section if the customer fails to repair a leak which causes water to flow through any portion of a public right-of-way 72 hours after written or in-person notice of the leak has been provided to the customer by the City's Public Works Department. Each day a violation exists constitutes a separate violation. A customer may be fined up to \$500 per violation of this section, and the customer's water service may be terminated without further notice.

A leak which causes water to flow through the public right-of-way necessarily constitutes a hazard to public health, safety, and welfare. Accordingly, the City, through the City Manager or his designee, may cause termination of service to the customer immediately following the City's discovery of such a hazardous leak. The City must provide notice of termination to the customer as soon as is reasonably possible, but such notice is not required to precede termination.

APPENDIX A – WATER CONSERVATION AND DROUGHT MANAGEMENT INFORMATION

SOURCES

Texas Water Development Board

P.O. Box 13231

1700 N. Congress Ave.

Austin, TX 78711-3231 (512)

463-7847 voicemail

www.twdb.texas.gov

Texas Commission on Environmental Quality

P.O. Box 13087

Austin, TX 78711-3087 (512)

239-1000

www.tceq.texas.gov

U.S. Environmental Protection Agency – Water Resource Center

U.S. Environmental Protection Agency (EPA)

Mail Code RC-4100

401 M Street, SW

Washington, D.C. 20460

(202) 260-7786

Email: waterpubs@epamail.epa.gov www.epa.gov/ow

American Water Works Association 6666

West Quincy Ave.

Denver, CO 80235 (303)

794-7711

www.awwa.org

APPENDIX B – WATER

CONSERVATION TIPS

Suggestions on how to save water, which may be included in public information, are listed below:

Bathroom

- a) Take a shower instead of filling the tub and taking a bath. Shower baths usually use less water than tub baths.
- b) Install a low-flow shower head, which restricts the quantity of flow at 60 psi to no more than 3 gallons per minute.
- c) Take short showers and install a cutoff valve, or turn the water off while soaping and then turn it back on again only to rinse.
- d) Do not use hot water when cold water will do. Water and energy can be saved by washing hands with soap and cold water; hot water should only be added when hands are especially dirty.
- e) Reduce the level of the water being used in a bathtub by one inch or two inches if a shower is not available.
- f) Turn water off when brushing teeth until it is time to rinse.
- g) Do not let water run when washing hands. Instead, hands should be wet, and water should be turned off while soaping and scrubbing, and then turned on again to rinse. A cutoff valve may also be installed on the faucet.
- h) Shampoo hair in the shower. Shampooing in the shower takes only a little more water than is used to shampoo hair during a bath, and takes much less water than shampooing and bathing separately.
- i) Hold hot water in the basin when shaving, instead of letting the faucet continue to run.
- j) Test toilets for leaks. To test for a leak, a few drops of food coloring can be added to the water in the tank. The toilet should not be flushed. The customer can then watch to see if the coloring appears in the bowl within a few minutes. If it does, the fixture needs adjustment or repair.
- k) Use a toilet tank displacement device. A 1.0-gallon plastic milk bottle can be filled with stones or with water, and then recapped and placed in the toilet tank. This will reduce the

amount of water in the tank, but still provide enough for flushing. (Bricks, which some people use for this purpose, are not recommended, since they can crumble and damage working mechanisms. Do not use displacement devices on low-volume flush toilets.)

- l) Install faucet aerators to reduce water consumption.
- m) Never use the toilet to dispose of cleaning tissues, cigarette butts, or other trash. This practice can waste a great deal of water, and it also places an unnecessary load on the wastewater treatment plant.
- n) When building a new home or remodeling a bathroom, install a new low-volume toilet that uses 1.6 gallons or less per flush.

Kitchen

- a) Use a pan of water (or place a stopper in the sink) for rinsing pots, pans, and cooking implements when cooking, rather than turning on the water faucet each time a rinse is needed.
- b) Never run the dishwasher without a full load. In addition to saving water, expensive detergent will last longer and a significant energy savings will appear on the utility bill.
- c) Use the sink disposal sparingly, and never use it for just a few scraps.
- d) Keep a container of drinking water in the refrigerator. Running water from the tap until it is cool is wasteful. Better still, both water and energy can be saved by keeping cold water in a picnic jug on a kitchen counter to avoid opening the refrigerator door frequently.
- e) Use a small pan of cold water when cleaning vegetables, rather than letting the faucet run.
- f) Use only a little water in the pot and put a lid on it for cooking most food. Not only does this method save water, but food is also more nutritious when cooking this way, since vitamins and minerals are not poured down the drain with the extra cooking water.
- g) Use a pan of water for rinsing dishes when washing them by hand, rather than running the faucet.
- h) Always keep water conservation in mind, and think of other ways to save in the kitchen. Small kitchen savings (such as from not making too much coffee or from not letting ice cubes melt in a sink) can add up over a year's time.

Laundry

- a) Wash only a full load when using a washing machine (32 to 59 gallons are required per load).
- b) Use the lowest water level setting on the washing machine for light loads whenever possible.
- c) Use cold water as often as possible to save energy and to conserve the hot water for uses that cold water cannot serve. Cold water is also better for clothing made of today's synthetic fabrics.

Appliances and Plumbing

- a) Check water requirements of various appliance models and brands when considering purchasing any new appliance that uses water, as some appliances use less water than others.
- b) Check all water connections and faucets for leaks. A slow drip can waste as much as 170 gallons of water EACH DAY, and can add as much as \$10 per month to the water bill.
- c) Learn to replace washers so that drips can be corrected promptly. This is easy to do; additionally, it costs very little, and can represent a substantial amount of savings in plumbing and water bills.
- d) Check for water leakage that you may be unaware of, such as a leak between the water meter and the house. To check, all indoor and outdoor faucets should be turned off, and the water meter should be checked if it continues to run or turn, as this means a leak probably exists and needs to be located.
- e) Insulate all hot water pipes to avoid the delays (and wasted water) experienced while waiting for the water to turn hot.
- f) Be sure that the water heater thermostat is not set too high. Extremely hot settings waste water and energy because the water often has to be cooled with cold water before it can be used.
- g) Use a moisture meter to determine when house plants need water. More plants die from overwatering than from being on the dry side.

Outdoor Use

- a) Water lawns between the hours of 8 p.m. to 6 a.m. during the hotter summer months. Much of the water used on the lawn can simply evaporate between the sprinkler and the grass.
- b) Use a sprinkler that produces large drops of water, rather than a fine mist, to avoid evaporation.
- c) Turn soaker hoses so that the holes are on the bottom in order to avoid evaporation.
- d) Water slowly for better absorption, and never water in high winds.
- e) Forget about watering the streets, walks, and driveways. They will never grow a thing.
- f) Condition the soil with compost before planting grass or flower beds, so that water will soak in rather than run off.
- g) Fertilize lawns at least twice a year for root stimulation. Grass with a good root system makes better use of less water.
- h) Learn to know when grass needs watering. If it has turned a dull gray green or if footprints remain visible, then it is time to water.
- i) Do not water too frequently. Too much water can overload the soil, so the air cannot get to the roots and can encourage plant diseases.
- j) Do not overwater. Soil can absorb only so much moisture, and the rest will simply run off. A timer will help, and either a kitchen timer or an alarm clock will do. Approximately 1.5 inches of water applied once a week will keep most Texas grasses alive and healthy.
- k) Operate automatic sprinkler systems only when the demand on the town's water supply is at its lowest, and set the system to operate between 8 p.m. and 5 a.m.
- l) Do not scalp lawns when mowing during hot weather. Taller grass holds moisture better. Rather, grass should be cut fairly often, so that only 1 inch to 2 inches of grass is trimmed off. A healthier and better-looking lawn will result.
- m) Use a watering can or hand water with the hose in small areas of the lawn that need frequent watering (areas near walks, driveways, or in especially hot, sunny spots).
- n) Learn what types of grass, shrubbery, and plants do best in the area and in which parts of the lawn, and then plant accordingly. In a heavily shaded yard, no amount of water will

make roses bloom. In especially dry sections of the state, attractive arrangements of plants that are adapted to arid or semi-arid climates should be chosen.

- o) Consider decorating areas of the lawn with rocks, gravel, wood chips, or other materials that require no water at all.
- p) Do not “sweep” walks and driveways with the hose. Use a broom or a rake instead.
- q) Use a bucket of soapy water, and use the hose only for rinsing when washing the car.



AGENDA MEMO

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

Meeting Date	08.26.2024	Agenda Item	7
Approved by City Manager	Yes	Presenter(s)	D. Cameron, Public Works Director
Reviewed by City Attorney	Yes	Department	Public Works
Subject	Wastewater Treatment Plant Improvement Project		
Attachments	Resolution		
Financial Information	Expenditure Required:		None
	Amount Budgeted:		\$17,340,000
	Account Number:		3417000 85002
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

The city's Wastewater Treatment Plant (WWTP) has been in operation since 1982 and needs upgrades and improvements for floodwater resiliency.

The City began this project in 2020 and over the last two years have navigated the permit process with the City of Houston. On July 17, 2024, the City received one bid from Industrial TX Corporation (ITX).

After review of the bid, the City determined that the bid exceeds the current amount budgeted for the Project and that proceeding with an award of a construction contract for the Project at this time is not in the City's best interest.

Recommended Action

Staff recommends that City Council adopt the resolution rejecting the bid for the Wastewater Treatment Plant improvement project from Industrial TX Corporation.

City of West University Place
Harris County, Texas

RESOLUTION NO. XXXX

A RESOLUTION OF THE CITY OF WEST UNIVERISTY PLACE, TEXAS,
REJECTING ALL BIDS FOR THE WASTEWATER TREATMENT PLANT; AND
CONTAINING RELATED FINDINGS AND PROVISIONS.

WHEREAS, the City of West University Place (the "City") initiated a request for proposal for the upgrade of the City's Waste Water Treatment Plant (the "Project"); and

WHEREAS, the City received one bid in response to Proposal PW24-08 for the Project; and

WHEREAS, after review of the bid, the City determined that the bid exceeds the current amount budgeted for the Project and that proceeding with an award of a construction contract for the Project at this time is not in the City's best interest;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, THAT:

SECTION 1. That all bids received for Request For Proposal PW24-08 (WasteWater Treatment Plant) are formally rejected.

SECTION 2. This resolution shall take effect immediately upon its adoption and signature.

PASSED AND APPROVED this _____ day of _____, 2024.

ATTEST: (SEAL)

SIGNED BY:

Thelma A. Gilliam, City Secretary

Susan Sample, Mayor

APPROVED AS TO FORM:

RECOMMENDED BY:

Olson & Olson, LLP, City Attorney
By Loren Smith

Dave Beach, City Manager



AGENDA MEMO

Business of the Employee Benefits Trust
City of West University Place, Texas

Meeting Date	08.26.2024	Agenda Item	8A
Approved by City Manager	N/A	Presenter(s)	T. Gilliam, City Secretary
Reviewed by City Attorney	N/A	Department	Administration
Subject	City Council 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

Attached are the Minutes of the City Council Regular Meeting and Urban Planning Workshop of August 12, 2024.

Recommended Action

Approve the Regular and Workshop City Council Minutes of August 12, 2024.



The City of West University Place

A Neighborhood City

CITY COUNCIL

Susan Sample, Mayor
John Montgomery, Mayor Pro Tem
Shannon Carroll, Councilmember
Clay Brett, Councilmember
Matt Hart, Councilmember

STAFF

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

CITY COUNCIL MEETING MINUTES

The City Council of the City of West University Place, Texas, met on **Monday, August 12, 2024, at 6:30 p.m.**, in the Municipal Building at 3800 University Boulevard, for the purpose of considering the agenda of items listed. The meeting was held in person and the public was able to listen in via Zoom.

Agenda Items were as follows:

1. Call Meeting to Order

Mayor Sample called the regular meeting to order at 6:30 p.m. Councilmembers in attendance were Mayor Pro Tem Montgomery and Councilmembers Brett, Carroll, and Hart.

Staff in attendance were City Manager Beach, City Secretary Gilliam, Assistant to the City Manager Bishop, Assistant Police Chief Ratliff, Finance Director Kalka, Assistant Public Works Director Cast, IT Operations Manager Garner, and City Attorney Smith.

2. Pledge of Allegiance – Councilmember Brett led the Pledge.

3. Public Comments

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

Ann Zhu, 5422 Buffalo Speedway, spoke to say a study shows that CenterPoint has the worse service in the country and asked Council to request better service from CenterPoint and to petition the Public Utility Commission and the Texas Government to have a mandate like Florida.

Bruce Beneke, 2704 Tanglely, spoke regarding a leak he and other homes on his block had for about two weeks. He commended city staff, particularly Public Works, for the superb job in getting the leak repaired with minimal damages.

4. Receipt of Certified Estimate, Tax Assessor-Collector Certification of Collection Rate, and Tax Rate Calculations

Matters related to a resolution (1) accepting the 2024 Certified Estimated Taxable Value; (2) accepting the 2024 Certification of Estimated Collection Rate from Harris County Tax Assessor-Collector; and (3) accepting the 2024 Tax Rate Calculation Worksheet as calculated by the Harris County Tax Assessor-Collector based on the Certified Estimated Taxable Value: No-New-Revenue tax rate is \$0.248695 per \$100 valuation, Voter-Approval tax rate is \$0.241930 per \$100 valuation, and De

Minimis tax rate is \$0.241723 per \$100 valuation. *Recommendation Action: Adopt related resolution.*
Ms. Marie Kalka, Finance Director

After hearing from Finance Director Kalka, the following motions were made:

- (a) Mayor Pro Tem Montgomery moved to accept the 2024 Certified Estimated Taxable Value. Councilmember Brett seconded the motion. **MOTION PASSED.**

Ayes: Sample, Montgomery, Brett, Carroll, Hart
Noes: None
Absent: None

- (b) Councilmember Carroll moved to accept the 2024 Certification of Estimated Collection Rate from Harris County Tax Assessor-Collector. Councilmember Brett seconded the motion. **MOTION PASSED.**

Ayes: Sample, Montgomery, Brett, Carroll, Hart
Noes: None
Absent: None

- (c) Mayor Pro Tem Montgomery moved to accept the 2024 Tax Rate Calculation Worksheet as calculated by the Harris County Tax Assessor-Collector based on the Certified Estimated Taxable Value: No-New-Revenue tax rate is \$0.248695 per \$100 valuation, Voter-Approval tax rate is \$0.241930 per \$100 valuation, and De Minimis tax rate is \$0.241723 per \$100 valuation. Councilmember Brett seconded the motion. **MOTION PASSED.**

Ayes: Sample, Montgomery, Brett, Carroll, Hart
Noes: None
Absent: None

5. Record Vote on 2024 Property Tax Rate

Matters related to a resolution recording vote on tax rate on the proposed "not to exceed" tax rate of \$0.241930. *Recommended Action: Adopt the resolution by record vote proposing the "not to exceed" tax rate of \$0.241930.* **Ms. Marie Kalka, Finance Director**

Finance Director Kalka presented and then a record vote was taken to adopt the resolution proposing the "not to exceed" tax rate of \$0.241930.

Councilmember Hart	Aye
Mayor Pro Tem Montgomery	Aye
Mayor Susan Sample	Aye
Councilmember Carroll	Aye
Councilmember Brett	Aye

Resolution adopted by the record vote of 5-0.

6. Schedule Public Hearings for the 2025 Budget and 2024 Tax Rate

Matters related to scheduling public hearings to hear comments relating to the West University Place 2025 Budget and 2024 Tax Rate. *Recommended Action: Set the date for the public hearings on the 2025 Budget and 2024 Tax Rate for September 16, 2024, at 6:30 p.m., in the Municipal Building located at 3800 University Boulevard, West University Place, Texas. Ms. Marie Kalka, Finance Director*

Finance Director Kalka presented and then Councilmember Hart moved to approve setting the date for the public hearings on the 2025 Budget and 2024 Tax Rate for September 26, 2024, at 6:30 p.m., in the Municipal Building. Councilmember Carroll seconded the motion. **MOTION PASSED.**

Ayes: Sample, Montgomery, Brett, Carroll, Hart
Noes: None
Absent: None

7. 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 Councilmember requests an item be removed from the Consent Agenda and be considered in its normal sequence on the agenda.

A. City Council Meeting Minutes

Matters related to approving the City Council Minutes of July 22, 2024, and the Special Meeting of August 6, 2024. *Recommended Action: Approve Minutes of July 22, 2024, and August 6, 2024. Ms. Thelma Gilliam, City Secretary*

B. Monthly Financial Report

Matters related to the April 2024 Monthly Financial Report. *Recommended Action: Receive the City's April 2024 Monthly Financial Report. Ms. Marie Kalka, Finance Director*

C. Biosolids Management Contract

Matters related to awarding a contract for Biosolids Management. *Recommended Action: Award the contract to K3BMI in the annual amount of \$90,000 for biosolids management and authorize the City Manager to execute the contract. Mr. Brett Cast, Assistant Public Works Director*

D. Grant Award for Wakeforest Water Plant Generator

Matters related to accepting a grant award from the Texas Division of Emergency Management (TDEM) for Wakeforest Water Plant generator. *Recommended Action: Accept the grant award from TDEM and authorize the City Manager to execute the contract with the agreement with the Hazard Mitigation Grant Program (HMGP). Mr. Austin Bishop*

E. Assignment of Conveyance of Easements (Poor Farm Ditch)

Matters related to assignment and conveyance of easements between West University Place and Harris County Flood Control District. *Recommended Action: Accept the assignment and conveyance of the easements to facilitate the planned improvements to Poor Farm Ditch. Mr. Dave Beach, City Manager and Mr. Loren Smith, City Attorney*

F. Budget Amendment for ELPH Enterprises, LTD Pipeline Property Acquisition

Matters related to an ordinance amending the 2024 Budget in the amount of \$200,000 for the expenses related to the city's purchase of the ELPH property. *Recommended Action: Adopt the ordinance amending the 2024 Budget in the amount of \$200,000. Mr. Dave Beach, City Manager*

Mayor Pro Tem Montgomery moved to remove Items C and F for discussion.

Councilmember Hart moved to approve Items A, B, D, and E, as presented. Councilmember Carroll seconded the motion. **MOTION PASSED.**

Ayes: Sample, Montgomery, Brett, Carroll, Hart
Noes: None
Absent: None

After discussion of Item C, Councilmember Hart moved to approve the item as presented. Councilmember Hart seconded the motion. **MOTION PASSED.**

Ayes: Sample, Montgomery, Brett, Carroll, Hart
Noes: None
Absent: None

After discussion of Item F, Mayor Pro Tem Montgomery moved to approve the item as presented. Councilmember Carroll seconded the motion. **MOTION PASSED.**

Ayes: Sample, Montgomery, Brett, Carroll, Hart
Noes: None
Absent: None

8. Adjourn Meeting

At 6:50 p.m., Councilmember Hart moved to adjourn the meeting. Councilmember Carroll seconded the motion. **MOTION PASSED.**

Ayes: Sample, Montgomery, Carroll, Hart
Noes: None
Absent: Brett

Prepared by: Thelma A. Gilliam, TRMC, City Secretary

Council Approved:



The City of West University Place

A Neighborhood City

CITY COUNCIL

Susan Sample, Mayor
John Montgomery, Mayor Pro Tem
Shannon Carroll, Councilmember
Clay Brett, Councilmember
Matt Hart, Councilmember

STAFF

David J. Beach, City Manager
Loren Smith, Olson and Olson, City Attorney
Thelma Gilliam, City Secretary

CITY COUNCIL WORKSHOP MINUTES

The City Council of the City of West University Place, Texas, met on **Monday, August 12, 2024**, at **7:00 p.m.**, in the Community Building located at 6104 Auden, for the purpose of considering the agenda of items listed.

Agenda Items were as follows:

1. Call Meeting to Order

Mayor Sample called the workshop to order at 7:05 p.m. Councilmembers in attendance were Mayor Pro Tem Montgomery and Councilmembers Carroll, and Hart. Councilmember Brett was absent.

Staff in attendance were City Manager Beach, City Secretary Gilliam, Communications Manager Cuccerre, Assistant Police Chief Ratliff, and Assistant to the City Manager Bishop.

Jeff Gerber with PGAL were also in attendance.

2. Facilities Master Plan – Urban Planning

Matters related to Phase II of the Facilities Master Plan.

Jeff Gerber with PGAL gave a recap of the Town Hall meetings held over the last couple of weeks and then gave a high-level overview of the three concepts and steps going forward. The objective of the meeting was to see if Council has the desire to move forward with the urban planning approach and whether to move forward with any or all of the elements, which includes improving street parking, expanding sidewalks, increasing the quantity of trees and landscaping, improvements to sidewalks, and creation of an open, green gathering space.

Following discussion, the consensus of Council was to move ahead with the “2’s” concept and City Manager Beach confirmed with Mr. Gerber that he has what he needs to begin designing buildings.

3. Adjourn Workshop

At 8:40 p.m., Councilmember Caroll moved to adjourn the meeting. Councilmember Hart seconded the motion. **MOTION PASSED.**

Ayes: Sample, Montgomery, Carroll, Hart
Noes: None
Absent: Brett

Prepared by: Thelma A. Gilliam, TRMC, City Secretary

Council Approved:

Audio of this meeting in its entirety is temporarily on the City's website. If the audio is no longer on the website, you can obtain a copy, and any presentation, from the City Secretary's office.



AGENDA MEMO

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

Meeting Date	8.26.2024	Agenda Item	8B
Approved by City Manager	Yes	Presenter(s)	M. Kalka, Director
Reviewed by City Attorney	N/A	Department	Finance
Subject	Monthly Financial Report		
Attachments	May 2024 Monthly Financial Report		
Financial Information	Expenditure Required:	None	
	Amount Budgeted:	None	
	Account Number:	None	
	Additional Appropriation Required:	None	
	Additional Account Number:	None	

Executive Summary

Attached is the May 2024 monthly report from the Finance Director to the City Council, which is also available on the City's website. May is the first month of reports generated from the new Tyler financial system. After careful review there are a few modifications to reporting methods from the new system, including the addition of a column for the current month, the removal of encumbrances, and the reporting of only the actual expenditures paid as required by the City Charter.

There is approximately a 6 – 8-week lag between the end of the reporting month and when the report is provided to Council. This provides time to close out the month, reconcile the accounts, address any issues, and meet the submittal deadline for the City Council meeting.

Recommended Action

Staff recommends that City Council receive the City's May 2024 Monthly Financial Report.

FINANCIAL SUMMARY FOR THE PERIOD ENDING MAY 31, 2024



Attached are the revenue and expenditure reports for the period ending **May 31, 2024**, which reflects 42% of the year. The expenditure report shows actual expenditures as of the end of the month as well as purchase orders outstanding and compares to the annual budgeted appropriations. The explanations provided are based on the year to date amounts excluding outstanding purchase orders as purchase order amounts may contain a full year of encumbrance. The revenue report shows actual receipts recorded as of the end of the month compared to the annual budgeted estimations. In this packet, all of the City's funds are presented.

GENERAL FUND

General Fund revenues have exceeded the pro-rata share of the budget at this point in the fiscal year. Property tax bills for 2024 were mailed in November and are delinquent February 1. Property Tax collection of \$14.33 million are for 2023 taxes, 98% of budget. Licenses & Permits are above budget for the year. Municipal Court fines and Charges for services are at budget for the year. Interest earnings for five months are at 123% of the budget. The majority of the Intergovernmental revenue budget is the amount due from Southside Place in accordance with the Master Interlocal Cooperation Contract and payable in December.

All departments, with the exception of Finance, are below their pro-rata share of the budget. The Finance department includes the \$7M transfer to the Capital Reserve Fund. Half of the first payroll paid in January 2024 was expensed back to December 2023 since it is for 2023 time worked. Departments that have vacancies at this time are Fire, Police and Public Works.

WATER & SEWER UTILITY FUND

With a one month lag due to billing in arrears, May's billing for April is slightly below pro-rata for the year. January's billing for December consumption was accrued to 2023. The payment made to City of Houston for purchasing surface water was expensed to 2023 as well.

SOLID WASTE FUND

Again, with the one month lag in billing, May solid waste collection revenues are on target for this point in the fiscal year. January's billing for December services was accrued back to 2023. Overall, expenditures for the fund are under the pro-rata for the period.

TECHNOLOGY MANAGEMENT FUND

Technology is integral to the City's ability to provide efficient and necessary services to the citizens. The Technology Management Fund was created to centralize those expenditures, consolidate the management of the resources needed to maintain existing systems and to deploy new solutions. Revenues and expenditures are as expected for the current period.

VEHICLE REPLACEMENT FUND

The Vehicle Replacement Fund finances the purchase of vehicles routinely used in providing City services. Each department makes contributions to the fund based on the estimated life and replacement cost of the vehicles it uses. The fund purchases vehicles when a combination of age and repair cost indicates the machine or vehicle has reached the end of its service life; therefore, the expenditures patterns do not follow the pro-rata model. To date, the only expenses incurred are for the wrap & decaling of three police interceptors, a police car computer and docking station, and a bucket truck and three F-250 trucks for the Public Works fleet.

FINANCIAL SUMMARY FOR THE PERIOD ENDING MAY 31, 2024



ASSET REPLACEMENT FUND

The Asset Replacement Fund (formerly known as the Equipment Replacement Fund) finances the purchase of assets routinely used in providing City services. The fund operates in the same manner as the Vehicle Replacement Fund in that each department makes contributions to the fund based on the estimated life and replacement cost of the equipment it uses. The fund purchases equipment when a combination of age and repair cost indicates the equipment has reached the end of its service life; therefore, the expenditures patterns do not follow the pro-rata model. To date, the only expenses incurred are for an initial test set of bunker gear and for repairs and repainting at Colonial Park.

EMPLOYEE BENEFIT FUND

The Employee Benefit Fund facilitates accounting and oversight for the cost of medical and dental insurance, worker's compensation, life insurance, and disability benefits. Revenues and expenditures are on target year to date.

HUMAN RESOURCES SERVICES FUND

The Human Resources Fund was created in 2020 to break out the non-medical related expenses from the Employee Benefit Fund. The General Fund contributes all funds needed for this fund. Examples of some of the expenses are hiring and recruiting, tuition reimbursement, and incentive/awards. Expenditures patterns in this fund will not follow the pro-rata model.

DEBT SERVICE FUND

The Debt Service Fund is established by ordinances authorizing the issuance of General Obligation Bonds and Certificates of Obligation (CO). The City uses debt financing to fund large capital investments. Streets, drainage, water and wastewater systems are all constructed with borrowed funds. Property tax dollars do not finance all of the City's bonded debt service. The Water and Sewer Fund also provides funds to repay debt. Funding the 2024 debt service payments requires an ad valorem tax rate of \$0.078394 per \$100 of assessed value in tax year 2023, a decrease of 7.48%. Debt Service payments are due semi-annually on February 1 and August 1. Principal and interest is due February 1 and interest only is due August 1. The payment of the bond principal and interest for February paid at the end of January causes expenditures to be above the pro-rata for this period.

CAPITAL PROJECT FUNDS

Capital Project Funds are used to account for the purchase or construction of equipment, property, and buildings. West University Place has seven active capital project funds. They are the Capital Project, Capital Reserve, 2019 Certificates of Obligation, General 2022 Certificates of Obligation, Transportation Improvement, Water & Sewer Capital, and Water & Sewer 2022 Certificates of Obligation Funds.

FINANCIAL SUMMARY FOR THE PERIOD ENDING MAY 31, 2024



PROJECT	2024 Amended Budget	YTD Actuals	Remaining Balance
<u>CAPITAL PROJECT FUND</u>			
REC CENTER PUMP ROOM	100,000	84,802	15,198
WEST SIDE PAVING & DRAINAGE	4,500,000	150,000	4,350,000
ERP SOFTWARE REPLACEMENT	1,579,469	70,608	1,508,861
LIBRARY/COMMUNITY BLDG/SENIOR CENTER	1,150,383		1,150,383
RADIO REPLACEMENTS-2024	100,000		100,000
FIRE BAY ROOF REPLACEMENT	150,000		150,000
EMERGENCY STORAGE ROOM	75,000		75,000
CITY WIDE ENGINEERING TRAFFIC STUDY	41,172		41,172
EOC IMPROVEMENTS	79,578		79,578
RADIO REPLACEMENTS-2023	626		626
22 NETWORK SWITCH INFRASTRUCTURE REPLACEMENT	23,861		23,861
23 NETWORK SWITCH INFRASTRUCTURE REPLACEMENT	120,304		120,304
TOTALS	7,920,394	305,410	7,614,983
<u>2019 CO</u>			
VIRTUAL GATE	300,242		300,242
TOTALS	300,242	-	300,242
<u>GENERAL 2022 CO</u>			
PUBLIC WORKS MAINTENANCE FACILITY	11,889,165	14,907	11,874,258
CITY WIDE STREET & DRAINAGE IMPROVEMENTS EAST	11,321,402	1,231,251	10,090,151
2021 BUFFALO SPEEDWAY CONSTRUCTION	2,098,463	34,490	2,063,973
TOTALS	25,309,030	1,280,648	24,028,382
<u>TRANSPORTATION IMPROVEMENT FUND</u>			
2020 CITY WIDE STREET & DRAINAGE IMPROVEMENTS	3,840,044	138,937	3,701,107
WESLAYAN TRAFFIC SIGNAL REPLACEMENTS	407,789		407,789
23 ROADWAY PAVEMENT IMPROVEMENTS **	99,702	37,479	62,223
24 ROADWAY PAVEMENT IMPROVEMENTS	400,000	392,143	7,857
24 SIDEWALK REPLACEMENT	1,200,000	201,403	998,597
TOTALS	5,947,535	769,962	5,177,572
**1,200 reclassified from 302 to 325 in July			

FINANCIAL SUMMARY FOR THE PERIOD ENDING MAY 31, 2024



PROJECT	2024 Amended Budget	YTD Actuals	Remaining Balance
WATER & SEWER CAPITAL PROJECTS FUND			
BELLAIRE EST EVALUATION/WATER SYSTEM MODELING	419,338	46,229	373,109
WASTEWATER TREATMENT PLANT IMPROVEMENTS	552,607	2,351	550,256
2024 SANITARY SEWER IMPROVEMENTS	100,000		100,000
MOBILE GENERATOR	100,000		100,000
WAKEFOREST WATER PLANT GENERATOR	200,000		200,000
22 SANITARY SEWER IMPROVEMENTS	100,000		100,000
2023 SANITARY SEWER IMPROVEMENTS	100,000		100,000
2023 SANITARY SEWER MANHOLE LINING PROJECT	28,178		28,178
SANITARY SEWER MANHOLE LINING PROJECT	250,000	211,595	38,406
WATER WELL NO. 8 INSPECTION & IMPROVEMENTS	473,086		473,086
TOTALS	2,323,208	260,175	2,063,034
WATER & SEWER 2022 CO			
MILTON CAST IRON WATER LINE REPLACEMENT	3,176,691	21,573	3,155,118
WATER LINE REPLACEMENT PROGRAM	261,772	62,489	199,283
WWTP IMPROVEMENTS	17,340,000		17,340,000
LAW ST WATER LINE INSTALLATION	48,247		48,247
WAKEFOREST EST & GST PAINTING	1,110,000	-	1,110,000
WAKEFORES WATER PLAN DISTR LINE REPLACEMENT	529,380	61,638.69	467,741
WAKEFOREST WATER PLANT IMPROVEMENTS	487,695	14,465.35	473,230
NEW WATER WELL NO. 10	713,639	26,634.93	687,004
MILTON WATER PLANT IMPROVEMENTS	163,925	29,383.78	134,541
TOTALS	23,831,349	216,184	23,615,165

SPECIAL REVENUE FUNDS

Special Revenue Funds are created to account for the proceeds from specific revenue sources that are restricted to expenditures for specific purposes. The City has 15 active Special Revenue Funds in 2024. Not all expenditures can be anticipated enough to include in the original budgeting process. Budget amendments for 2024, if necessary, will be made at year-end to reconcile any affected accounts. To date, only expenditures for Weir Park improvements, 2024 Tree Trust planting, and the Centennial Celebration have been made.

City of West University Place

101 - General Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Taxes	17,115,463	17,115,463	446,170	15,151,005	1,964,458	89%
Licenses & Permits	994,000	994,000	112,704	481,453	512,547	48%
Intergovernmental	463,700	463,700	-	311	463,389	0%
Charges for Services	3,510,200	3,510,200	480,705	1,676,772	1,833,428	48%
Fines & Forfeitures	211,000	211,000	27,832	97,035	113,965	46%
Miscellaneous	490,800	490,800	125,574	605,913	(115,113)	123%
Transfers In	1,758,800	1,758,800	146,567	732,833	1,025,967	42%
Total Revenue	\$24,543,963	\$24,543,963	\$1,339,550	\$18,745,323	\$5,798,640	76%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Administration	1,881,990	1,889,490	157,282	633,145	1,399,994	34%
Finance	2,507,850	9,507,850	199,901	7,821,003	1,980,416	82%
Fire	4,411,500	4,443,242	408,072	1,631,641	2,838,201	37%
Parks & Recreation	5,175,550	5,248,462	433,885	1,602,400	4,122,735	31%
Police	6,448,600	6,448,600	615,493	2,382,860	4,078,510	37%
Public Works	4,028,050	4,143,662	321,207	1,419,899	3,343,319	34%
Total Expenditures	\$24,453,540	\$24,453,540	\$2,135,840	\$15,490,947	\$17,763,174	63%

Net Revenue (Expenditure)	\$90,423	(\$7,137,342)	(\$796,290)	\$3,254,376
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City of West University Place

401 - Water & Sewer Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Charges for Services	8,779,000	8,779,000	748,309	2,542,742	6,236,258	29%
Miscellaneous	31,800	31,800	10,008	51,931	(20,131)	163%
Total Revenue	\$8,810,800	\$8,810,800	\$758,317	\$2,594,672	\$6,216,128	29%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Finance	3,845,557	3,845,557	311,656	1,564,448	2,308,190	41%
Public Works	4,958,800	5,044,945	420,890	1,690,230	5,180,751	34%
Total Expenditures	\$8,804,357	\$8,890,502	\$732,545	\$3,254,678	\$7,488,940	37%

Net Revenue (Expenditure)	\$6,443	(\$79,702)	\$25,772	(\$660,005)
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City of West University Place

402 - Solid Waste Management Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Charges for Services	1,978,100	1,978,100	163,111	652,134	1,325,966	33%
Miscellaneous	14,600	14,600	3,023	15,204	(604)	104%
Total Revenues	\$1,992,700	\$1,992,700	\$166,134	\$667,338	\$ 1,325,362	33%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
City-Wide	500	500	-	1,355	(855)	271%
Curbside Green Waste Recycling	221,700	221,700	3,333	57,184	235,976	26%
Curbside Recycling	451,950	451,950	22,968	139,986	464,695	31%
Curbside Solid Waste	1,396,600	1,396,600	93,986	509,342	1,149,151	36%
Total Expenditures	\$2,070,750	\$2,070,750	\$120,288	\$707,867	\$1,848,967	34%

Net Revenue (Expenditure)	(\$78,050)	(\$78,050)	\$45,846	(\$40,530)
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City of West University Place

502 - Technology Management Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Miscellaneous	14,600	14,600	40,404	55,189	(40,589)	378%
Transfers In	2,232,700	2,232,700	186,058	930,292	1,302,408	42%
Total Revenues	\$2,247,300	\$2,247,300	\$226,462	\$985,480	\$1,261,820	44%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Personnel	580,600	580,600	62,456	225,823	354,777	39%
Operating Expenses	1,358,300	1,358,300	124,143	559,389	965,315	41%
Capital Outlay	134,000	274,000	140,000	144,710	147,599	53%
Transfers	176,900	176,900	14,742	73,708	103,192	42%
Total Expenditures	\$2,249,800	\$2,389,800	\$341,340	\$1,003,630	\$1,570,883	42%

Net Revenue (Expenditure)	(\$2,500)	(\$142,500)	(\$114,878)	(\$18,150)
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City of West University Place

501 - Vehicle Replacement Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Miscellaneous	162,700	162,700	16,539	154,002	8,698	95%
Transfers In	757,000	757,000	63,083	315,417	441,583	42%
Total Revenues	\$919,700	\$919,700	\$79,622	\$469,419	\$450,281	51%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Automobiles	110,000	246,924	-	12,140	262,151	5%
Light Trucks	-	387,912	-	164,832	223,081	42%
Trucks	443,000	743,000	-	98,900	925,827	13%
Other Equipment	60,000	60,000	-	3,993	56,007	7%
Total Expenditures	\$613,000	\$1,437,836	-	\$279,864	\$1,467,066	19%

Net Revenue (Expenditure)

\$306,700	(\$518,136)	\$79,622	\$189,555
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City of West University Place

505 - Asset Replacement Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Miscellaneous	77,800	77,800	20,624	97,878	(20,078)	126%
Transfers In	904,300	904,300	75,358	376,792	527,508	42%
Total Revenues	\$982,100	\$982,100	\$95,983	\$474,669	\$507,431	48%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Other Equipment	370,900	515,900	3,575	12,817	633,880	2%
Total Expenditures	\$370,900	\$515,900	\$3,575	\$12,817	\$633,880	2%

Net Revenue (Expenditure)	\$611,200	\$466,200	\$92,408	\$461,852
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City of West University Place

510 - Employee Benefits Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Charges for Services	2,395,400	2,395,400	193,491	814,501	1,580,900	34%
Miscellaneous	24,500	24,500	4,769	24,842	(342)	101%
Transfers In	42,400	42,400	3,533	17,667	24,733	42%
Total Revenues	\$2,462,300	\$2,462,300	\$201,793	\$857,009	\$1,605,291	35%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Oper-Services	48,000	48,000		13,978	61,978	29%
Pers Svcs-Empl Misc	2,430,400	2,430,400	135,169	711,020	1,719,380	29%
Total Expenditures	\$2,478,400	\$2,478,400	\$135,169	\$724,999	\$1,781,358	29%

Net Revenue (Expenditure)	(\$16,100)	(\$16,100)	\$66,624	\$132,011
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City of West University Place

511 - Human Resource Services Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Miscellaneous	12,000	12,000	2,323	11,558	442	96%
Transfers In	230,000	230,000	19,167	95,833	134,167	42%
Total Revenues	\$242,000	\$242,000	\$21,490	\$107,391	\$134,609	44%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Oper-Services	36,000	63,057	103	24,125	45,697	38%
Pers Svcs-Empl Misc	97,900	97,900	6,330	18,708	83,681	19%
Transfer Out	198,800	198,800	16,567	82,833	115,967	42%
Total Expenditures	\$332,700	\$359,757	\$23,000	\$125,666	\$245,344	35%

Net Revenue (Expenditure)	(\$90,700)	(\$117,757)	(\$1,510)	(\$18,274)
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City of West University Place

100 - Debt Service Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Taxes	6,333,474	6,333,474	38,208	6,180,039	153,435	98%
Miscellaneous	32,500	32,500	6,211	22,895	9,605	70%
Transfers In	1,560,957	1,560,957	130,080	650,399	910,558	42%
Total Revenues	\$7,926,931	\$7,926,931	\$174,499	\$6,853,332	\$1,073,599	86%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Bond Principal	4,485,000	4,485,000	-	4,485,000	-	100%
Interest on Bonds	3,369,257	3,369,257	-	1,727,526	1,641,731	51%
Fiscal Agent Fees	3,300	3,300	-	-	3,300	0%
Total Expenditures	\$7,857,557	\$7,857,557	-	\$6,212,526	\$1,645,031	79%

Net Revenue (Expenditure)	\$69,374	\$69,374	\$174,499	\$640,806
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City of West University Place

301 - Capital Projects Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Miscellaneous	36,000	36,000	20,086	91,546	(55,546)	254%
Transfers In	200,000	4,700,000	391,667	1,958,333	2,741,667	42%
Total Revenues	\$236,000	\$4,736,000	\$411,752	\$2,049,880	\$2,686,121	43%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Technology Projects	100,000	1,903,839	34,802	105,410	2,014,081	6%
Land Acquisition	-	4,500,000	50,000	200,000	4,300,000	4%
Professional Services	15,000	1,165,383	-	-	1,175,343	0%
Construction Costs	85,000	351,172	-	-	351,172	0%
Total Expenditures	\$200,000	\$7,920,394	\$84,802	\$305,410	\$7,840,596	4%

Net Revenue (Expenditure)	\$36,000	(\$3,184,394)	\$326,950	\$1,744,469
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City of West University Place

333 - 2019 Cert of Oblig

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Miscellaneous	3,300	3,300	1,319	6,629	(3,329)	201%
Total Revenues	\$3,300	\$3,300	\$1,319	\$6,629	(\$3,329)	201%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Technology Projects	-	300,242	-	-	300,242	-
Total Expenditures	-	\$300,242	-	-	\$300,242	-

Net Revenue (Expenditure)	\$3,300	(\$296,942)	\$1,319	\$6,629
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City of West University Place

304 - Capital Reserve Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Miscellaneous	287,400	287,400	73,183	397,907	(110,507)	138%
Transfers In	-	7,000,000	-	7,000,000	-	100%
Total Revenues	\$287,400	\$7,287,400	\$73,183	\$7,397,907	(\$110,507)	102%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Transfer to Cap Proj Fund	200,000	4,700,000	391,667	1,958,333	2,741,667	42%
Total Expenditures	\$200,000	\$4,700,000	\$391,667	\$1,958,333	\$2,741,667	42%

Net Revenue (Expenditure)	\$87,400	\$2,587,400	(\$318,484)	\$5,439,574		
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City of West University Place

302 - 2022 General CO Fund May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Intergovernmental	-	-	-	711,917	(711,917)	-
Miscellaneous	279,000	279,000	112,670	540,235	(261,235)	194%
Total Revenues	\$279,000	\$279,000	\$112,670	\$1,252,152	(\$973,152)	449%
	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Personnel Costs	-	-	-	17,190	(17,190)	-
Professional Services	-	336,297	7,058	20,781	413,223	6%
Construction Costs	-	24,972,733	227,532	1,243,877	24,403,675	5%
Total Expenditures	-	\$25,309,030	\$234,589	\$1,281,848	\$24,799,708	5%
Net Revenue (Expenditure)	\$279,000	(\$25,030,030)	(\$121,920)	(\$29,696)		

City of West University Place

325 - Transportation Improve Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Intergovernmental	400,000	400,000	-	-	400,000	0%
Miscellaneous	91,500	91,500	36,918	185,813	(94,313)	203%
Transfers In	800,000	800,000	66,667	333,333	466,667	42%
Total Revenues	\$1,291,500	\$1,291,500	\$103,584	\$519,146	\$772,354	40%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Professional Services	-	3,848,325	33,297	145,664	4,043,000	4%
Construction Costs	1,200,000	2,099,210	201,928	623,098	2,016,333	30%
Total Expenditures	\$1,200,000	\$5,947,535	\$235,225	\$768,762	\$6,059,333	13%

Net Revenue (Expenditure)	\$91,500	(\$4,656,035)	(\$131,641)	(\$249,616)
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City of West University Place

340 - Water & Sewer Cap Proj Fund

May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Miscellaneous	53,500	53,500	11,255	53,594	(94)	100%
Transfers In	675,000	675,000	56,250	281,250	393,750	42%
Total Revenues	\$728,500	\$728,500	\$67,505	\$334,844	\$393,656	46%

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Professional Services	-	567,424	-	48,580	537,774	9%
Construction Costs	675,000	1,755,785	-	211,595	1,610,773	12%
Total Expenditures	\$675,000	\$2,323,208	-	\$260,175	\$2,148,547	11%

Net Revenue (Expenditure)	\$53,500	(\$1,594,708)	\$67,505	\$74,669
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City of West University Place

341 - 2022 Water/Sewer CO Fund May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Revenues						
Miscellaneous	238,700	238,700	99,995	492,094	(253,394)	206%
Total Revenues	\$238,700	\$238,700	\$99,995	\$492,094	(\$253,394)	206%
	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Expenditures						
Professional Services	-	2,240,454	59,312	153,695	4,072,273	7%
Construction Costs	-	21,480,159	-	-	21,560,159	0%
Other Construction Costs	-	110,736	-	62,489	48,247	56%
Total Expenditures		\$23,831,349	\$59,312	\$216,184	\$25,680,679	1%
Net Revenue (Expenditure)	\$238,700	(\$23,592,649)	\$40,683	\$275,909		

City of West University Place

Special Revenue Funds May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Parks Donation Fund						
Total Revenues	57,800	57,800	6,845	19,142	38,658	33%
Total Expenditures	20,000	20,000	3,325	3,404	22,441	17%
Net Revenue (Expenditure)	\$37,800	\$37,800	\$3,520	\$15,738	\$16,217	42%
Friends of West U Parks Fund						
Total Revenues	1,160,000	1,160,000	-	-	1,160,000	0%
Total Expenditures	1,160,000	1,170,800	206,607	358,628	1,313,540	31%
Net Revenue (Expenditure)	-	(\$10,800)	(\$206,607)	(\$358,628)	(\$153,540)	3321%
Truancy Prevention Fund						
Total Revenues	7,400	7,400	1467	5,535	1,865	75%
Net Revenue (Expenditure)	\$7,400	\$7,400	\$1,467	\$5,535	\$1,865	75%
Municipal Jury Fund						
Total Revenues	100	100	30	112	(12)	112%
Net Revenue (Expenditure)	\$100	\$100	\$30	\$112	(\$12)	112%

Special Revenue Funds
May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Court Technology Fund						
Total Revenues	6,900	6,900	1,261	4,822	2,078	70%
Total Expenditures	4,000	4,000	-	-	4,000	0%
Net Revenue (Expenditure)	\$2,900	\$2,900	\$1,261	\$4,822	(\$1,922)	166%
Tree Replacement Fund						
Total Revenues	42,500	42,500	22,154	47,638	(5,138)	112%
Total Expenditures	50,000	50,000	49,980	49,980	21	100%
Net Revenue (Expenditure)	(\$7,500)	(\$7,500)	(\$27,826)	(\$2,342)	(\$5,158)	31%
Court Building Security Fund						
Total Revenues	8,300	8,300	1,657	6,474	1,826	78%
Total Expenditures	9,500	9,500	-	-	9,500	0%
Net Revenue (Expenditure)	(\$1,200)	(\$1,200)	\$1,657	\$6,474	(\$7,674)	-540%
METRO General Mobility Fund						
Total Revenues	755,000	755,000	1,323	141,487	613,513	19%
Total Expenditures	800,000	800,000	66,667	333,333	466,667	42%
Net Revenue (Expenditure)	(\$45,000)	(\$45,000)	(\$65,343)	(\$191,846)	\$146,846	426%
State Forfeited Property Fund						
Total Revenues	600	600	142	700	(100)	117%
Net Revenue (Expenditure)	\$600	\$600	\$142	\$700	(\$100)	117%

Special Revenue Funds
May 31, 2024

	Original Budget	Amended Budget	Current Month	YTD Actual	Amount Remaining	YTD Actual as a % of Budget
Fed Forfeited Property Fund						
Total Revenues	20,900	20,900	3,579	12,666	8,234	61%
Net Revenue (Expenditure)	\$20,900	\$20,900	\$3,579	\$12,666	\$8,234	61%
Public Safety Training Fund						
Total Revenues	3,200	3,200	191	6,418	(3,218)	201%
Net Revenue (Expenditure)	\$3,200	\$3,200	\$191	\$6,418	(3,218)	201%
Fire Special Revenue Fund						
Total Revenues	300	300	74	326	(26)	109%
Net Revenue (Expenditure)	\$300	\$300	\$74	\$326	(\$26)	109%
Good Neighbor Fund						
Total Revenues	2,600.00	2,600	15	72	2,528	3%
Total Expenditures	2,500.00	2,500	-	-	2,500	0%
Net Revenue (Expenditure)	\$100	\$100	\$15	\$72	\$28	72%
Opioid Settlement Fund						
Total Revenues	200	200	50	2,372	(2,172)	1186%
Net Revenue (Expenditure)	\$200	\$200	\$50	\$2,372	(\$2,172)	1186%



AGENDA MEMO

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

Meeting Date	08.26.2024	Agenda Item	8C
Approved by City Manager	Yes	Presenter(s)	R. Brown, Director
Reviewed by City Attorney	Yes	Department	Information Technology
Subject	Microsoft Licensing Renewal		
Attachments	1. Governmental Rider – SHI Government Solutions 2. Microsoft Licensing Renewal Quote		
Financial Information	Expenditure Required:	\$66,977.74	
	Amount Budgeted:	\$70,000.00	
	Account Number:	502-8010-73101	
	Additional Appropriation Required:	None	
	Additional Account Number:	None	

Executive Summary

One of the goals for the Information Technology (IT) department is to ensure that the city’s software and licensing is up to date and maintained per industry best practices and standards, and this renewal agreement is required for the City to continue use our Microsoft products and support.

This renewal covers all the licensing for the servers running all versions of Windows, the SQL servers and the licensing for M365. The following licensing items are included in the renewal quote.

- Microsoft 365 Licensing – Includes Office 365, Microsoft Teams, Planner, OneDrive, Windows 10/11 Enterprise, and additional security licensing
- Microsoft Server Licensing – Used by the majority of City servers (both datacenter and standard licenses)
- Microsoft SQL Licensing – Used for licensing of the City database servers
- Microsoft Visio – Planning/Diagramming software used by City staff

Software licensing is procured utilizing the Texas Department of Information Resources (DIR) purchasing contract, which complies with State bid requirements. The existing licensing will expire on September 29, 2024, and the renewal is for one year and will expire on September 30, 2025.

The expenditure of \$66,977.74 for the renewal is included in the 2024 Budget.

Recommended Action

Staff recommends that Council approve renewal of the Microsoft licensing agreement with SHI Government Solutions in the amount of \$66,977.74 for a period of one year and authorize the City Manager to execute the agreement.



The City of West University Place

Governmental Rider

1. Application. This Governmental Rider applies to, is part of, and takes precedence over any conflicting provision in or attachment to the Contract (Contract) of SHI Government Solutions, Inc. (Vendor), which is attached and described as follows:

Microsoft Licensing renewal quote

2. Payment Provisions. The City's payments under the Contract, including the time of payment and the payment of interest on overdue amounts, are subject to Chapter 2251, Texas Government Code.

3. Multiyear Contracts. If the City's city council does not appropriate funds to make any payment for a fiscal year after the City's fiscal year in which the contract becomes effective and there are no proceeds available for payment from the sale of bonds or other debt instruments, then the Contract automatically terminates at the beginning of the first day of the successive fiscal year. (Section 5, Article XI, Texas Constitution)

4. Liability and Indemnity. Any provision of the Contract is void and unenforceable if it: (1) limits or releases either party from liability that would exist by law in the absence of the provision; (2) creates liability for either party that would not exist by law in the absence of the provision; or (3) waives or limits either party's rights, defenses, remedies, or immunities that would exist by law in the absence of the provision.. (Section 5, Article XI, Texas Constitution)

5. Confidentiality. Any provision in the Contract that attempts to prevent the City's disclosure of information that is subject to public disclosure under federal or Texas law or regulation, or court or administrative decision or ruling, is invalid. (Chapter 552, Texas Government Code)

6. Tax Exemption. The City is not liable to Vendor for any federal, state, or local taxes for which the City is not liable by law, including state and local sales and use taxes (Section 151.309 and Title 3, Texas Tax Code) and federal excise tax (Subtitle D of the Internal Revenue Code). Accordingly, those taxes may not be added to any item.

7. Contractual Limitations Period. Any provision of the Contract that establishes a limitations period that does not run against the City by law or that is shorter than two years is void. (Sections 16.061 and 16.070, Texas Civil Practice and Remedies Code)

8. Governing Law and Venue. Texas law governs this Contract and any lawsuit on this Contract must be filed in a court that has jurisdiction in Harris County, Texas.

9. Special Conditions.

A. State Disclosure Requirements. As required by Section 2252.908, Texas Government Code, if this Contract requires an action or vote by the City before the contract may be signed, or has a value of at least \$1 million, then the City may not enter into such Contract unless the Contractor submits a disclosure of interested parties to the City at the time the Contractor submits the signed Contract to the City. The Contractor agrees to submit such disclosure as required by Section 2252.908 of the Texas Government Code on the form 1295, prescribed by the Texas Ethics Commission, unless the Contractor is a publicly traded entity or a wholly owned subsidiary of same, in which case no disclosure is required. The Contractor agrees to access the Texas Ethics Commission website and complete the form 1295, receive a confirmation number and a PDF version of the completed form 1295, execute and notarize a hard copy version of the completed form 1295, and submit it, along with the confirmation number, to the City.

B. Other State Requirements. The Contractor hereby certifies that it and its parent company, wholly-owned or majority-owned subsidiaries, and other affiliates comply with and agree to abide by the requirements of Texas Government Code Chapter 2252 (foreign terrorist organizations prohibited), Chapter 2264 (undocumented workers), Chapter 2270 (boycott-Israel), and Chapter 2274, Texas Government Code (boycotts-energy company; discrimination – firearms entity or trade association).

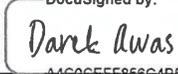
[signature page follows]

CITY OF WEST UNIVERSITY PLACE:

VENDOR:


Signed _____

Printed Name: DAVE BEACH.
Title: CITY MANAGER.
Date: 9/22/2022

DocuSigned by:

Signed _____
A4006EFF866C4BE...

Printed Name: Darek Awas
Title: Manager - Contracts
Date: 9/21/2022



Pricing Proposal
Quotation #: 25077354
Reference #: EA - 68141496
Created On: 7/15/2024
Valid Until: 8/30/2024

TX-City of West University Place

Inside Account Manager - Public Sector

Bart Harms

United States
Phone: 713.662.5398
Fax:
Email: BHarms@westutx.gov

Victor Arias

290 Davidson Ave.
Somerset, NJ 08873
Phone: (732)-317-6938
Fax:
Email: Victor_arias@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 Visio Standard ALng SA Microsoft - Part#: D86-01253 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 10/1/2024 – 9/30/2025 Note: Year 3 of 3	3	\$55.66	\$166.98
2 SQL Server Enterprise Core ALng SA 2L Microsoft - Part#: 7JQ-00343 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 10/1/2024 – 9/30/2025 Note: Year 3 of 3	6	\$2,208.58	\$13,251.48
3 Exchange Online P2 GCC Sub Per User Microsoft - Part#: 3NS-00003 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 10/1/2024 – 9/30/2025 Note: Year 3 of 3	17	\$73.68	\$1,252.56
4 M365 F3 Unified GCC Sub Per User Microsoft - Part#: AAD-63092 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 10/1/2024 – 9/30/2025 Note: Year 3 of 3	17	\$84.48	\$1,436.16
5 Win Server DC Core ALng SA 2L Microsoft - Part#: 9EA-00278 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 10/1/2024 – 9/30/2025 Note: Year 3 of 3	32	\$124.43	\$3,981.76
6 M365 G3 Unified FUSL GCC Sub Per User Microsoft - Part#: AAD-34704	60	\$381.12	\$22,867.20

Contract Name: Adobe/Microsoft Software & Related Services
Contract #: DIR-CPO-5237
Coverage Term: 10/1/2024 – 9/30/2025
Note: Year 3 of 3

7	Win Server Standard Core ALng SA 2L Microsoft - Part#: 9EM-00270 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 10/1/2024 – 9/30/2025 Note: Year 3 of 3	64	\$19.65	\$1,257.60
8	M365 G3 Unified FSA Renewal GCC Sub Per User Microsoft - Part#: AAD-34700 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 10/1/2024 – 9/30/2025 Note: Year 3 of 3	70	\$325.20	\$22,764.00
9	Teams AC with Dial Out US/CA GCC Sub Add-on Microsoft - Part#: NYH-00001 Contract Name: Adobe/Microsoft Software & Related Services Contract #: DIR-CPO-5237 Coverage Term: 10/1/2024 – 9/30/2025 Note: Year 3 of 3	147	\$0.00	\$0.00

Subtotal	\$66,977.74
Shipping	\$0.00
Total	\$66,977.74

Additional Comments

This quote has been marked as budgetary, as certain pricing may require approval from Microsoft. Please note, SHI is unable to process Purchase Orders against budgetary quotes. Kindly reach out to your SHI sales team for a Final Quote once you have determined your required counts and licenses.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Please note, if Emergency Connectivity Funds (ECF) will be used to pay for all or part of this quote, please let us know as we will need to ensure compliance with the funding program.

Thank you for choosing SHI-GS! The pricing offered on this quote proposal is valid through the expiration date set above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. SHI Government Solutions, Inc. is 100% Minority Owned, Woman Owned Business. TAX ID# 22-3695478; DUNS# 14-724-3096

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.