



City of West University Place

A Neighborhood City

CITY COUNCIL

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

STAFF

David J. Beach, City Manager
Alan Petrov, City Attorney
Thelma Gilliam, City Secretary

City Council Meeting Agenda

Notice is hereby given of a **workshop** and **regular meeting** of the West University Place City Council to be held remotely on **Monday, September 14, 2020** beginning at **5:00 p.m.** for the purpose of considering the agenda of items listed.

Due to the Novel Coronavirus (COVID 19) pandemic and CDC's recommendation regarding social distancing measures, the meeting will be held via audio/video teleconference. City Council will be audible to members of the public and allow for two-way communications for those desiring to participate. To attend the meeting via telephonic means, please **call 346-248-7799** or you can **join via <https://us02web.zoom.us/j/82360296840>**. The **Meeting ID Number is 823 6029 6840**.

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

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. After the meeting, a recording of this meeting will be made available to the public. **To obtain a hard copy of the agenda packet, please contact the City Secretary via the email address above.**

WORKSHOP (5:00 PM)

1. **Call Workshop to Order / Roll Call**
2. **Water Reclamation Study and Wastewater Treatment Plant Flood Protection Study**
Matters related to Water Reclamation and WWTP Flood Protection Studies. **Mr. Gerardo Barrera, Public Works Director**
3. **Adjourn Workshop**

REGULAR MEETING (6:30 PM)

4. **Call Regular Meeting to Order**
5. **Roll Call**

6. Pledge of Allegiance

7. Public Comments

This is an opportunity for citizens to speak to the Council relating to agenda and non-agenda items. Speakers are required to register in advance and must limit their presentations to three minutes each. If the topic the speaker wishes to address is on the agenda, the speaker can either speak at this time or defer his/her comments until such time the item is discussed.

Speakers are advised that comments cannot be received on matters which are the subject of a public hearing once the hearing has been closed. Public comments on matters on the agenda must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments.

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

8. COVID-19 Update

Matters related to COVID-19. *Recommended Action: Discuss and take any desired action.* **Mr. Aaron Taylor, Fire Chief and Emergency Management Coordinator** [see Agenda Memo 8]

9. Record Vote on Tax Rate

Matters related to a resolution recording vote on tax rate on the proposed “not to exceed” tax rate of \$0.294066. *Recommended Action: Adopt resolution recording vote on the “not to exceed” tax rate of \$0.294066.* **Ms. Katherine DuBose, Finance Director** [see Agenda Memo 9]

10. Consent Agenda

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

A. City Council Minutes

Approve the City Council Workshop Minutes of August 24, 2020. *Recommended Action: Approve Minutes of August 24, 2020.* **Ms. Thelma Gilliam, City Secretary** [see Agenda Memo 10A]

B. Certified Appraisal Roll

Matters related to accepting the Certified Appraisal Roll. *Recommended Action: Approve* **Ms. Katherine DuBose, Finance Director** [see Agenda Memo 10B]

C. Reappointing Board Members to the Friends of West U Parks Fund

Matters related to the adoption of a resolution reappointing members to the Friends of West U Parks Fund Board. *Recommended Action: Reappoint Michelle Huth, Matthew Foytlin, Stephen Olson, Judy Cheng and Mark Prescott to their respective positions on the Friends of West U Parks Fund Board.* **Ms. Donna LaMond, Director of FWUPF** [see Agenda Memo 10C]

D. Harris Galveston Subsidence District Interlocal Agreement (Waterwise)

Matters related to Interlocal Agreement with HGSD *Recommended Action: Discuss and take any desired action.* **Mr. Gerardo Barrera, Public Works Director** [see Agenda Memo 10D]

E. Automated Weir Cleaning System

Matters related to approving a change order to purchase and install the Automated Weir Cleaning System at the Wastewater Treatment Plant. *Recommended Action: Approve Change Order to purchase and install the automated Weir Cleaning System at the Wastewater Treatment Plant.* **Mr. Gerardo Barrera, Public Works** [see Agenda Memo 10E]

11. Recess Regular Meeting to Convene Workshop on Memorandums of Understanding

Matters related to the City's Memorandums of Understanding with West U Baptist Church, Tri-Sports, and the Piranhas. *Recommended Action: Discuss and direct staff as desired. Ms. Susan White, PARD Director*

12. Adjourn Workshop and Convene Executive Session

Executive Session will be held in accordance with Section 551.072 of Chapter 551 of the Texas Government Code.

13. Adjourn Executive Session and Reconvene Regular Meeting

14. Adjourn Regular Meeting

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

I certify that the attached notice and agenda of items to be considered by the West University Place City Council on September 14, 2020 was posted on the Municipal Building bulletin board on September 10, 2020, at approximately 3:30 o'clock 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	09.14.2020	Agenda Item	8
Approved by City Manager	Yes	Presenter(s)	A. Taylor, EMC, Fire Chief
Reviewed by City Attorney	N/A	Department	Fire
Subject	Information and Update Related to COVID-19 and City Response		
Attachments	None		
Financial Information	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

Update and discussion between City Council and staff on the COVID-19 emergency and City's response to this declared emergency.

Recommended Action

Discussion purposes only, no action recommended.



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

Meeting Date	9.14.2020	Agenda Item	9
Approved by City Manager	Yes	Presenter(s)	K. DuBose, Finance Director
Reviewed by City Attorney	Yes	Department	Finance
Subject	Record Vote on 2020 Property Tax Rate		
Attachments	Resolution		
Financial Information	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

Chapter 26 of the Texas Property Tax Code requires Council to take a record vote on the proposed tax rate.

The No-New-Revenue and Voter-Approval tax rates for 2020 are \$0.302944 and \$0.294066 per \$100 valuation, respectively. The debt service rate is \$0.101584 per \$100 valuation. The difference between the tax rate that is adopted and the debt service rate will be available to the General Fund for Maintenance & Operations.

At this stage of the budget and tax rate adoption process, the Council has typically voted for a “not-to-exceed” rate, the highest rate that it might approve later, after further review of the City Manager’s proposed budget, and the tax rate that is necessary to support that budget. The tax rate that is eventually adopted may be lower than the rate voted on at this meeting.

The recommended action for this item is not to adopt the 2020 tax rate, but merely to record a vote proposing a rate that will be used to prepare the required notice and hearing publications. At the September 28, 2020 meeting, staff will recommend that Council adopt the 2021 Budget and then adopt the tax rate that will support that budget.

Recommended Action

Staff recommends that the City Council:

1. Adopt a resolution proposing the “not-to-exceed” tax rate and
2. Take a record vote on the proposed “not-to-exceed” tax rate of \$0.294066

City of West University Place
Harris County, Texas

RESOLUTION NO. XXXX

RESOLUTION PROPOSING A NOT-TO-EXCEED TAX RATE; AND CONTAINING RELATED FINDINGS AND PROVISIONS.

SECTION 1. The City Council formally proposes a combined ad valorem tax rate for 2020 of \$0.294066 per \$100 valuation.

SECTION 2. All prior resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict only.

SECTION 3. If any word, phrase, clause, sentence, paragraph, section or other part of this resolution or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution and the application of such word, phrase, clause, sentence, paragraph, section or other part of this resolution to any other persons or circumstances shall not be affected thereby.

SECTION 4. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this resolution was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

SECTION 5. This resolution shall take effect immediately upon its adoption and signature.

PASSED AND APPROVED this 14th day of September, 2020.

ATTEST: (SEAL)

SIGNED BY:

Thelma A. Gilliam, City Secretary

Robert Higley, Mayor

APPROVED AS TO FORM:

RECOMMENDED BY:

Alan Petrov, City Attorney

David Beach, City Manager



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

Meeting Date	09.14.20	Agenda Item	10A
Approved by City Manager	N/A	Presenter(s)	T. Gilliam, City Secretary
Reviewed by City Attorney	N/A	Department	Administration
Subject	City Council Meeting Minutes		
Attachments	August 24, 2020 Minutes		
Financial Information	Expenditure Required:	N/A	
	Amount Budgeted:	N/A	
	Account Number:	N/A	
	Additional Appropriation Required:	N/A	
	Additional Account Number:	N/A	

Executive Summary

The Minutes of the August 24, 2020 Regular Meeting of the City Council are attached.

Recommended Action

Staff recommends approval of the attached Minutes.



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CITY COUNCIL MINUTES

The City Council of the City of West University Place, Texas, **met via audio/video conferencing** in a workshop and regular session on **Monday, August 24, 2020**, at **5:30 p.m.** due to social distancing guidelines suggested by the CDC in light of the Novel Coronavirus (COVID 19).

Agenda items were as follows:

WORKSHOP (5:30 PM)

1. Call Workshop to Order / Roll Call (Remotely)

Mayor Pro Tem Trautner called the workshop to order at 5:30 p.m. Mayor Higley, Councilmembers Barnes, Lankford and Sobash, and City Attorney Petrov were in attendance. *Note: Mayor Higley attended, but requested that Mayor Pro Tem Trautner preside.*

Staff attending via video/teleconference from the Council Chambers: City Manager Beach, City Secretary Gilliam, Police Chief Walker, and Assistant to the City Manager Thompson.

Staff attending remotely: Public Works Director Barrera and IT Director McFarland.

2. Communications

Matters related to city-wide communications. ***Mr. Dave Beach, City Manager***

City Manager Beach presented and provided a brief history of previous discussions and identified some of the City's positive messaging and some of council's concerns where staff is lacking in its city-wide communications. He also discussed some of the changes that have been made, options that were evaluated, and changes being proposed:

- Positives
 - Overall day-to-day messaging is good (street closures, service interruptions, activities)
 - Tactical messaging (hurricanes, water main breaks, COVID-19)
- Negatives/Concerns
 - Inability to quickly craft and disseminate messages (after hour communications/Public Safety issues)
 - Messaging content (recent notices regarding water chloramine and tax rates)
 - Strategic Messaging (Memorandum of Understanding, Noise Ordinance, ATT Rezoning)

- Changes/Action Since March 2020 Workshop
 - Reduced email notification categories (from 46 to 13)
 - Increased social media posts
 - Created a separate page for Swift911 (emergency alerts)
 - Ongoing cleanup and improvements to website

- Proposed/Planned Changes Since March 2020 Workshop
 - Swift911 will be used only during Emergency Operation Center (EOC) activation
 - Rename Swift911
 - Educate/Re-educate the public about the service and its purpose
 - Future expansion of service as City develops communication playbook and resources to deliver
 - New communications position
 - Quarterback for the City's communication playbook
 - Actively monitors social media
 - Ensures consistent messaging for citywide communication (non-public safety)
 - Actively manages strategic communications

- Future Options for Consideration
 - Joint 911 Dispatch Center with other area cities
 - Evaluating use of automated messages for dispatch non-emergency line to reduce call demand on dispatchers during police action

After the presentation, Mayor Pro Tem Trautner said he likes the idea of a full-time communications person, because he thinks it would be helpful to have a person in the loop, it would save people a lot of time, and it will make the process of communicating go more smoothly in some instances.

Councilmember Barnes said he agrees and thinks that a full-time communications person increases efficiency in the departments because staff will not be taken away from their primary jobs to handle communications.

Councilmember Lankford said she thinks communications is very important and she is happy that the City is looking at adding a position for communications.

Councilmember Sobash said he thinks there is a need for improvement in getting information out to the residents and said though a full-time position would address the strategic part it would leave a gap in the emergency responses because emergencies don't always happen between 8am and 5pm. He said he hopes there is a plan to have after hour communications without having to add 3 full-time positions. City Manager Beach said that's a whole separate issue in a way. He said with the added position, each of the departments will identify a contact person to work in concert with the communications position. He agreed that a single communications person is not going to fully alleviate the emergency issues and that it will take a culmination of things.

Councilmember Lankford said residents are sophisticated and active and said the City needs to get notices out timely. She said staff is too lean to handle those things and thinks residents would get a much better and consistent message about what's going on and "hot" issues with a communications person.

Councilmember Lankford said she is happy that there will be a restriction regarding Swift911 and changing its name to something else. She said if the City focuses Swift911 on what it's intended for and clearly communicate the purpose to residents then the City should not have the same problem with not being able to handle after hours. She said people will understand that police officers need to work on police things and that the City has a lean staff.

Councilmember Sobash asked if the position will have other responsibilities. City Manager Beach said first and foremost the position's responsibility will be communications and if there happens to be "down time" he will be able to keep that person busy.

Mayor Pro Tem Trautner said in terms of using automated messaging he wouldn't want a voicemail tree. He said residents like being able to call and get a person. City Manager Beach said if automated messaging was used, it would be for limited messaging and most likely have pre-recorded messages for select circumstances.

Mayor Pro Trautner said in regards to a Joint 911 Dispatch Center he is thrilled with police services and thinks residents highly value the police and dispatchers and think they do a good job. He said he wouldn't want that level of service to get diluted with a joint dispatch center that might become a large bureaucratic organization. He said he can't fully appreciate how joining together a 911 dispatch center with Bellaire and Southside, for example, would improve service to West U.

Chief Walker spoke on the idea of a dispatch center and said that most of the time PD is staffed really well in dispatch, but it is during those rare times when something happens and they are not staffed well that the additional resources can help handle what's going on in West U. Fire Chief Taylor added that joining dispatch centers would also provide more situational awareness during an event that involves other agencies and would lessen the confusion if all the information is going through one center. He also said the additional staff with a joint dispatch center would allow for specialized trainings and certifications.

City Manager Beach said a joint dispatch center is not something he is saying the City will do, but only that it is something that the City should look into.

Mayor Higley said he is glad to get underway with a communications position.

Before ending the workshop, Councilmember Beach confirmed that it is the consensus of Council to move forward with hire a communications person. He said is will reclassify an existing vacancy in the 2020 Budget and then Council will take formal action for the 2021 Budget to approve that position.

3. Adjourn Workshop

Mayor Pro Tem Trautner adjourned the workshop at approximately 6:15 p.m.

REGULAR MEETING (6:30 PM)

4. Call Regular Meeting to Order (Remotely)

Mayor Pro Tem Trautner called the Regular Meeting to order at 6:30 p.m. *Note: Mayor Higley attended, but requested that Mayor Pro Tem Trautner preside.*

5. Roll Call

Mayor Higley and Councilmembers Barnes, Lankford, and Sobash attended via audio/videoconference.

Staff attending via video/teleconference from the Council Chambers: City Manager Beach, City Secretary Gilliam, Police Chief Walker, and Assistant to the City Manager Thompson.

Staff attending remotely: Public Works Director Barrera and IT Director McFarland.

6. Pledge of Allegiance

Councilmember Lankford led the Pledge.

7. Public Comments

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

There were no comments from the public.

8. COVID-19 Update

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

Chief Taylor reported:

- Statewide trend of new cases have continued to gradually decline.
- Regional positivity rate has continued to improve.
- The Texas Medical Center reported that the 7 day average for the positivity rate in the Houston area is 6.7 percent compared to 8.6 percent last week and 16.8 percent last month.
- As of yesterday, the Texas Medical Center is at 91 percent saturation for the ICU capacity, compared to 97 percent last week.
- Harris County Public Health shows that West U now has 42 confirmed cases – 8 active, 34 recovered, and 0 deaths.

Chief Taylor also reported that Tropical Storms Laura and Marco have not affected the City's response to COVID-19 and that staff is making sure that plans associated with emergency operations related to both storms include social distancing and other necessary safety measures.

Councilmember Sobash asked if there is any news on reimbursements for the City for COVID-19 related expenses. Fire Chief Taylor said staff is working on those numbers. He said there are hard costs and indirect costs, but he doesn't have those numbers right now but will get them and provide them to him.

9. Consent Agenda

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

A. City Council Minutes

Approve the City Council Workshop Minutes of August 10, 2020. *Recommended Action: Approve Minutes of August 10, 2020. Ms. Thelma Gilliam, City Secretary*

B. Setting Public Hearings for 2021 Budget and 2020 Tax Rates

Matters related to setting public hearings for comments relating to the 2021 Budget and 2020 Tax Rate. *Recommended Action: Set public hearing dates. Ms. Katherine DuBose, Finance Director*

C. Rescheduling Meeting Dates

Matter related to rescheduling regular City Council meeting dates. *Recommended Action: Reschedule the October 12 meeting to October 5, the November 23 meeting to November 16, and the December 21 meeting to December 7. Mr. Dave Beach, City Manager*

Councilmember Lankford noted that there were changes made to the draft Minutes prior to the meeting and asked that the City Secretary include those changes in the final draft of the Minutes. City Attorney

Petrov confirmed that because the revised Minutes had been distributed to Council before the meeting, the revised set of Minutes could be approved this evening.

Councilmember Sobash moved to approve the Consent Agenda with the revised set of Minutes. Councilmember Barnes seconded the motion. **MOTION PASSED.**

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

10. Recess Regular Meeting to Convene Workshop on Virtual Gate Project

Matters related to the City's Virtual Gate Project. *Recommended Action: Update on Phase I Proof of Concept and discuss Phase II schedule.* **Mr. Ken Walker, Police Chief**

Mayor Higley moved to recess the regular meeting and convene the Workshop. Councilmember Sobash seconded the motion. **MOTION PASSED.**

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

Chief Walker presented this item and provided an update to Phase I of the Virtual Gate Proof of Concept (POC). He said the POC period started on July 27th and would end on August 27th and that the current target capture rate is 95% to 100% (with 3 days remaining).

Councilmember Sobash asked if there was a specific number of captures or just a range. Chief Walker said staff does have specific numbers for the different cameras and the 95 to 100 range is an average for all of them.

When Councilmember Sobash asked why there is a difference in the capture rates, Chief Walker said that it could have been due to weather or a vehicle that passed by that had the license plate covered. City Manager Beach added that the system is designed to meet a 90 percent capture rate or greater. He said there could be a lot of reasons and that staff will pose that question to the contractor and engineer.

Mayor Higley asked if a car that enters West U gets missed by a camera as it enters, is it subject to an exit view when it leaves West U. Chief Walker said, yes, once the system is built out all of the entrances and exits will have cameras and confirmed there will be a high probability that the vehicle's license plate will be captured upon entering or exiting West U.

In response to Councilmember Barnes' question as to whether the cameras will be aimed to capture both the front and back license plates, Chief Walker responded definitely the rear plates and in some locations the front plates, also.

Mayor Higley asked if there is a law in Texas that prevents a person from hiding or obscuring license plates and Chief Walker responded, yes, there is a law against it.

Councilmember Sobash asked in those instances where the license plate isn't captured is there a video record of the make and model of the vehicle and/or is there additional data captured. Chief Walker said there is a video of the vehicle. Councilmember Sobash confirmed with Chief Walker that for each failed license plate read there is at least a video of the vehicle.

City Manager Beach reiterated that staff will consult with the contractor and engineer to look at the POC and identify what the issues were for those misses.

City Manager Beach confirmed that the numbers presented tonight are still preliminary and that there will be a final report after the 30 days has ended and that if after the 30 days (August 27th) the capture rate remains above 90 percent, staff will proceed with Phase I of the installation. He said if the numbers do not remain above 90 percent, staff will come back to Council on September 14th with an update. Mr. Beach said staff's goal is to have Phase I completed by the end of the year.

When asked about the capability of facial recognition, Chief Walker said facial recognition is not included in this project.

City Manager Beach confirmed that the Virtual Gate project includes 40 locations, with the poles being strategically located so those poles that are outside the City limits were placed there because they eliminate the number of additional poles that would have been necessary to capture license plates coming into the City.

Councilmember Sobash asked if the cameras are able to pick up people walking in the City. Chief Walker said yes.

Mayor Higley asked if there is a way to immediately stop and/or ticket potential suspects by enforcing a strict application for obscured license plates. Chief Walker said some of the newer cars have distorted paper plates but he has been told that there is a way to get an alert when they system doesn't get a read. He said officer can be dispatched to the scene to check out the problem when an alert is received.

Councilmember Sobash asked about the status of the projected schedule. Chief Walker said things were delayed during the pole selection and due to a couple of other hiccups, but he thinks the City is in good shape. He said even though Phase I isn't scheduled to be completed until the end of December, he thinks it will be completed by the end of November.

Councilmember Sobash confirmed with staff that the project is approximately 3 months behind schedule.

Councilmember Lankford stated that the contract specifies that Phase I was to be completed 365 days after the issuance of the Notice to Proceed and she assumes that it was issued in May 2019. She said the contract also states that if the contractor did not complete the project within 365 days, the contractor would pay liquidated damages of \$400 a day. She asked if the City has gotten into that period, yet. City Manager Beach replied the City has not. He said when the contract was awarded, the contractor still had to identify the high points for communication and that was not discussed with Council until October 2019. He said technically the Notice to Proceed wasn't issued until November and so the completion date will put the City into December when the project is expected to be completed.

Councilmember Lankford said it seems that there were delays on the contractor's side and she is curious if staff can pin down the date of the Notice to Proceed and how it was affected by any Change Orders to move forward. City Manager Beach said he will research and provide an answer.

Mayor Higley asked if Council elects to move forward is there a way to get the project back on a timely schedule for delivery on behalf of the taxpayers of West U. City Manager Beach said he is comfortable that the Notice to Proceed start date was after approval of the layout. He said there are some Change Orders being finalized, which will have a monetary cost and extension/reduction of time.

Mayor Higley asked if the City would be able to deliver this project 3 months early to the taxpaying citizens of West U if Council does something today. City Manager Beach said no, Phase I of the project

is scheduled to be complete by the end of the year – maybe November, which would only be a month earlier.

Councilmember Barnes said one of the options before Council is to consider not taking a 2 or 3 month delay between Phases I and II and commence Phase II work while Phase I is still underway, thereby bringing the entire project to completion earlier. City Manager Beach responded that if Council wants to commence Phase II right after the completion of Phase I, Phase II can start by the first of December if not sooner. He said if Council holds to the original plan the contract for Phase II won't be awarded until February 2021.

Councilmember Sobash asked if the reason for the original 60 to 90 day delay was so that Council could assess the system after Phase I was completed and have some time to gather more information if necessary. City Manager Beach responded that he recalls a comment from at least one councilmember to have a pause between the phases to see how the system is performing and to see if it is meeting its intended purpose. Councilmember Sobash then asked whether it is also to give Council a pause before authorizing additional funding for the next phase. He said he is trying to find the advantage for the timing and has had concerns during discussions about proceeding to Phase II without data to justify performance of the system.

Councilmember Sobash said he would like to see data on the variability between locations that will come with the rest of Phase I. In line with that question, Councilmember Barnes asked if there is need for a 90-day gap between Phase I and Phase II to get that kind of data or could the gap be shortened while still maintaining enough of a gap to appraise data from Phase I. City Manager Beach said as the cameras are installed they will be connected to the system. He said as it progresses more and more data will be captured and read. Chief Walker said staff will be evaluating the data throughout Phase I and if something is seen that will give them concern they definitely would not move on to Phase II until they were sure it had been addressed.

Regarding the delay in Phase I, Chief Walker said the infrastructure took a lot more time than anticipated but that is now behind them and they are ready to move forward at light speed.

Councilmember Barnes said if data will be captured all through Phase I what about a shortened timeframe, say maybe 30 days, between Phase I and Phase II. City Manager Beach responded that's always possible. He said additionally, once more locations are added staff can come back to Council and arrange meetings with the contractor and engineer to evaluate the data.

Councilmember Sobash said there are a couple of profiles of the cameras in locations that are higher traffic densities than others so the impact will be higher in those areas, so if samples are obtained from a couple of the different profiles staff will be able to ingest that and evaluate the results and extrapolate that to some extent without a POC for each one. He said if the City is smart about where data is being collected and the different profiles of the cameras to represent a sampling of what it would look like, that would be helpful.

City Manager Beach clarified that the POC was for only two locations, not all of them. He said the two locations were to be monitored from 30 to 90 days to show that the system is meeting the capture rate. The two locations are on Buffalo Speedway (just south of Bissonnet) and on Holcombe (between Vanderbilt and Belmont).

Councilmember Sobash confirmed with Chief Walker that all of the POC cameras have been fully operational since July 27th. City Manager Beach said that some have been operational since the beginning of June. He said staff will have the ongoing data as new locations come online. He said once there are 6 or 7 more locations, staff can come back to Council with the new information.

Councilmember Sobash asked if the data being collected by the POC is operationalized and being used by patrol officers now. Chief Walker said yes and no. He said the system is already hooked up to a database that will record license plates and provide information on wanted vehicles, but that information is not being pushed out to the patrol officers yet. In response to Councilmember Sobash's question as to when it will begin being used for patrolling, Chief Walker said when the officers are trained to use the system, which would take about a week or two after implementation.

Mayor Pro Tem Trautner said he wanted confirmation that he received the answer to his original question as to what is the advantage of having a 90-day gap between Phase I and Phase II. He said he would think it would be helpful so that Council can assess to confirm that the bulk of the project is operating properly and make any necessary changes during the 90 days. He asked if that's correct or if that much time not needed. Chief Walker said if by the end of Phase I there are any problems staff won't by any means recommend going forward to Phase II until comfortable that it is working as it should. He said by the end of Phase I staff will know really well if it's going to continue to work well or not and at that point waiting to award Phase II will completely be a Council decision.

Mayor Higley asked Chief Walker what his recommendation that Council do today. Chief Walker said a decision doesn't need to be made tonight and recommended that staff come back before Council maybe in October to discuss the comfort level. He said if staff and Council are comfortable at that time then a decision can made how fast to move forward at that point. City Manager Beach agreed with Chief Walker's recommendation.

In response to Councilmember Sobash's question as to when all the cameras will be installed for Phase I, Chief Walker responded he believes by the of November but the contractor is saying no later than December 31.

11. Adjourn Workshop and Reconvene Regular Meeting

Mayor Pro Tem Trautner adjourned the workshop at 7:25 p.m. and reconvened the regular meeting.

12. Adjourn Regular Meeting

With no other matter before the council, the meeting will adjourn.

Councilmember Barnes moved to adjourn the regular meeting at 7:25 p.m. Mayor Higley seconded the motion. **MOTION PASSED.**

Ayes: Higley, Trautner, Barnes, Lankford, Sobash

Noes: None

Absent: None

Audio of the Council Meeting is available in its entirety on the City's website. You can also contact the City Secretary's office for a copy of the audio and/or for copies of any presentations/handouts.

Prepared by: City Secretary Thelma A. Gilliam

Approved by City Council on: _____



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

Meeting Date	9.14.2020	Agenda Item	10B
Approved by City Manager	Yes	Presenter(s)	K. DuBose, Finance Director
Reviewed by City Attorney	N/A	Department	Finance
Subject	Receipt of Certified Appraisal Roll, Tax Assessor-Collector Certification of Collection Rate, and Truth-in-Taxation Tax Rate Calculations		
Attachments	<ol style="list-style-type: none"> 1. Resolution 2. 2020 Certified Appraisal Roll from Harris County Chief Appraiser 3. 2020 Certification of Estimated Collection Rate from Harris County Tax Assessor-Collector 4. 2020 Truth-in-Taxation worksheet 		
Financial Information	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

Chapter 26 of the Texas Property Tax Code outlines the following property tax related items that must be presented to Council: the certified appraisal roll, certified collection rate, and Truth-in-Taxation worksheet that includes the applicable tax rate calculations.

The Chief Appraiser of the Harris County Appraisal District (HCAD) certified the City’s 2020 appraisal roll. Staff received the certified appraisal roll from the Harris County Tax Assessor-Collector on September 1, 2020. In accordance with Section 26.04 (b) of the Texas Property Tax Code, the following values are submitted:

Total Appraised Value	6,625,559,407
Total Exemptions	458,796,315
Total Taxable Value	6,166,763,092
Total Uncertified Taxable Value (under protest)	476,644,023
Estimated Taxable Value of property not included on certified roll	60,560,651
Total Taxable Value of New Property	68,589,422

Including the anticipated values for the Uncertified Taxable Value, \$476,644,023, the total estimated certified value for the City of West University Place for tax year 2020 is \$6,703,967,766, a 2.8% increase over the 2019 certified values.

On July 22, 2020, the Harris County Tax Assessor-Collector estimated an anticipated collection rate of 99.69% for 2020.

All taxing units that levied property taxes for 2019 and intend to levy them for 2020 must calculate and publish the No-New-Revenue and Voter Approval tax rates. The No-New-Revenue tax rate would provide the taxing unit with approximately the same amount of revenue it had the year before. The Voter Approval tax rate is the rate necessary to raise 3.5 percent more maintenance and operations tax revenue as the year before after taking into account appraisal fluctuations plus the debt service component of the tax rate.

The 2020 No-New-Revenue, Voter Approval, and De Minimis tax rates were calculated by the City's Tax Assessor-Collector, Ann Harris Bennett, Harris County Tax Assessor-Collector, and are presented for your review and acceptance.

Recommended Action

Staff recommends that the City Council approve the resolution taking the following actions:

1. Review and accept the 2020 Certified Estimate;
2. Review and accept the 2020 Certification of Estimated Collection Rate from Harris County Tax Assessor-Collector; and
3. Review and accept the 2020 Truth-in-Taxation worksheet as calculated by the Harris County Tax Assessor-Collector:
 - No-New-Revenue tax rate is \$0.302944 per \$100 valuation
 - Voter-Approval tax rate is \$0.294066 per \$100 valuation
 - De Minimis tax rate is \$0.295015 per \$100 valuation

City of West University Place
Harris County, Texas

RESOLUTION NO. XXXX

RESOLUTION ACKNOWLEDGING RECEIPT OF APPRAISAL ROLL, CERTIFICATION OF ESTIMATED COLLECTION RATE, NOTICE OF NO-NEW-REVENUE TAX RATE AND RELATED INFORMATION; AND CONTAINING RELATED PROVISIONS.

Whereas on September 1, 2020, the City Council of the City of West University Place (the "Taxing Unit") received the certified appraisal roll and related information from its assessor and collector of taxes;

Whereas the City Council desires to proceed with the steps necessary to levy ad valorem taxes; NOW THEREFORE;

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

SECTION 1. The matters described in the preamble of this resolution are found and determined to be true and correct and are adopted, ratified and confirmed.

SECTION 2. All actions by the assessor and collector of taxes prior to this date, with respect to such calculations and publications are approved, ratified and confirmed in all respects.

SECTION 3. All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of the conflicts only.

SECTION 4. If any word, phrase, clause, sentence, paragraph, section or other part of this resolution or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution and the application of such word, phrase, clause, sentence, paragraph, section or other part of this resolution to any other persons or circumstances shall not be affected thereby.

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

SECTION 6. This resolution shall take effect immediately upon its adoption and signature.

PASSED AND APPROVED this 14th day of September, 2020.

ATTEST: (SEAL)

SIGNED BY:

Thelma A. Gilliam, City Secretary

Robert Higley, Mayor

APPROVED AS TO FORM:

RECOMMENDED BY:

Alan Petrov, City Attorney

David Beach, City Manager

HARRIS COUNTY APPRAISAL DISTRICT
HOUSTON, TEXAS

THE STATE OF TEXAS, }
COUNTY OF HARRIS. }

2020
CERTIFICATION OF APPRAISAL ROLL AND
LISTING OF PROPERTIES UNDER SECS. 26.01(c) AND (d)
FOR
City of West University Place

Pursuant to Section 26.01(a), Texas Tax Code, I hereby certify the 2020 appraisal roll of properties taxable by City of West University Place. The roll is delivered in electronic form.

The total appraised value now on the appraisal roll for this unit is: \$6,625,559,407

The taxable value now on the appraisal roll for this unit is: \$6,166,763,092

As required by Section 26.01(c), Texas Tax Code, I have included with your roll a listing of those properties which are taxable by the unit but which are under protest and are therefore not included in the appraisal roll values approved by the appraisal review board and certified above. My estimate of the total taxable value which will be assigned to such properties if the owners' claims are upheld by the appraisal review board is: \$476,644,023

Pursuant to Section 26.01(d), Texas Tax code, the estimated value of taxable property not under protest and not yet included on the certified appraisal roll, after hearing loss, is \$60,560,651

Signed this 4th day of September, 2020



Roland Altinger

Roland Altinger, CAE, RPA, CTA
Chief Appraiser

ASSESSOR'S ACKNOWLEDGEMENT

As tax assessor/collector of the above-named taxing unit, I hereby acknowledge receipt of the certified 2020 appraisal roll on this the _____ day of _____, 2020



ANN HARRIS BENNETT

Tax Assessor-Collector & Voter Registrar
www.hctax.net

July 22, 2020

Ms. Katherine DuBose
City of West University
3800 University Place
West University Place, TX 77005-2899

Reference: Truth-In-Taxation

Dear Ms. DuBose:

The following information is provided for the City of West University's 2020 Truth-In-Taxation calculations, in accordance with the certification requirements of Sec. 26.04, Texas Property Tax Code (the Code), for use on the No-New-Revenue Tax Rate Worksheet.

In accordance with Sec. 26.04(h) of the Code, the anticipated collection rate of a taxing unit is equal to the lowest actual collection rate for any of the preceding three years. Your anticipated collection rate for 2020 is 99.69% based on the actual collection rates for the preceding three years of:

Tax Year 2017 = 99.69%

Tax Year 2018 = 99.96%

Tax Year 2019 = 99.83%

Based on Sec. 26.04(e)(3)(C) of the Code, your 2019 Excess debt amount to be used in the 2020 debt rate calculation is \$0.00 because the 2019 actual debt collections met the anticipated 2019 debt collection rate which was equal to 100%.

The amount to be entered on line 15 of the No-New-Revenue Tax Rate Worksheet is \$39,592.60. This amount represents prior year tax refunds issued in 2019 from court decisions, Sec. 25.25(b) and (c) corrections, and Sec. 31.11 payment errors.

The appraisal roll is expected to be certified by the Harris County Appraisal District in late August to early September 2020.

Should you have any questions, or need further assistance, please call Jessica Adkins our Jurisdiction Coordinator at (713) 274-8172.

We look forward to working with your District during the Truth-In-Taxation process.

Sincerely,

A handwritten signature in cursive script that reads "Ann Harris Bennett".

Ann Harris Bennett
Harris County Tax Assessor-Collector & Voter Registrar

2020 Tax Rate Calculation Worksheet

Date: 09/08/2020 07:34 AM

Taxing Units Other Than School Districts or Water Districts

City of West University Place

713-274-8000

Taxing Unit Name

Phone (area code and number)

1001 Preston, Houston, TX, 77002

www.hctax.net

Taxing Unit Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller For 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do use this form but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

STEP 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Rate Activity	Amount/Rate
1.	2019 total taxable value. Enter the amount of 2019 taxable value on the 2019 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 17).[1]	\$6,380,913,904
2.	2019 tax ceilings. Counties, cities and junior college districts. Enter 2019 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2019 or a prior year for homeowners age 65 or older or disabled, use this step.[2]	\$0
3.	Preliminary 2019 adjusted taxable value. Subtract Line 2 from Line 1.	\$6,380,913,904
4.	2019 total adopted tax rate.	\$.309210
5.	2019 taxable value lost because court appeals of ARB decisions reduced 2019 appraised value.	
	A. Original 2019 ARB values:	\$189,054,292
	B. 2019 values resulting from final court decisions:	\$176,276,131
	C. 2019 value loss. Subtract B from A.[3]	\$12,778,161

Line	No-New-Revenue Rate Activity	Amount/Rate
6.	2019 taxable value subject to an appeal under Chapter 42, as of July 25.	
	A. 2019 ARB certified value:	115,008,826
	B. 2019 disputed value:	16,397,118
	C. 2019 undisputed value Subtract B from A.[4]	98,611,708
7.	2019 Chapter 42-related adjusted values. Add Line 5 and 6	111,389,869
8.	2019 taxable value, adjusted for court-ordered reductions. Add Lines 3 and 7	\$6,492,303,773
9.	2019 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2019. Enter the 2019 value of property in deannexed territory.[5]	\$0
10.	2019 taxable value lost because property first qualified for an exemption in 2020. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2020 does not create a new exemption or reduce taxable value.	
	A. Absolute exemptions. Use 2019 market value:	\$1,564,829
	B. Partial exemptions. 2020 exemption amount or 2020 percentage exemption times 2019 value:	\$2,873,000
	C. Value loss. Add A and B.[6]	\$4,437,829
11.	2019 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2020. Use only properties that qualified in 2020 for the first time; do not use properties that qualified in 2019.	
	A. 2019 market value:	\$0
	B. 2020 productivity or special appraised value:	\$0
	C. Value loss. Subtract B from A.[7]	\$0
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$4,437,829
13.	Adjusted 2019 taxable value. Subtract Line 12 from Line 8	\$6,487,865,944
14.	Adjusted 2019 total levy. Multiply Line 4 by Line 13 and divide by \$100	\$20,061,130
15.	Taxes refunded for years preceding tax year 2019. Enter the amount of taxes refunded by the district for tax years preceding tax year 2019. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2019. This line applies only to tax years preceding tax year 2019.[8]	\$39,593
16.	Taxes in tax increment financing (TIF) for tax year 2019 Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2020 captured appraised value in Line 18D, enter 0.[9]	\$0
17.	Adjusted 2019 levy with refunds and TIF adjustment. Add Lines 14, and 15, subtract Line 16.[10]	\$20,100,723
18.	Total 2020 taxable value on the 2020 certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled.[11]	
	A. Certified values:	\$6,166,763,092
	B. Counties: Include railroad rolling stock values certified by the Comptroller's office.	\$0
	C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property	\$0
	D. Tax increment financing: Deduct the 2020 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2020 taxes will be deposited into the tax increment fund. Do not include any new	\$0

Line	No-New-Revenue Rate Activity	Amount/Rate
	property value that will be included in Line 23 below.[12]	
	E. Total 2020 value Add A and B, then subtract C and D	\$6,166,763,092
19.	Total value of properties under protest or not included on certified appraisal roll. [13]	
	A. 2020 taxable value of properties under protest The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest.[14]	\$476,644,023
	B. 2020 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll.[15]	\$60,560,651
	C. Total value under protest or not certified. Add A and B.	\$537,204,674
20.	2020 tax ceilings. Counties, cities and junior colleges enter 2020 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2019 or a prior year for homeowners age 65 or older or disabled, use this step.[16]	\$0
21.	2020 total taxable value. Add Lines 18E and 19C. Subtract Line 20C.[17]	\$6,703,967,766
22.	Total 2020 taxable value of properties in territory annexed after Jan. 1, 2019. Include both real and personal property. Enter the 2020 value of property in territory annexed.[18]	\$270,903
23.	Total 2020 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2019. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2019 and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2020.[19]	\$68,589,422
24.	Total adjustments to the 2020 taxable value. Add Lines 22 and 23.	\$68,860,325
25.	Adjusted 2020 taxable value. Subtract Line 24 from Line 21.	\$6,635,107,441
26.	2020 NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100.[20]	\$.302944 /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the 2020 county NNR tax rate.[21]	

[1]Tex. Tax Code Section

[2]Tex. Tax Code Section

[3]Tex. Tax Code Section

[4]Tex. Tax Code Section

[5]Tex. Tax Code Section

[6]Tex. Tax Code Section

[7]Tex. Tax Code Section

[8]Tex. Tax Code Section

[9]Tex. Tax Code Section

[10]Tex. Tax Code Section

[11]Tex. Tax Code Section

[12]Tex. Tax Code Section

[13]Tex. Tax Code Section

[14]Tex. Tax Code Section

[15]Tex. Tax Code Section

[16]Tex. Tax Code Section

[17]Tex. Tax Code Section

[18]Tex. Tax Code Section

[19]Tex. Tax Code Section

[20]Tex. Tax Code Section

[21]Tex. Tax Code Section

STEP 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

1. Maintenance and Operations (M&O) Tax Rate: The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.

2. Debt Rate: The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter Approval Tax Rate Activity	Amount/Rate
28.	2019 M&O tax rate. Enter the 2019 M&O tax rate.	\$,189,690
29.	2019 taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	6,492,303,773
30.	Total 2019 M&O levy. Multiply Line 28 by Line 29 and divide by 100.	12,315,251
31.	Adjusted 2019 levy for calculating NNR M&O rate.	
	A. 2019 sales tax specifically to reduce property taxes. For cities, counties and hospital districts, enter the amount of additional sales tax collected and spent on M&O expenses in 2019, if any. Other taxing units, enter 0. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent.	0
	B. M&O taxes refunded for years preceding tax year 2019. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2019. This line applies only to tax years preceding tax year 2019.	24,289
	C. 2019 taxes in TIF: Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2020 captured appraised value in Line 18D, enter 0.	0
	D. 2019 transferred function: If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in E below. The taxing unit receiving the function will add this amount in E below. Other taxing units enter 0.	0
	E. 2019 M&O levy adjustments. Add A and B, then subtract C. For taxing unit with D, subtract if discontinuing function and add if receiving function	24,289
	F. Add Line 30 to 31E.	12,339,540
32.	Adjusted 2020 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	6,635,107,441
33.	2020 NNR M&O rate (unadjusted) Divide Line 31F by Line 32 and multiply by \$100.	0.185973
34.	Rate adjustment for state criminal justice mandate. [23]	
	A. 2020 state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.	0
	B. 2019 state criminal justice mandate Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies	0

Line	Voter Approval Tax Rate Activity	Amount/Rate
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.000000
	D. Enter the rate calculated in C. If not applicable, enter 0.	0.000000
35.	Rate adjustment for indigent health care expenditures[24]	
	A. 2020 indigent health care expenditures Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state assistance received for the same purpose	0
	B. 2019 indigent health care expenditures Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2018 and ending on June 30, 2019, less any state assistance received for the same purpose	0
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.000000
	D. Enter the rate calculated in C. If not applicable, enter 0.	0.000000
36.	Rate adjustment for county indigent defense compensation.[25]	
	A. 2020 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state grants received by the county for the same purpose	0
	B. 2019 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2018 and ending on June 30, 2019, less any state grants received by the county for the same purpose	0
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.000000
	D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100.	0.000000
	E. Enter the lessor of C and D. If not applicable, enter 0.	0.000000
37.	Rate adjustment for county hospital expenditures.	
	A. 2020 eligible county hospital expenditures Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2019 and ending on June 30, 2020	0
	B. 2019 eligible county hospital expenditures Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2018 and ending on June 30, 2019	0
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.000000
	D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100	0.000000
	E. Enter the lessor of C and D, if applicable. If not applicable, enter 0.	0.000000
38.	Adjusted 2020 NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E.	0.185973
39.	2020 voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit If the taxing unit qualifies as a special taxing unit, multiply Line 38 by 1.08 -or- Other Taxing Unit If the taxing unit does not qualify as a special taxing unit, multiply Line 38 by 1.035. -or- Taxing unit affected by disaster declaration If the taxing unit is located in an area declared as disaster area, the governing body may direct the person calculating the voter-approval rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval rate in this manner until the earlier of 1) the second year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, and 2) the third tax year after the tax year in which the disaster occurred. If the taxing unit qualifies under this scenario, multiply Line 38 by 1.08. [27]	0.192482

Line	Voter Approval Tax Rate Activity	Amount/Rate
40.	Total 2020 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses.	
	A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. Enter debt amount	7,177,124
	B. Subtract unencumbered fund amount used to reduce total debt.	0
	C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none)	0
	D. Subtract amount paid from other resources	388,020
	E. Adjusted debt Subtract B, C and D from A	6,789,104
41.	Certified 2019 excess debt collections Enter the amount certified by the collector.	0
42.	Adjusted 2020 debt Subtract Line 41 from Line 40E	6,789,104
43.	2020 anticipated collection rate.	
	A. Enter the 2020 anticipated collection rate certified by the collector	99.69
	B. Enter the 2019 actual collection rate	99.83
	C. Enter the 2018 actual collection rate	99.96
	D. Enter the 2017 actual collection rate	99.69
	E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%.	99.69
44.	2020 debt adjusted for collections. Divide Line 42 by Line 43E.	6,810,215
45.	2020 total taxable value. Enter the amount on Line 21 of the No-New-Revenue Tax Rate Worksheet.	6,703,967,766
46.	2020 debt rate Divide Line 44 by Line 45 and multiply by \$100.	0.101584
47.	2020 voter-approval tax rate. Add Line 39 and 46.	0.294066
48.	COUNTIES ONLY. Add together the voter-approval tax rate for each type of tax the county levies. The total is the 2020 county voter-approval tax rate.	
STEP 3 NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes		

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
49.	Taxable sales. For taxing units that adopted the sales tax in November 2019 or May 2020, enter the Comptroller's estimate of taxable sales for the previous four quarters [32]. Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2019, skip this line.	0
50.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue.[33] Taxing units that adopted the sales tax in November 2019 or in May 2020. Multiply the amount on Line 49 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95 [34] -or- Taxing units that adopted the sales tax before November 2019. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	0

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	2020 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	6,703,967,766
52.	Sales tax adjustment rate. Divide Line 50 by Line 51 and multiply by \$100.	0.000000
53.	2020 NNR tax rate, unadjusted for sales tax [35]. Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$.302944
54.	2020 NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2019 or in May 2020. Subtract Line 52 from Line 53. Skip to Line 55 if you adopted the additional sales tax before November 2019.	\$.302944
55.	2020 voter-approval tax rate, unadjusted for sales tax. [36] Enter the rate from Line 47 or Line 48 as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i>	0.294066
56.	2020 voter-approval tax rate, adjusted for sales tax. Subtract Line 52 from Line 55.	0.294066

[37]Tex. Tax Code Section [38]Tex. Tax Code Section

STEP 4: Additional Rollback Protection for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O Funds to pay for a facility, device or method for the control of air, water or land pollution.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Activity	Amount/Rate
57.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ [37]. The taxing unit shall provide its tax assessor-collector with a copy of the letter.[38]	\$0
58.	2020 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$6,703,967,766
59.	Additional rate for pollution control. Divide Line 57 by Line 58 and multiply by \$100.	0.000000
60.	2020 voter-approval tax rate, adjusted for pollution control. Add Line 59 to one of the following lines (as applicable): Line 47, Line 48 (counties) or Line 56 (taxing units with the additional sales tax).	0.294066

[37]Tex. Tax Code Section

[38]Tex. Tax Code Section

STEP 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate before the unused increment rate for the prior three years [39]. In a year where a special taxing unit adopts a rate above the voter-approval tax rate by applying any portion of the unused increment rate, the unused increment rate for that year would be zero.

For each tax year before 2020, the difference between the adopted tax rate and voter-approval rate is considered zero, therefore the unused increment rate for 2020 is zero.[40]

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. [41]

Line	Activity	Amount/Rate
61.	2019 unused increment rate. Subtract the 2019 actual tax rate and the 2019 unused increment rate from the 2019 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	0.000000
62.	2018 unused increment rate. Subtract the 2018 actual tax rate and the 2018 unused increment rate from the 2018 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	0.000000
63.	2017 unused increment rate. Subtract the 2017 actual tax rate and the 2017 unused increment rate from the 2017 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	0.000000
64.	2020 unused increment rate. Add Lines 61, 62 and 63.	0.000000
65.	2020 voter-approval tax rate, adjusted for unused increment rate. Add Line 64 to one of the following lines (as applicable): Line 47, Line 48 (counties), Line 56 (taxing units with the additional sales tax) or Line 60 (taxing units with pollution control).	

STEP 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.[42]

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. [43]

Line	Activity	Amount/Rate
66.	Adjusted 2020 NNR M&O tax rate. Enter the rate from Line 38 of the <i>Voter-Approval Tax Rate Worksheet</i>	0.185973
67.	2020 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i>	6,703,967,766
68.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 67 and multiply by \$100.	0.007458
69.	2020 debt rate Enter the rate from Line 46 of the <i>Voter- Approval Tax Rate Worksheet</i>	0.101584
70.	De minimis rate Add Lines 66, 68 and 69.	0.295015

STEP 7: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate	0.302944
Voter-Approval Tax Rate	0.294066
De minimis rate	0.295015

STEP 8: Taxing Unit Representative Name and Signature

print here

 Printed Name of Taxing Unit Representative

sign here

 Taxing Unit Representative

 Date



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

Meeting Date	09.14.2020	Agenda Item	10C
Approved by City Manager	N/A	Presenter(s)	Donna LaMond, Director, FWUP
Reviewed by City Attorney	N/A	Department	Parks
Subject	Reappointing Board Members to the Friends of West U Parks Funds		
Attachments	Resolution		
Financial Information	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

The Friends of West University Parks Fund Board (Board) is requesting approval of reappointment of Michelle Huth, Matthew Foytlin, Stephen Olson, Judy Cheng and Mark Prescott to the Board. After evaluation by the Executive Committee of the board and meeting with each of the board members whose terms expired on 8/31/20, they all agreed to continuing service on the board. The Executive Committee has reviewed and evaluated the service of these members to the Board and recommends reappointment for each as all five members continue to be assets to the Board.

Recommended Action

The Friends of West University Parks Fund recommends Council approve the reappointment of Michelle Huth (Position 6), Matthew Foytlin (Position 8), Stephen Olson (Position 15), Judy Cheng (Position 16), and Mark Prescott (Position 17) to the Friends of West University Parks Fund Board for terms beginning September 1, 2020 and ending on August 31, 2023.

City of West University Place
Harris County, Texas

RESOLUTION NUMBER XXXX-XX

A RESOLUTION REAPPOINTING MEMBERS TO THE BOARD OF THE FRIENDS OF WEST UNIVERSITY PARKS FUND, INC., A NON-PROFIT CORPORATION

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

Section 1. That the following persons are reappointed to serve as members on the Board of the Friends of West University Parks Fund, Inc., a non-profit corporation, for the specific term of the specific positions indicated below:

<u>APPOINTEE</u>	<u>EFFECTIVE DATE</u>	<u>POSITION</u>	<u>TERM ENDING</u>
Michelle Huth	September 14, 2020	Position 6	August 31, 2023
Matthew Foytlin	September 14, 2020	Position 8	August 31, 2023
Stephen Olson	September 14, 2020	Position 15	August 31, 2023
Judy Cheng	September 14, 2020	Position 16	August 31, 2023
Mark Prescott	September 14, 2020	Position 17	August 31, 2023

Section 2. All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of the conflicts only.

Section 3. If any word, phrase, clause, sentence, paragraph, section or other part of this resolution or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution and the application of such word, phrase, clause, sentence, paragraph, section or other part of this resolution to any other persons or circumstances shall not be affected thereby.

Section 4. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this resolution was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

PASSED AND APPROVED this 14th day of September, 2020.

ATTEST:

SIGNED:

Thelma A. Gilliam, City Secretary

Robert A. Higley, Mayor

(SEAL)

RECOMMENDED BY:

APPROVED AS TO FORM:

David J. Beach, City Manager

Alan Petrov, City Attorney



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

Meeting Date	9.14.2020	Agenda Item	10D
Approved by City Manager	Yes	Presenter(s)	G. Barrera, Director
Reviewed by City Attorney	Yes	Department	Public Works
Subject	Harris-Galveston Subsidence District Interlocal Agreement (Waterwise)		
Attachments	H-GSD Interlocal Agreement		
Financial Information	Expenditure Required:		\$109,380
	Amount Budgeted:		\$110,000
	Account Number:		401-5050-74090 Water/Sewer Fund
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

West University Place has participated in the Water Wise Education Program (WWEP) in partnership with the Harris-Galveston Subsidence District (H-GSD) since 1998. It is a program that provides teachers with educational materials to help educate students about Texas water. Participation in the program allows the City to receive and utilize groundwater credits, which increases the City's ability to permit up to 50% of its total groundwater production annually.

Water saved through the WWEP is an average savings of 1,400 gallons per month per student sponsored for a five-year period. The H-GSD considers this conservation/public education program to be an excellent method of establishing water conservation mindsets of children early in life and providing them with opportunities to become good stewards of the earth's natural resources.

The groundwater credits earned by participating in the WWEP allows the City to offset a portion of the purchase cost for 252,000,000 gallons of water, which would cost approximately \$821,520 if purchased from the City of Houston. The net savings is approximately \$384,000 per year (groundwater production cost of \$328,000 and WWEP cost of \$110,000).

Funding for this annual program is requested during the Annual Budget process.

Recommended Action

Staff recommends that the City Council approve the Interlocal Agreement with the Harris-Galveston Subsidence District and authorize the City Manager to execute the agreement.

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

INTERLOCAL AGREEMENT

This Interlocal Agreement ("Agreement") entered into by and between the Harris-Galveston Subsidence District, a body corporate and politic under the laws of the State of Texas ("Subsidence District") and City of West University, also a body corporate and politic under the laws of the State of Texas ("Sponsor").

WITNESSETH:

WHEREAS, the Subsidence District is the regulatory agency responsible for preventing subsidence through reduction of groundwater withdrawals governed by Chapter 8801, Special District Local Laws Code, which specifically provides that the Subsidence District may cooperate with "any local government to establish water conservation goals, guidelines, and plans to be used within the district"; and

WHEREAS, the Subsidence District cannot achieve water conservation goals without the cooperation and assistance of the public water supply systems; and

WHEREAS, the Subsidence District has designed a Water Conservation Education Program to increase water conservation awareness and activity primarily through education of elementary and intermediate students along with other water conservation program objectives and initiatives; and

WHEREAS, education in water conservation methods and technology has been demonstrated as an effective means of reducing water demand in households and businesses; and

WHEREAS, the education of elementary and intermediate students, "Be a Water Detective - Learning to be WaterWise" has been tested in several area schools; and

WHEREAS, the plumbing retrofit devices used as part of the elementary and intermediate school education program have been tested in the Harris County Municipal Utility District No. 55, jointly sponsored by that district, the Texas Water Development Board, and the Subsidence District, and

have demonstrated an average savings of 1,400 gallons of water per month per kit utilized and properly installed; and

WHEREAS, the Sponsor is also dedicated to conserving water supplies and providing outstanding service to their customers and taxpayers; and

WHEREAS, the governing bodies of the Subsidence District and the Sponsor have duly authorized this Agreement; and

WHEREAS, this Agreement is made pursuant to Chapter 791, Tex. Gov. Code, the Interlocal Cooperation Act.

NOW THEREFORE, for and in consideration of the mutual promises and representations herein contained, the parties hereby agree as follows:

I.

PROGRAM ADMINISTRATION

1.01 The Subsidence District will coordinate the Program by establishing and maintaining programs designed to achieve reductions in water demand in municipal, industrial, commercial, educational, agricultural, recreational, and household use. In-school water conservation education programs may include:

- (A) providing school curriculum and home retrofit kits, including the teacher's guide, teaching aids, internet supporting materials, and mobile applications, to area schools.
 - (B) providing in-service training to teachers and all support functions such as slide presentations, video presentations, publications, and program outlines;
 - (C) conducting an evaluation of the program, collecting and analyzing voluntarily provided evaluation forms from teachers, students, administrators, and parents, and provide the evaluation results to the Sponsor;
 - (D) providing information related to other water conservation program objectives and initiatives;
- and

(E) providing all necessary documentation to the Texas Education Agency, Texas Water Development Board, and Texas Commission on Environmental Quality.

1.02 The Subsidence District shall provide water conservation credits as follows:

(A) The Sponsor shall receive a Certificate of Deposit water conservation credit equal to 84,000 gallons of groundwater for each Program sponsorship.

(B) The Sponsor may hold, transfer, sell, or redeem the Certificates of Deposit at any time, provided, however, that the Certificates of Deposit will be honored by the Subsidence District for no longer than 20 years after the date the Certificate of Deposit is issued.

(C) Redemption of the Certificate of Deposit requires the Subsidence District to increase the redeemer's permitted groundwater allocation by the amount of the water conservation credit by a maximum of 30% of the permittee's total water demand. This absolute right to increase the groundwater allocation by up to 30% of the permittee's total water demand does not in any way affect the other terms and conditions of the groundwater permit and all groundwater withdrawals will be subject to the permit fees and other rules of the Subsidence District in effect at the time of the permit.

1.03 The Subsidence District shall perform all coordination activities without additional charge to the Sponsor.

II.

PAYMENT

2.01 The Sponsor agrees to 3000 sponsorships for the Program for one year from the date of the execution of this Agreement.

2.02 The Sponsor hereby agrees to pay to the Subsidence District, promptly upon receipt of an invoice from the Subsidence District, the total amount due, which is equal to \$36.46 per sponsorship. The above payment shall provide sponsorship for one year.

2.03 Upon renewal of this Agreement, the Sponsor may seek to adjust the number of sponsorships by

providing a written request to the Subsidence District.

2.04 The Sponsor warrants that funds to support this program have been budgeted for the current fiscal year and will continue to be budgeted each year this Agreement is renewed.

2.05 This cost represents the sole monetary obligation of the Sponsor in exchange for and in consideration of the Subsidence District's obligations hereunder.

III. TERM AND TERMINATION

3.01 The term of this Agreement shall be from the effective date hereof until termination by non-renewal by the Sponsor or termination of the program by the Subsidence District. This Agreement may be renewed annually with written authorization of the Sponsor and approval of that authorization by the General Manager of the Subsidence District.

3.02 The Certificates of Deposit in the Groundwater Bank shall be transferred to the custody of the Sponsor upon receipt of payment from Sponsor, and shall be honored by the Subsidence District for no longer than 20 years after the date the Certificate of Deposit is issued.

IV. MISCELLANEOUS

4.01 Subsidence District is engaged as an independent contractor, and all of the services provided for herein shall be accomplished by Subsidence District in such capacity. The Sponsor will have no control or supervisory powers as to the detailed manner or method of the Subsidence District's performance of the subject matter of this Agreement. All personnel supplied or used by the Subsidence District shall be deemed employees or subcontractors of the Subsidence District and will not be considered employees, agents or subcontractors of the Sponsor for any purpose whatsoever.

4.02 Each party to the contract is paying for the performance of the contract from current revenues

and will pay for each subsequent year this Agreement continues from the revenues budget for that year. The parties agree that each party is paying fair compensation for the services or products rendered.

4.03 This Agreement merges the prior negotiations and understandings of the parties hereto and embodies the entire agreement of the parties, and there are no other agreements, assurances, conditions, covenants (expressed or implied) or other terms with respect to the Project, whether written or verbal, antecedent or contemporaneous with the execution hereof.

4.04 The Subsidence District may not assign or delegate any portion of its performance under this Agreement without the written consent of the Sponsor.

4.05 The Subsidence District shall remain obligated under all clauses of this Agreement that expressly or by their nature extend beyond the expiration or termination of this Agreement, including the obligation to honor Certificates of Deposit in the Groundwater Bank as provided in Section 1.02.

IN WITNESS WHEREOF, the parties put their hands to this Agreement on the dates indicated below. This Agreement shall be effective on the date of the last signature hereto.

SPONSOR

By: _____ (Title)

ATTEST:

By: _____
(Title)

Date: _____

HARRIS-GALVESTON SUBSIDENCE DISTRICT

Tina Petersen

By: Tina Petersen, Deputy General Manager

ATTEST:

Gregory M. Ellis

By: Gregory M. Ellis, General Counsel



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

Meeting Date	9.14.2020	Agenda Item	10E
Approved by City Manager	Yes	Presenter(s)	G. Barrera, Director
Reviewed by City Attorney	Yes	Department	Public Works
Subject	Automated Weir Cleaning System		
Attachments	Formal Change Order		
Financial Information	Expenditure Required:	\$70,000	
	Amount Budgeted:	\$200,000	
	Account Number:	340-7000-85010 (Water/Sewer Capital Funds)	
	Additional Appropriation Required:	None	
	Additional Account Number:	None	

Executive Summary

The 2020 Budget included funding for installation of an automated cleaning system for the weirs that are a part of the Wastewater Treatment Plant (WWTP) clarifiers. The weirs clean algae growth and debris are byproducts of the treatment process and impacts the clarifier’s performance. After review of systems on the market, staff is recommending installation of a new automated cleaning system. Industry standards recommend that the weirs be cleaned daily in order to reduce unequaled flows and improve clarifier performance. Currently staff performs this task manually, which is time consuming and difficult to do on a daily basis.

With new weirs currently being installed, staff is recommending that the same contractor (JTR Constructors) install the new cleaning system at the same time. This will ensure the system is in place from day one and more importantly, result in a net savings of approximately \$130,000 in labor and costs.

Per State law, a contract is allowed a Change Order as long as it does not exceed 25% of the original contract amount. The original contract for the weirs installation is \$600,000, which allows for a Change Order of up to \$150,000. The cost to install the automated cleaning system by including it as a Change Order to the current project is \$70,000 as opposed to a stand-alone project that would have a price tag of approximately \$200,000.

Recommended Action

Staff recommends City Council approve a Change Order in the amount of \$70,000 for JTR Constructors to install the automated weir cleaning system and authorize the City Manager to amend the original contract and execute the Change Order.



AMENDMENT TO AGREEMENT
BETWEEN
JTR CONSTRUCTORS, INC.
AND
THE CITY OF WEST UNIVERSITY PLACE

This document amends the agreement between JTR CONSTRUCTORS, INC. and THE CITY OF WEST UNIVERSITY PLACE, in reference to WASTEWATER TREATMENT PLANT CLARIFIER EFFLUENT WEIR REPLACEMENT PROJECT This amendment shall become effective (DATE)

The agreement is hereby amended as follows:

1. Additional Work – increase contract in the amount of \$ 70,000 to pay for all labor and material to install a new algae brush cleaning system on new weirs

All other terms and conditions of the original agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT as of the date written below.

JTR CONSTRUCTORS, INC.

CITY OF WEST UNIVERSITY PLACE

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____



City of West University Place, Texas
 3800 University Boulevard
 West University Place, TX 77005

CONTRACT CHANGE ORDER FORM

DATE	9/15/2020			DOLLAR AMT	TIME	
PROJECT NAME	WASTEWATER TREATMENT PLANT CLARIFIER EFFLUENT WEIR REPLACEMENT PROJECT					
PROJECT NUMBER						
CONTRACTOR	JTR CONSTRUCTORS, INC.					
CHANGE ORDER NUMBER	1					
ORIGINAL CONTACT DOLLAR AMOUNT AND TIME				\$ 600,000.00	126 DAYS	
PRIOR CHANGE ORDER AMOUNTS				\$ -	0	
CONTRACT AMOUNT AND TIME PRIOR TO THIS CHANGE ORDER				\$ 600,000.00	0	
THE CONTRACT IS CHANGED AS FOLLOWS, WITH THESE CHANGES BECOMING A PART OF THE CONTRACT ONLY UPON SIGNATURES OF BOTH THE CONTRACTOR AND OWNER						
CHANGES INCLUDED IN THIS CHANGE ORDER	Description	Units	Quantity	Contract Unit Cost	Total	Additional Working Days
Additional Work	all labor and material to install algae brush cleaning system to new weirs				\$0.00	0
					\$70,000.00	0
					\$0.00	0
					\$0.00	0
					\$0.00	0
					\$0.00	0
					\$0.00	0
					\$0.00	0
					\$0.00	0
					\$0.00	0
ADDITIONAL WORKING DAYS IN CHANGE ORDER						0
TOTAL COST OF ADDITIONS IN CHANGE ORDER					\$70,000.00	
NET CHANGES TO DOLLAR AMOUNT AND TIME FOR THIS CHANGE ORDER					\$70,000.00	0
REVISED CONTRACT AMOUNT & TIME					\$670,000.00	0

SIGNATURES THE PARTIES TO THIS CONTRACT AGREE TO THE TECHNICAL CHANGES, THE CHANGES IN CONTRACT DOLLAR AMOUNT AND TO THE CHANGES IN CONTRACT TIME INDICATED ABOVE.

CONTRACTOR'S REPRESENTATIVE	DATE	CITY'S AUTHORIZED REPRESENTATIVE	DATE
_____	_____	_____	_____

JTR CONSTRUCTORS, INC.

FILE PC001

CITY OF WEST UNIVERSITY PLACE
WATER PLANT

JOB #22002

22-Jul-20

PROPOSED CHANGE #

DESCRIPTION: **INSTALL ALGAE BRUSH CLEANING SYSTEM**

LABOR (BARE)	3,400.00
LABOR BURDEN (55%)	1,870.00
SMALL TOOLS (5%)	170.00
LABOR TOTAL	5,440.00
MATERIALS	50,470.00
SUBCONTRACT	0.00
P.C. SUBTOTAL	55,910.00
OVERHEAD (10%)	5,591.00
PROFIT (5%)	2,795.50
BOND (2.5%)	1,607.00
INSURANCE (1.5)	964.00
TOTAL PC AMOUNT	66,868.00