

**MINUTES  
THE CITY OF PINEY POINT VILLAGE  
SPECIAL COUNCIL MEETING  
TUESDAY, FEBRUARY 26, 2019**

**THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE MET IN A SPECIAL MEETING ON TUESDAY, FEBRUARY 26, 2019 AT 6:30 P.M. AT CITY HALL, 7676 WOODWAY, SUITE 300 HOUSTON, TEXAS, 77063 TO DISCUSS THE AGENDA ITEMS LISTED BELOW.**

**COUNCIL MEMBERS PRESENT:** Mayor Mark Kobelan, Mayor Pro Tem John Ebeling, Joel Bender, Dale Dodds, Henry Kollenberg, Brian Thompson

**CITY STAFF:** Roger Nelson, City Administrator; Karen Farris, City Secretary; Annette Arriaga, Director of Planning & Development; Scott Bounds, City Attorney; Joe Moore, City Engineer

**DECLARATION OF QUORUM AND CALL TO ORDER**

Mayor Kobelan called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**CITIZENS WISHING TO ADDRESS COUNCIL:** The citizens listed below wished to address Council regarding items not on the agenda:

Dr. Leon Freedman and Donna Freedman of 360 Piney Point Rd. are new residents to Piney Point Village. They explained to Council that two-thirds of their property does not have a fence. They are requesting the City to allow them to restore or replace the fence with a split rail fence. They do not wish to make changes to the fence, but just to replace what was previously installed.

**1. Discuss and take possible action on the MVPD monthly report**

Commissioner Huguenard discussed the Virtual Gate project. He reported to Council that the Tri-Cities Public Safety Committee recently adopted a Resolution that provides that the Virtual Gate Project be transferred to the police department for further study and evaluation.

Chief Schultz was not present, he was out of town. Commander Jones updated Council on the activities of the police department including the Budget, Personnel Changes & Updates; Information on Significant Events, and Status Update on Major Projects.

**2. Discuss and take possible action on the VFD monthly report**

Last month Mayor Kobelan requested permission from Council to allow him to initiate some type of negotiation concerning Bunker Hill and the Fire Department.

Mayor Kobelan summarized the discussions he had with the Mayors and Commissioners. Bunker Hill Village was hoping to work out a deal in which they would start their own EMS and get reduced services from the Fire Department for a

reduced rate, at 50%. Bunker Hill would have 1 EMS vehicle. They would contract for fire and back-up EMS, paying 50%. The vehicle would be located in Bunker Hill and if it was closer to Piney Point, Bunker Hill would hope Piney Point would chip in.

The discussions also determined that the Fire Department will only provide Full Service or No Service. There will be no partial service.

The proposal that was discussed among the Mayors and Commission was for the Fire Department to provide 4 additional years of full service to Bunker Hill beyond December, 31, 2019. Contract Services would continue for 2020, 2021, 2022, and 2023. Bunker Hill would pay 19% of the budget, which would include all funds that the other 5 cities approved in the budget. Bunker Hill would be responsible for developing their own EMS Station at their own effort and expense. 18 months before the 4 additional years of full service expires, Bunker Hill will provide notice of their intentions of remaining with the Fire Department.

Moving forward, a letter of agreement between the Fire Department and Bunker Hill would need to be approved by Council from each City. A Contract for Services will be needed in addition to addressing issues within the Interlocal Agreement:

1. Clarify that the budget can include Operating Expenses and Capital Expenses
2. Must approve entire budget; cannot selectively pick and choose
3. If a City leaves the Fire Department they do not get paid their share of the assets, the depreciated value of the assets.

Additional expenses incurred were also discussed.

Staff from the Fire Department updated Council on the activities of the fire department. Commissioner Nash exclaimed that the Fire Department continues to be high performing and always trying to find innovative ways to provide exceptional services to the citizens of the Villages.

**3. Discuss and take possible action on Employee Health Insurance**

The Police Commission met to consider the bids received. The Cigna bid represents a 21% increase over the current rate. The Blue Cross/Blue Shield bid was an 11% decrease. The Commission approved changing to Blue Cross/Blue Shield. Council Member Kollenberg made a motion to approve changing the Employee Health Insurance to Blue Cross/Blue Shield. Council Member Bender seconded the motion and it passed unanimously.

**4. Discuss and take possible action on request by Smithdale Estates resident to remove a tree located in the City right-of-way.**

City Council considered a request to remove a Laurel Oak located in the City right-of-way on Smithdale Estates. The homeowner, Bruce Baganz requested that the tree that he planted be removed as it; 1) is too close to the driveway, 2) blocks the view, 3) it is an old tree, not a long life species, and 4) shape of tree is abnormal. Council Member Ebeling made a motion to approve removing and replacing the tree with a tree that satisfies the City requirements as written. Council Member Bender seconded the motion and it passed with a vote of 4 in-favor and 1 opposed.

5. **Discuss and take possible action on contract with DRC for debris removal**  
Council discussed renewing the City's contract with DRC for disaster debris clearance and removal. Council Member Dodds made a motion to approve the contract with DRC for debris removal. Council Member Thompson seconded the motion and it passed unanimously.
6. **Discuss request to accept Piney Point Circle as a City street**  
Council discussed a letter received from the President of the Piney Point Circle HOA in which the home owners are open to discussing assigning Piney Point Circle together with drainage easements to the City. There was discussion regarding covering the ditches, insufficiencies with the drainage; and the 30 foot right of way on each side. The City Engineer suggested determining where Piney Point Circle falls in the street assessment. Council Member Thompson agreed to work with Council Member Dodds on this project. No other action taken.
7. **Discuss and take possible action on Update to City's Drainage Criteria**  
This item was tabled during the January 28<sup>th</sup> meeting. Staff met with Council Member Thompson to discuss his concerns. Council is considering updates to four supplementary items in the City's Drainage Ordinance (New Construction and Partial Construction; Temporary Drainage Plan during Construction; New Pool Construction). The City Engineer clarified revisions needed to item #6 and item #8 under New Construction and Partial Construction. The word drip-line will be changed to Critical Root Zone. Critical Root Zone is the terminology used in the Tree Ordinance.

The City Engineer reported that a change to the criteria of the Floodplain Ordinance will be presented to City Council next month for approval. The revision will be to change the cut and fill requirements to be limited to the 100-year floodplain and not to include the 500-year floodplain. Council Member Thompson made a motion to update the City Drainage Criteria. Council Member Bender seconded the motion subject to changes and it passed unanimously.

8. **Discuss and take possible action on the Mayor's monthly report**  
This item was presented under Agenda Item #2 Discuss and take possible action on the VFD monthly report.
9. **Discuss and take possible action on the City Administrator's monthly report, including but not limited to:**
  - January 2019 Financials
  - Fire Department and Police Department Appreciation
  - EZ Task – Contracted with EZ Task to update the City website
10. **Discuss and take possible action on the City's Engineer monthly report**  
The Engineer's Report for this month includes updates to:
  - Surrey Oaks Project: The City and HDR met with resident's and builders to discuss project design, schedules; and permitting during construction.
  - City of Houston Windermere Project: The City of Houston awarded the contract to Fused Industries, LLC. The City of Houston issued a Notice to Proceed
  - White Pillar's/Jeffers Ct./ Pineneedle: there was discussion but no action taken

- various maintenance projects completed
- future projects identified
  - drainage improvements along Beinhorn Road and Wilding Lane
  - cul-de-sac streets stemming off of the larger drainage completed projects
  - replacement of the 96-inch CMP along S. Piney Point Road
  - paving improvements

**12. Discuss and take possible action on Acceptance of Master Drainage Study**

(this item was moved and placed between Item #10 and Item #11)

HDR completed the Master Drainage Study Update and a workshop with Council was held on January 22, 2019 to review and discuss the study. HDR revised the study based on comments from the workshop and presented to Council. Council Member Bender made a motion to approve the Master Drainage Study. Council Member Thompson seconded the motion and it passed unanimously

**11. Discuss and take possible action on Proposal for Surrey Oaks Final Design**

Council previously approved a portion of HDR's proposal for Professional Engineering Services for the Surrey Oaks Lane Drainage Improvements Project to provide 30% preliminary engineering design services. Council now requested that HDR present the proposal for the same project for the Professional Engineering Services to provide final engineering design, construction administration, and construction observation services. Council Member Bender made a motion to approve the Proposal for Surrey Oaks Final Design for \$47,775. Council Member Dodds seconded the motion and it passed with a vote of 4 in-favor and 1 opposed.

**13. Discuss and take possible action on Beinhorn Road Paving and Drainage Project**

During the Master Drainage Study Update workshop Council requested a proposal for Professional Engineering Services to provide engineering design, bid, construction management, and construction observation services for the installation of a storm sewer and sidewalk along the south side of Beinhorn Road from North Piney Point Road to Hedwig Road and the installation of storm sewer on Grecian Way. Council discussed. Council Member Ebeling made a motion to approve the Proposal for Professional Engineering Services Design, Bid, and Construction Phase Services for the Beinhorn Drainage and Sidewalk Improvements Project not to exceed \$80,000. Council Member Bender seconded the motion and it passed unanimously.

**14. Discuss and take possible action on the minutes of the January 28, 2019 Council meeting**

Council Member Bender made a motion to approve the minutes of the January 28, 2019 Council meeting pending 1 correction to the minutes. Item #13 the street name Blalock is misspelled. Council Member Dodds seconded the motion and it passed unanimously.

**15. Discuss and take possible action on any future agenda items, meeting dates, etc.**

There was a request for discussion at the next Council meeting regarding Disappearing Acreage.

16. **EXECUTIVE SESSION:** The City Council will adjourn into closed executive session pursuant to Section 551.071 of the Texas Government Code (CONSULTATION WITH ATTORNEY), specifically regarding pending and potential litigation; and pursuant to Section 551.072 of the Texas Government Code (DELIBERATION ABOUT REAL PROPERTY), specifically to deliberate the purchase, exchange, lease, or value of real property and pursuant to Section 551.074 of the Texas Government Code Council adjourned into a closed session at 8:57 p.m.  
Council reconvened into open session at 9:35 p.m.
17. **Action outside of Executive Session, if any**  
No action taken
18. **Adjourn**  
Council Member Kollenberg made a motion to adjourn. Council Member Ebeling seconded the motion and the meeting adjourned at 9:35 p.m.

**PASSED AND APPROVED this 25th day of March, 2019**

  
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Mark Kobefan  
Mayor



  
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Karen Farris  
City Secretary