

MINUTES OF A CITY OF PINEY POINT VILLAGE REGULAR COUNCIL MEETING MONDAY, DECEMBER 18, 2023, 6:00 P.M. AT ECCLESIA CHURCH, 325 PINEY POINT ROAD, HOUSTON, TEXAS.

Councilmembers Present: Mayor Mark Kobelan, Michael Herminghaus, Dale Dodds, Joel Bender, Aliza Dutt, and Jonathan Curth.

City Representatives Present: Bobby Pennington, City Administrator; Charles Williams, City Attorney; Jim Huguenard, Police Commissioner; Solace Southwick, Police Commissioner; Ray Schultz, Police Chief; Zeb Nash, Fire Commissioner; Howard Miller, Interim Fire Chief; Joe Moore, City Engineer.

I. Call To Order

- Mayor Kobelan called the meeting to order at 6:01 p.m. with all council members present in person.

II. Pledge Of Allegiance

- Council led the Pledge of Allegiance to the United States of America Flag.

III. Citizens Wishing to Address Council

- There were no other general comments.

IV. New Business

1. Consideration and possible action on the Memorial Villages Police Department Monthly Report.

- Chief Schultz reported the activities of the MVPD for November.
- No action was taken.

2. Consideration and possible action on the Village Fire Department Monthly Report.

- Interim Chief Miller reported the activities of the VFD for November.
- Commissioner Nash reported on the roof replacement.
- On January 16, Claire Bogard will begin providing financial consulting work, according to Alternate Fire Commissioner.
- No further action was taken.

3. Consideration and possible action on the schedule of Observed Holidays for 2024.

- City holidays usually coincide with federal holidays and are approved by the Council on an annual basis. A calendar was presented as an exhibit showing the proposed observed holidays.
- Councilmember Herminghaus motioned to approve Observed Holidays for 2024, seconded by Bender.
 - AYES: Herminghaus, Dodds, Bender, Dutt, and Curth.
 - NAYS: None.
- The motion carried.

4. Consideration and possible action on an Ordinance that establishes the schedule for City Council Regular Meetings in 2024.

- This proposal suggests new dates for regular council meetings to avoid conflicts with national and religious holidays. A calendar was presented as an exhibit showing the recommended meeting schedule, followed by a proposed ordinance.
- Councilmember Bender moved to approve an ordinance establishing the schedule for regular

City Council meetings in 2024, as presented. The motion was seconded by Dodds.

- AYES: Herminghaus, Dodds, Bender, Dutt, and Curth.
- NAYS: None.
- The motion carried.

5. Consideration and possible action on a Resolution of Order to establish a joint election with Spring Branch Independent School District for the General Municipal Election on May 4, 2024.

- The next municipal election is scheduled for May 4, per election law. A draft resolution was provided to call a General Municipal Election and establish a joint election with SBISD. The Council previously approved an Interlocal Cooperation Agreement for Joint Elections in November.
- Councilmember Herminghaus moved to approve a Resolution of Order to establish a joint election with Spring Branch Independent School District for the General Municipal Election on May 4, 2024, as presented. The motion was seconded by Bender.
 - AYES: Herminghaus, Dodds, Bender, Dutt, and Curth.
 - NAYS: None.
- The motion carried.

6. Consideration and possible action on approving the Interlocal Agreement with Harris County to house, support, maintain, and confine or detain city prisoners in Harris County Jails.

- This is an agreement between Harris County and the City, where the Sheriff's Office detains city prisoners arrested by an MVPD officer for Municipal offenses. The detention services are at a per diem rate.
- Councilmember Bender moved to authorize the mayor to extend the Interlocal Agreement with the County for housing city prisoners in the County Jails. The motion was seconded by Herminghaus.
 - AYES: Herminghaus, Dodds, Bender, Dutt, and Curth.
 - NAYS: None.
- The motion carried.

7. Consideration and possible action on an ordinance regarding the city of Piney Point Village's Texas Municipal Retirement System benefits: (1) adopting non-retroactive repeating COLAs, for retirees and their beneficiaries under TMRS Act §853.404(f) and (f-1), and (2) authorizing annually accruing updated service credits and transfer updated service credits.

- TMRS now offers optional annuity increases to some retirees and beneficiaries as per H.B. 2464. A Local ordinance may credit service credits annually based on the percentage of the base credit specified in the law.
- The topic of percentages was discussed as the council explored the various outcomes of the percentages on Updated Service Credits and Cost of Living Adjustments under TMRS.
- The ordinance proposes a 50% Updated Service Credit with Transfers and a 30% Non-Retroactive Cost of Living Adjustment Increase for Employees, effective annually from January 1, 2024.
- Councilmember Dodds motioned to adopt the ordinance as presented regarding the city of Piney Point Village's Texas Municipal Retirement System benefit, adopting non-retroactive repeating COLAs, for retirees and their beneficiaries under TMRS Act §853.404(f) and (f-1), and (2) authorizing annually accruing updated service credits and transfer updated service credits. The motion was seconded by Bender.
 - AYES: Herminghaus, Dodds, Bender, Dutt, and Curth.
 - NAYS: None.
- The motion carried.

8. Consideration and possible action on a resolution to approve a contract renewal with DRC Emergency

Services for disaster debris clearance removal.

- Councilmember Dodds moved to approve a contract renewal with DRC Emergency Services as presented. The motion was seconded by Bender.
 - AYES: Herminghaus, Dodds, Bender, Dutt, and Curth.
 - NAYS: None.
- The motion carried.

9. Consideration and possible action on the Mayor's Monthly Report, including Arbor Day Landscape Improvements, and Beautification Committee Updates.

- During the discussion of general landscaping, there was a specific focus on the progress made toward completing the Greenbay corridor.
- No further action was taken.

10. Consideration and possible action on the City Administrator's Monthly Report, including financial and tax reports, authorized disbursements over \$10,000, updates on specific use permit projects, and the Shadow Way Automated License Plate Recognition (ALPR) system.

- The council discussed SFEC's lack of progress in completing the final construction, drainage and obtaining the as-built certification necessary to meet their specific use permit requirements. As a result, the council has requested that the city account for any cost overages in providing the ongoing permitting fee services, mainly drainage fees. Additionally, they have requested that the City Attorney draft a demand letter to request project completion, as the council can no longer tolerate the ongoing residential traffic congestion caused by the delayed construction.
- Councilmember Dodds moved to approve the disbursement for Bright Landscape Designs at \$35,729.18, disbursement for Stripes & Stops at \$17,010.00, and the private installation of an automatic license plate reader (ALPR) on the Shadow Way right-of-way. The motion was seconded by Bender.
 - AYES: Herminghaus, Dodds, Bender, Dutt, and Curth.
 - NAYS: None.
- The motion carried.

11. Consideration and possible action on approving the Interlocal Agreement with the City of Houston for improvements to the existing 24" outfall storm sewer system located at 14 Windermere Lane within the City of Piney Point Village and 102" outfall storm sewer system located at 15 Windermere Lane within the City of Houston.

- The staff is requesting more information from the city of Houston about the updated Interlocal Agreement before recommending further actions.
- The Council tabled this item until more information is obtained from the city of Houston.

12. Consideration and possible action on a proposal for construction for the Williamsburg Drainage Improvements Project.

- HDR submitted a recommendation letter for the Williamsburg Drainage Improvements Project. The city received five bids on November 30, 2023, with On Par Civil Services being the recommended bid at a cost of \$210,396.
- Councilmember Dodds motioned to approve the On Par Civil Services bid for the Williamsburg Drainage Improvements Project, contingent on 50% resident participation. Herminghaus seconded the motion.
 - AYES: Herminghaus, Dodds, Bender, Dutt, and Curth.
 - NAYS: None.
- The motion carried.

13. Consideration and possible action on a proposal for professional engineering services for the Williamsburg Drainage Improvements Project.

- HDR proposed professional engineering services for the design, bid, and construction of storm sewer improvements in Williamsburg at the October Council meeting. However, the Council only authorized the design phase services at that time.
- HDR requested Council approval for Construction Management for an estimated total cost of \$52,050.00, including \$19,850.00 for Construction Management, \$27,200.00 for Part-Time Site Observation, and \$5,000.00 for Construction Material Testing.
- Councilmember Bender moved to approve not to exceed \$52,050 for HDR professional engineering services for the Williamsburg Drainage Improvements Project; Dodds seconded.
 - AYES: Herminghaus, Dodds, Bender, Dutt, and Curth.
 - NAYS: None.
- The motion carried.

14. Consideration and possible action on the Engineer's Report.

- The Council discussed the recent residential improvements that are to improve the Green Oaks drainage system. It was requested that HDR review the plans to verify elevations and outfall.
- No further action was taken.

15. Consideration and possible action on approval of the minutes for the Regular Session Council Meeting held on November 27, 2023.

- Councilmember Herminghaus motioned to approve the minutes for the Regular Session Council Meeting held on November 27, 2023, seconded by Councilmember Bender.
 - AYES: Herminghaus, Dodds, Bender, Dutt, and Curth.
 - NAYS: None.
- The motion carried.

16. Consideration and possible action on future agenda items, meeting dates, and similar matters.

- The next regular council meeting is scheduled for January 22.
- Beautification and Engineering are scheduled for January 8 and January 10, respectively.
- Members of the Council would like to discuss uplifting and election signage at a future meeting.

V. EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE

17. The City Council executive meeting pursuant to the provision of Chapter 551, Texas Government Code, in accordance with the authority contained in Section 551.071, Consultation with City Attorney and Section 551.072, Real Estate Property, specifically to deliberate office lease, Section 551.074, Personnel, specifically to deliberate employee salaries.

- The council convened into executive session at 7:47 p.m.
- The council reconvened into the regular public meeting at 7:53 p.m.

18. Consideration and possible action on items discussed in the Executive Session.

- No formal action was taken from the discussion in executive session.

VI. ADJOURNMENT

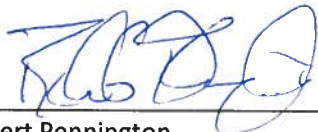
19. Adjourn.

- Councilmember Bender made a motion for adjournment, seconded by Councilmember Dodds.
- Mayor Kobelan adjourned the meeting at 7:53 p.m.

PASSED AND APPROVED this 22nd day of January 2024.



Mark Kobelan
Mayor



Robert Pennington
City Administrator / City Secretary