

**CITY OF PINEY POINT VILLAGE
CITY COUNCIL**

Aliza Dutt, Mayor
Michael Herminghaus, Council Position 1
Dale Dodds, Council Position 2
Joel Bender, Council Position 3, Mayor Pro Tem
Margaret Rohde, Council Position 4
Jonathan C. Curth, Council Position 5



**PROVISIONAL COUNCIL CHAMBERS
325 PINEY POINT ROAD
PINEY POINT VILLAGE, TEXAS 77024**

Robert Pennington, City Administrator
David Olson, City Attorney

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**THE CITY OF PINEY POINT VILLAGE
SPECIAL COUNCIL MEETING
TUESDAY, MAY 14, 2024
6:00 PM**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE WILL HOLD A SPECIAL COUNCIL MEETING ON TUESDAY, MAY 14, 2024, LOCATED AT 325 PINEY POINT ROAD, PINEY POINT VILLAGE, TEXAS, TO DISCUSS THE AGENDA ITEMS LISTED BELOW.

I. DECLARATION OF QUORUM AND CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZENS WISHING TO ADDRESS COUNCIL - *At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, if a member of the public comments or inquiries about a subject that is not specifically identified on the agenda, a member of Council or a Staff Member may only respond by giving a statement of specific factual information or by reciting existing policy. The City Council may not deliberate or vote on the non-agenda matter.*

IV. AGENDA PROPOSALS

1. Consideration and possible action to consider Resolution No. 2024.05, a resolution and order of the City Council of the City of Piney Point Village, Texas, canvassing the returns and declaring the results of the May 4, 2024, General Election for the purpose of electing City Council - Alderman Position 3, City Council - Alderman Position 4, and Mayor.
2. Administer the oath of office for the City Mayor, City Council Alderman Position 3, and City Council Alderman Position 4.
3. Consideration and possible action to consider Resolution No. 2024.05-A, to formally acknowledge the outgoing mayor's service and contributions to the community.
4. Consideration and possible action regarding Resolution No. 2024.05-B, the selection of Mayor Pro Tempore.
5. Consideration and possible action regarding Resolution No. 2024.05-C, the appointment to the Planning and Zoning Commission and recommendation of a Chairperson.

6. Consideration and possible action regarding school zones and planned purchase and placement of school zone signage and flashing beacons.
7. Consideration and possible action on any future agenda items, meeting dates, and similar matters.
 - a) City Holiday – Monday, May 27, 2024.
 - b) Regular Council Meeting - Tuesday, May 28, 2024 (Adjusted – Memorial Day Observed).
 - c) Additional items to be included in the future meeting agendas, meeting dates, and other similar matters.

V. EXECUTIVE SESSION

8. The City Council will now hold a closed executive meeting pursuant to the provision of Chapter 551, Texas Government Code, in accordance with the authority contained in:
 - a) Section 551.071- Consultation with City Attorney.
 - b) Reconvene into an open session.
9. Consideration and possible action on items discussed in the Executive Session.

VI. ADJOURNMENT

CERTIFICATION

I certify that a copy of the May 14, 2024, agenda of items to be considered by the Piney Point Village City Council was posted in a place convenient to the general public in compliance with Chapter 551 of the Texas Government Code on May 10, 2024.



Robert Pennington
City Administrator / City Secretary



In compliance with the Americans with Disabilities Act, the City of Piney Point Village will provide for reasonable accommodations for persons attending City Council meetings. This facility is wheelchair accessible and accessible parking spaces are available. To better serve you, your requests should be received 48 hours prior to the meeting. Please contact Robert Pennington, at 713-230-8703. The City Council reserves the right to adjourn into a Closed Executive Session at any time under the Texas Government Code, Section 551.071 to consult with an attorney.

TO: The Honorable Mayor and Members of the City Council

FROM: R. Pennington, City Administrator

MEETING DATE: May 14, 2024

SUBJECT: Consideration and possible action to consider Resolution No. 2024.05, a resolution and order of the City Council of the City of Piney Point Village, Texas, canvassing the returns and declaring the results of the May 4, 2024, General Election for the purpose of electing City Council - Alderman Position 3, City Council - Alderman Position 4, and Mayor.

Agenda Item: 1

A joint election was conducted on May 4, 2024, in Piney Point Village, Texas, and Spring Branch Independent School District to elect the Mayor and two members of the City Council. This agenda item concerns validating election results by canvassing the returns. Canvassing is an essential process for ensuring the completeness, accuracy, and integrity of election results. It involves carefully reviewing all ballots cast, resolving any irregularities, and providing a transparent process before officially certifying the final vote counts and winners.

RESOLUTION NO. 2024.05

**A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS,
CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE 2024 GENERAL ELECTION
HELD FOR THE CITY OF PINEY POINT VILLAGE, TEXAS.**

WHEREAS, a joint election was held between the City of Piney Point Village, Texas and Spring Branch Independent School District on May 4, 2024, for the purpose of the electing two (2) Aldermen to the City Council: Councilmember-Alderman Position 3, Councilmember-Alderman Position 4, and City Mayor; and

WHEREAS, the City Council has reviewed and investigated all matters pertaining to this election, including the ordering, notices, and returns thereof; and

WHEREAS, the City Council hereby canvasses the returns of this election, at which was submitted to all residents, qualified electors of the City for this action thereupon, the election of Councilmember-Alderman Position 3, Councilmember-Alderman Position 4, and City Mayor; and

WHEREAS, after duly canvassing said returns, the City Council finds that the sum of the total votes cast at said election for the candidates for said offices is as follows:

Candidate	Votes
<u>City Mayor</u>	
Aliza Dutt	492 (unofficial)
Jonathan C. Curth	315 (unofficial)
<u>Position 3</u>	
Joel A. Bender	606 (unofficial)
<u>Position 4</u>	
Margaret Rohde	598 (unofficial)

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS:

SECTION 1. That the facts and recitations set forth in the preamble of this Order are hereby declared true and correct.

SECTION 2. The City Council officially finds, determines, and declares that the election was duly and properly ordered, the election was duly and legally held, that all resident, qualified electors of the City were permitted to vote at the election, and due returns of the results of the election had been made and

delivered, and that the City of Piney Point Village has duly canvassed such returns, all in accordance with the laws of the state of Texas and of the United States of America. The following persons are therefore elected to the City of Piney Point City Council:

Aliza Dutt — City Mayor

Joel A. Bender — Councilmember-Alderman Position 3

Margaret Rohde — Councilmember-Alderman Position 4

SECTION 6. Severability. That if any section, subsection, sentence, clause, or phrase of this Order or the application of same to a particular person, or to a particular set of circumstances, should for any reason be held invalid, such invalidity shall in no way affect the remaining portions of this Order and to such end, the various portions and provisions of this Order are declared to be severable.

PASSED AND APPROVED THIS 14TH DAY OF MAY 2024.

Mayor

Attest:

Robert Pennington
City Administrator / City Secretary

TO: The Honorable Mayor and Members of the City Council

FROM: R. Pennington, City Administrator

MEETING DATE: May 14, 2024

SUBJECT: Swearing-in of the City Mayor and Council Members.

Agenda Item: 2

Newly elected or re-elected council members are required to take an oath or affirmation of office before assuming their duties. This oath is a solemn promise to faithfully perform the responsibilities of their position and uphold the laws and governing documents of their jurisdiction. The oath of office is a crucial legal and symbolic step for newly elected council members to affirm their qualifications, responsibilities, and commitment to serving their community before officially taking office.

Administer Oaths of Office

- Aliza Dutt – City Mayor
- Joel A. Bender – Alderman Position 3
- Margaret Rohde – Alderman Position 4

Additional Information:

The Statement of Officer (Form 2201), Oath of Office (Form 2204), and Certificate of Election will be provided for execution during the meeting.

TO: The Honorable Mayor and Members of the City Council

FROM: R. Pennington, City Administrator

MEETING DATE: May 14, 2024

SUBJECT: Consideration and possible action to consider Resolution No. 2024.05-A, to formally acknowledge the outgoing mayor's service and contributions to the community.

Agenda Item: 3

The Council is to recognize Mark Kobelan for his commitment and contributions over the eight years, which have been invaluable to our city and surrounding community.

Attached:

Resolution No. 2024.05-A

RESOLUTION NO. 2024.05-A

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS,
TO RECOGNIZE MAYOR MARK KOBELAN'S COMMITMENT AND CONTRIBUTIONS TO PINEY POINT
VILLAGE.**

WHEREAS, During his tenure as Mayor from 2016 to 2024, Mark Kobelan provided steady guidance to Piney Point Village and inspired the community to achieve greater heights. Under his leadership, significant infrastructure improvements were made to the streets and drainage systems, including the South Piney Point Drainage Outfall, Blalock Road at Memorial Drive, Piney Point Road, Beinhorn Road, Surry Oaks Road, Dana Lane, Lanecrest Lane, Smithdale Estates, and Wilding Lane. He also oversaw several sidewalk improvements, including parts of Piney Point Road, Beinhorn Road, and Carol Tree Park; and

WHEREAS, Mayor Kobelan played a crucial role in the development of Heritage Trail, including the installation of the Historical Marker at Arrowood Circle, the Historical Marker at 435 Piney Point Rd, and the Historical Panels in Carol Tree Park. He was also instrumental in implementing several beautification, landscaping, and irrigation projects, including those in Carol Tree Park, Flag Tree Park, Memorial Drive Esplanades, South Piney Point Road, Blalock at Memorial, Greenbay Street Corridor, Blalock at Quail Hollow, and Taylorcrest Road at Echo Lane; and

WHEREAS, Mayor Kobelan successfully maintained a low tax rate since 2013 and paid off a substantial bond debt of around \$9.7 million, lowering the bond balance to \$1.7 million. He also steered the implementation of the Over-65 Tax Exemption Ordinance, which increased the amount of assessed value that is exempt from Ad Valorem taxes for homeowners over 65 years old; and

WHEREAS, Mark Kobelan's leadership was marked by his unwavering commitment to honor, integrity, and distinction.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS:

Do hereby designate **May 26th, 2024**, as "**MARK KOBELAN DAY**." This proclamation recognizes Mr. Kobelan's exceptional contributions to the community. The Council's acknowledgment of his achievements is a well-deserved tribute, serving as an inspiration to others to strive and make a meaningful difference in the community.

PASSED AND APPROVED THIS 14TH DAY OF MAY 2024.

Mayor

Attest:

Robert Pennington
City Administrator / City Secretary

TO: The Honorable Mayor and Members of the City Council

FROM: R. Pennington, City Administrator

MEETING DATE: May 14, 2024

SUBJECT: Consideration and possible action regarding Resolution No. 2024.05-B,
the selection of Mayor Pro Tempore.

Agenda Item: 4

At its first meeting after election of Councilmembers, City Council shall elect one of its members Mayor Pro-Tem and shall perform all the duties of the Mayor in the absence or disability of the Mayor. The Mayor Pro-Tem serves a one-year term in this capacity.

Attached:

Resolution No. 2024.05-B

RESOLUTION NO. 2024.05-B

**A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS,
TO APPOINT A MAYOR PRO-TEM FOR THE 2024/2025 ELECTION YEAR.**

WHEREAS, as per Local Government Code Section 22.037, a Mayor Pro-Tem shall be a member of the Council, elected by the Council following the regular election; and

WHEREAS, the Mayor Pro-Tem shall act as Mayor during the absence of the Mayor, and, in this capacity, shall have the rights conferred upon the Mayor.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS:

Do hereby elect _____ Mayor Pro-Tem for the 2024/2025 Election year.

PASSED AND APPROVED THIS 14TH DAY OF MAY 2024.

Mayor

Attest:

Robert Pennington
City Administrator / City Secretary

TO: The Honorable Mayor and Members of the City Council

FROM: R. Pennington, City Administrator

MEETING DATE: May 14, 2024

SUBJECT: Consideration and possible action regarding Resolution No. 2024.05-C, the appointment to the Planning and Zoning Commission, and the recommendation of a chairperson.

Agenda Item: 5

The Planning and Zoning Commission is comprised of eight members, each of whom must be a resident citizen, qualified voter, and property owner of the city both at the time of their appointment and throughout their tenure on the commission. The mayor appoints the commission members, and the city council must approve their appointments. The mayor can remove any member of the commission subject to the city council's agreement.

Margaret Rohde has been elected to the City Council; therefore, she is stepping down from her position as the Planning and Zoning Commission member and Chairperson. As a result, the council will have to fill the vacancy created by this action. Additionally, the council may suggest a chairperson for the Commission to select.

Attachment:

Resolution No. 2024.05-C.

RESOLUTION NO. 2024.05-C

**A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS,
TO APPOINT MEMBERSHIP TO THE PLANNING AND ZONING COMMISSION.**

WHEREAS, The Texas Local Government Code's Chapter 211, "Municipal Zoning Authority," allows municipalities in Texas to regulate land use through zoning ordinances to better public health, safety, morals, or general welfare. This also includes the preservation of places and areas of historical, cultural, or architectural importance and significance.

WHEREAS, the governing body of a general-law municipality can appoint a zoning commissioner. By City Ordinance, the planning and zoning commission must be composed of eight members, each of whom must be a resident citizen, qualified voter, and property owner of the city.

WHEREAS, the commission members must be appointed by the mayor, subject to approval from the city council. Any member of the commission may be removed at the mayor's will, subject to the concurrence of the city council.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE, TEXAS:

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council hereby finds that _____ qualified citizen is appointed to serve on the City of Piney Point Village Planning and Zoning Commission _____ and the City Council further recommends _____ as the Zoning Commission Chairperson.

Section 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

Section 4. This resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED THIS 14TH DAY OF MAY 2024.

Mayor

Attest:

Robert Pennington
City Administrator / City Secretary