

**MINUTES OF
THE CITY OF PINEY POINT VILLAGE
SPECIAL COUNCIL MEETING
MONDAY, JULY 11, 2011**

THE CITY COUNCIL OF THE CITY OF PINEY POINT VILLAGE HELD A SPECIAL MEETING ON MONDAY, JULY 11, 2011 AT 6:00 P.M. AT CITY HALL, 7676 WOODWAY, SUITE 300 HOUSTON, TEXAS, 77063.

Mayor Nemeth called the meeting to order at 6:02 p.m. In attendance were Mr. Ebeling, Mr. Kollenberg, Mr. Dodds, Mr. Bender, Mr. Goodwine, City Attorney Olson, City Administrator Johnson and City Secretary Davenport.

Mayor Nemeth led the Pledge of Allegiance.

1. Discuss and take action on the Village Fire Department 2010 Intra-Budgetary Transfer.

Motion was made by Councilman Kollenberg to approve the Village Fire Department 2010 Intra-Budgetary Transfer. The motion was seconded by Mayor Pro Tem Ebeling and passed unanimously.

2. Discuss the FY2012 Village Fire Department budget.

Councilman/Fire Commissioner Kollenberg reviewed the Village Fire Department 2011 proposed budget and responded to Council comments.

3. Public hearing on Ordinance 2011.07.11 amending Article V of Chapter 50, authorizing the City Council, upon recommendation from staff, to approve amendments to the forms provided for in Article V, if such amendments satisfy the intent of such forms; and amending Section 50-168, providing a certification from the applicant that all easements, fee strips, topographical features that affect development, and contiguous property that the owner has a legal interest in are accurately identified and located on the plat.

The public hearing was opened at 6:50 p.m. There were no comments made for or against the Ordinance amendment and the public hearing was closed at 6:51 pm.

4. Discuss and take action on Ordinance 2011.07.11 amending Article V of Chapter 50, authorizing the City Council, upon recommendation from staff, to approve amendments to the forms provided for in Article V, if such

amendments satisfy the intent of such forms; and amending Section 50-168, providing a certification from the applicant that all easements, fee strips, topographical features that affect development, and contiguous property that the owner has a legal interest in are accurately identified and located on the plat.

City Attorney David Olson presented this item for Council's consideration.

A motion was made by Mayor Pro Tem Ebeling to approve Ordinance 2011.07.11 subject to changing the wording to read "Registered Public Land Surveyor". The motion was seconded by Councilman Bender and passed unanimously.

5. Discuss and take action on the proposed revised Owner's Acknowledgment for the Matthews' final plat located at 464 Oak Lane.

A motion was made by Mayor Pro Tem Ebeling to approve the Owner's Acknowledgement as presented. The motion was seconded by Councilman Bender and passed unanimously.

6. Discuss and take action on advertising the 2011 Paving Improvement Project.

City Engineer John Peterson presented this item to Council.

A motion was made by Councilman Bender to approve advertising for bids for the 2011 Paving Improvement Project. The motion was seconded by Councilman Dodds and passed unanimously.

7. Discussion about events on Green Vale Drive.

Mr. Peterson discussed this item with Council and explained the events that led up to the broken water line.

8. Discussion and take action on cleaning south side ditch of Williamsburg.

Mr. Peterson presented this item and no action was taken at this time.

9. Discuss and take action on the 2nd Quarter Investment report for the City of Piney Point Village.

A motion was made by Councilman Kollenberg to approve the 2nd Quarter Investment report. The motion was seconded by Councilman Dodds and passed unanimously.

10. Discuss and take action on the Belt Harris Pechacek engagement letter

for years 2011, 2012, 2013.

Kevin Yeaglin was in attendance and discussed this issue with Council.

A motion was made by Councilman Dodds to accept the engagement letter with Belt Harris and Pechacek for 2011, 2012 and 2013. The motion was seconded by Mayor Pro Tem Ebeling and passed unanimously.

11. Discuss and take action on Resolution 11.07.11 regarding Texas Class for investment management.

A motion was made by Councilman Dodds to approve Resolution 11.07.11 as presented and authorizing the Mayor to execute any related agreements. The motion was seconded by Mayor Pro Tem Ebeling and passed unanimously.

12. Discuss and take action on employee job descriptions.

A motion was made by Councilman Bender to approve the city employee job descriptions as presented. The motion was seconded by Mayor Pro Tem Ebeling and passed unanimously.

13. Discuss and take action on a workshop date to discuss bond projects.

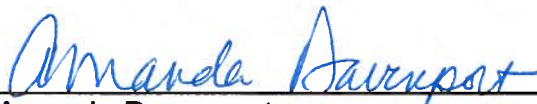
Council agreed to include a bond project workshop and a 30 minute budget workshop on the August 8, 2011 agenda.

14. Adjourn – Meeting was adjourned at 7:52 p.m.

Passed and approved this 25th day of July, 2011.



Peter G. Nemeth
Mayor



Amanda Davenport
City Secretary



ORDINANCE NO. 2011.07.11

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PINEY POINT VILLAGE, TEXAS, BY ADDING A PREAMBLE TO ARTICLE V OF CHAPTER 50 THEREOF, AUTHORIZING THE CITY COUNCIL TO APPROVE AMENDMENTS TO THE FORMS ESTABLISHED IN SUCH ARTICLE; BY DELETING SECTION 50-168 OF ARTICLE V OF CHAPTER 50 THEREOF AND SUBSTITUTING THEREFOR A NEW SECTION 50-168, PROVIDING CERTIFICATION FROM THE SURVEYOR THAT ALL EASEMENTS, FEE STRIPS, TOPOGRAPHICAL FEATURES THAT AFFECT DEVELOPMENT, AND CONTIGUOUS PROPERTY THAT THE OWNER HAS A LEGAL INTEREST IN ARE ACCURATELY IDENTIFIED AND LOCATED ON THE PLAT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$500.00 FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

* * * * *

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PINEY POINT VILLAGE, STATE OF TEXAS:

Section 1. The Code of Ordinances of the City of Piney Point Village, Texas is hereby amended by adding a preamble to Article V of Chapter 50 thereof, to provide as follows:

“ARTICLE V. FORM OF STATEMENTS AND CERTIFICATES

The forms provided for in this Article are templates. Upon request from an applicant, the specific language of any such form may be amended, after review and approval by City Council, so long as the amended form satisfies the intent of the original template. Staff shall present City Council with a recommendation concerning any proposed amendment.”

Section 2. The Code of Ordinances of the City of Piney Point Village, Texas is hereby amended by deleting Section 50-168 of Article V of Chapter 50 thereof and substituting therefor a new Section 50-168, to provide as follows:

“Section 50-168. Certificate of Surveyor.

Certificate of Surveyor

(Preliminary Plats)

Note: The following paragraph is to be placed on the face of all preliminary plats to be filed separately with the materials required to be submitted with plats requesting preliminary approval.

I, (person who prepared the plat), do hereby certify that all easements both public and private, fee strips and all significant topographical features which would affect the physical development of the property illustrated on this plat are accurately identified and located and further certify that this plat represents all of the contiguous land which the (owner or subdivider) owns or has a legal interest in. (In those instances where the owner or subdivider owns or has a legal interest in any adjacent property, this paragraph must be modified to reflect the extent of such ownership and a boundary description of the land involved must be provided.)

(Signature of Registered Public Land
Surveyor who prepared the plat)

(Name to be printed)”

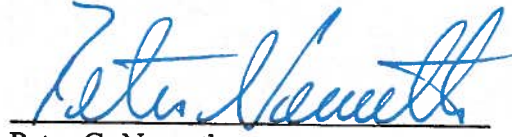
Section 3. Any person who shall violate any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.

Section 4. All ordinances and parts of ordinance in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the Board of Aldermen of the City of Piney Point Village, Texas,

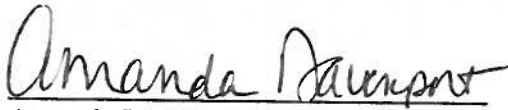
declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED on first and final reading this 11th day of July, 2011.



Peter G. Nemeth
Mayor

ATTEST:



Amanda Davenport
City Secretary

